

LOK SABHA DEBATES (English Version)

Fourth Session
(Tenth Lok Sabha)



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Twenty-first Report - *Presented*

LOK SABHA DEBATES

LOK SABHA

Wednesday August 19, 1992/Sravana 28,
1914 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

[*Translation*]

(*Interruptions*)

MR. SPEAKER: Listen, first, all of you take your seats. I would like to inform all of you.

(*Interruptions*)

MR. SPEAKER: Today and tomorrow are the last two days of the current session of the House.

SHRI ATAL BIHARI VAJPAYEE (Lucknow): These are our last days.

MR. SPEAKER: Today and tomorrow are the last days of the current session of the House. All the hon. Members are given more time to put forth their viewpoints during last days of the session, as a convention. I will also give you more time to put forth your viewpoints. However, it must be kept in mind that there are many important issues to be discussed. One by one, I will allow all of you

to speak. Let us start with Shri Madan Lal Khurana.

(*Interruptions*)

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, I would like to congratulate the scientists, on behalf of the House for the successful testing of 'Prithvi' missile. (*Interruptions*)

Mr. Speaker Sir, through you, I would like to congratulate the scientists behind successful test launch of 'Prithvi' missile. A feat which has earned laurels for the country once again in the comity of nations. Sir, tenth successful test launch of 'Prithvi', ground to ground medium range missile from the Chandipur launching centre by the scientists has again demonstrated to the whole world India's capability and preparedness. For this marvel the House must congratulate the scientists. Once again the Indian Scientists have amply demonstrated that if all the facilities are made available, then they are second to none. I would like to submit that the House must congratulate the scientists for their glorious achievement.

SHRI RABI RAY (Kendrapada): If you say a few words of congratulations, it would be considered a felicitation on behalf of the entire House. (*Interruptions*)

MR. SPEAKER: I think it is a matter of pride for all of us that our scientists have attained great heights in a new field of sci-

ence. On behalf of the hon. Members of this House I would like to congratulate the scientists.

(Interruptions)

SHRI RAM NAIK (Bombay North): Mr. Speaker, Sir, I would like to draw your attention and that of the Hon. Prime Minister and of all the hon. Members, towards an issue of national importance. Recently on 15th August the Independence Day was celebrated with much fanfare all over the country and the national Tricolour was also unfurled with all respect. Sir, there is a code for hoisting national flag, but it is being observed that at many a place this is not followed in letter and spirit. It might probably be the result of ignorance, but one thing is there that flower pellets and garlands should not be put in flag before hoisting.

In spite of the specific provision in the Flag Code I have observed this time on television that in the capitals of many States like Karnataka, Bihar, Orissa, Punjab, Rajasthan, Madhya Pradesh, Uttar Pradesh, Manipur and Sikkim during flag hoisting ceremonies flowers pellets were seen dropping. I am not aware of what happened in Delhi as the video recording of the flag hoisting ceremony held in Delhi was not shown on Bombay Television. In this regard I would like to quote from the "The Flag Code-India".

[English]

"The Flag Code-India

IV. Incorrect Display

Sub-section (3)

No other flag or bunting shall be placed higher than or above, or except as hereinafter provided, side by side with the National Flag; nor shall any object including flowers or

garlands or emblem be placed on or above the flag mast from which the National Flag is flown."

[Translation]

Therefore, placing of flowers is a violation of "The Flag Code-India" and it also shows that we are not giving due respect to the national flag. I would like to submit that if "The Flag Code-India" is not followed then why should we not enact a law in this regard. I submit all this for the Hon. Prime Minister to ponder over. All the hon. Members should be prepared for sacrifices to preserve the honour of the National Flag and must also see that all over the country the National Flag is respected and honoured. In this connection I demand that the Hon. Prime Minister should make a statement... *(Interruptions)*

SHRI SHARAD YADAV (Madhepura): Mr. Speaker, Sir, both you and we are deeply interested in letting the House function with decency as per the rules and precedents of the House. I would like to submit that it will be totally wrong to overlook the feelings and sentiments of even 5 or 10 hon. Members of the House and if this happens then it will undoubtedly hurt them and it will also be difficult to conduct the proceedings in the House. Sir, your decision is detrimental to the constitution of the party. I would like to submit that I hold highest regard for the office you are occupying, but without hesitation would also like to submit that your decision definitely hurt me not because some people left, but the Congress (I) party out of the feeling of insecurity brought a bad name to your institution... *(Interruptions)* I would like to submit that the 10th schedule of the Constitution regarding defection should be scrapped as there is no need for it i.e., it is redundant... *(Interruptions)* Anti-defection law should be scrapped. We are not in favour of this institution functioning like this... *(Interruptions)* for forty years it is being denigrated... *(Interruptions)*

Through you, I would like to submit that the Tenth Schedule should be deleted... (*Interruptions*) The proceedings of the House would not run smoothly if it is there (*Interruptions*)... This law should be withdrawn and revoked... (*Interruptions*) If you want to restore democracy in the country... (*Interruptions*)

THE MINISTER OF PARLIAMEN-
 TARY AFFAIRS (SHRI GHULAM NABI
 AZAD): Mr. Speaker, Sir, I would not like to speak on any of the issues. An hon. Member, a good colleague of mine, has raised this issue which led to the adjournment of the House twice the day before yesterday, once for a short while and then for the whole day. Even if we continue to discuss the same matter today... (*Interruptions*)

I do not think it justified to discuss a matter which has already been discussed in the House extensively and efforts to find immediate solution has already been assured by him.

SHRI SHARAD YADAV: I have submitted that the Tenth Schedule should be deleted and a fresh resolution should be moved. I have made this appeal through you. I have said nothing else. My submission is that this law should be revoked; otherwise the way you are working, will not do. (*Interruptions*)

[*English*]

MR. SPEAKER: Please take your seat.

(*Interruptions*)

[*Translation*]

MR. SPEAKER: It is all right. Shri Sharad has not said anything wrong. He has asked to think properly over the Tenth Schedule.

11.12 hrs.

RE: INCLUSION OF MORE LAN-
 GUAGES IN THE EIGHTH SCHEDULE
 OF THE CONSTITUTION

[*English*]

SHRI SOMNATH CHATTERJEE (Bolpur): Mr. Speaker, Sir, you have rightly reminded us that today and tomorrow are the two final days of the present Session of this House. You may kindly recall that at the first meeting you held before the commencement of this session, there was a commitment by the Government-it was also published in the Bulletin issued by the Lok Sabha Secretariat-that the Constitution Amendment Bill for the amendment of the Eighth Schedule would be brought forward in this Session itself. We also demanded that it should be passed for three languages for which there is a total unanimity and agreement amongst the parties.

SHRI INDERJIT (Darjeeling): No. There is no unanimity at all. (*Interruptions*) I say there is no unanimity. I question this.

SHRI SOMNATH CHATTERJEE: I said unanimity among the parties. His party is not objecting to it. He should be allotted a separate seat!

SHRI INDER JIT: My party has not agreed to it.

SHRI CHITTABASU (Barasat): His party has agreed to it. (*Interruptions*)

SHRI BASUDEB ACHARIA (Bankura): How can you differ with your party's stand?

SHRI INDER JIT: There is no unanimity. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: In this

connections the hon. Prime Minister has given us an assurance. The hon. Home Minister gave us an assurance saying that this Bill would be introduced in this Session itself. Toady, there was a meeting. All the Parties requested and unanimously agreed also—

Shri Lal K. Advani was there; the other leaders were there—that not only it should be introduced but also it should be passed in this Session itself. We are prepared to waive all the rules regarding introduction. We have said that even if somebody who defies the Whip and speaks for 10 minutes, others will not even speak on this Bill because there is unanimity on this. I demand from this Government that they must introduce this Bill. But we do not find it in the List of Business of today. On the last Private Member's day when Shrimati Dil Kumari Bhandari Private Member's Bill was there for the amendment of the Eighth Schedule for inclusion of Nepali, a clear assurance was given by Shri M.M. Jacob on the floor of this House that in this very session this Bill would be brought forward. But there is no indication. Even at today's meeting we were not told that definitely it will be done. I demand, Sir, you direct the Government because that is a commitment made on the floor of the House. There is a commitment made on the floor of the House; commitment before you, commitment by the highest Executive authority in this country. Then, how will this Parliament function if we cannot trust the Government with regard to their assurance given on the floor of this House? I would like the Government to make a commitment here and now. Let them bring it today. We will pass it here and now.

[*Translation*]

SHRI RAM PRAKASH CHAUDHARY (Ambala): I would request him to kindly settle the matter with him and let the House function. (*Interruptions*)

[*English*]

SHRI SOMNATH CHATTERJEE: The Congress Party puts up Members to speak anything they like whether it is against their party line or not...

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): Rather I have told him to sit down.

(*Interruptions*)

MR. SPEAKER: That was a spontaneous outflow of emotions.

[*Translation*]

SHRI LAL K. ADVANI (Gandhi nagar): Mr. Speaker, Sir, when the hon. Member Shrimati Dil Kumari Bhandari presented a Bill or moved a Resolution for the inclusion of three more Indian languages in the Eighth Schedule a consensus enraged at that time and the Government had given an assurance, thereafter, the hon. Minister of Home Affairs convened a meeting of all the political parties to and a meeting was held only in the morning today in which the consensus was reiterated. I would like to mention that similar demands have also been raised in various parts of the country during this period. There is a demand for the inclusion of Rajasthani, Maithili, Dogri, Bhojpuri and Tulu languages Shri George Fernandes is making a demand in Tulu. I know that this has been a long-standing demand of that region. I would like to request the Government, through you, that since it will not be the last amendment to the Eighth Schedule and more languages might be inclusion of these three languages undecided till a consensus does not emerge in regard to the other languages. It will not be justified and it will be a violation of the commitment made by the Government. Therefore, I would like to make a suggestion that this Bill be passed without having further discussion on it and if there is a need to

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Mr. Speaker, Sir, a discussion has been going on for quiet some time for the inclusion of Nepali, Manipuri and Konkan Languages. People are expressing their feelings and assurances are being given. Now the matter has reached a stage that further discussion is not required on it. There is in Government assurance in the House. The Government claims that it proceeds on consensus. Now, when there is consensus-only Inder Jit might differ what should be done on which the Government may proceed. We are also saying that it will not waste the precious time of the House and it will be passed in the current session itself. The Government should make the reason clear as to why the Bill in this regard cannot be brought, it should clear our doubts-on does it have something else in its mind. It creates doubt in our minds as to why is the Government not bringing it, despite assurance. At the same time-as Shri Advani has said- the demand for the inclusion of other languages such as Rajasthani, Dogri and a few others is also there. A meeting of the leaders of all the political parties should be convened and efforts should be made to reach a consensus in regard to it. My submission is that the Government should introduce a Bill for the inclusion of Nepali, Manipuri and Konkan languages and give assurance with regard to other languages and let there be a consensus.

[English]

SHRI INDRAJIT GUPTA (Midnapore): I just wanted to emphasise this fact that today on the penultimate day of the session there is nothing in the list of business to indicate that the Government intends to bring this Bill, this amendment to the Eighth Schedule. It has not even been introduced; let alone

being passed. Obviously it is not coming today because we have today's list of business before us. We have only one day left.

This is one of the rare occasions when there is unanimity in the House on a particular issue. This happens very rarely, specially in matters like this. We must be told by the Government in view of the repeated assurances given by the Prime Minister, Home Minister, Parliamentary Affairs Minister and also in your Chamber as to why they are trying to dodge this issue. Are they trying to avoid this?

This morning we were given to understand that there are some apprehensions in the mind of the Government that if these three languages are brought into the 8th Schedule, those who are excluded may start a big agitation as to why they have been excluded. This is no argument at this stage. All this time this matter was under the consideration of the Government; now at the fag end of the Session to bring forward this argument is not good. After all, the other way also it can be argued. When the whole country knows and was expecting that these languages will be included, if now at the last moment they are left out, that may also provoke a lot of agitation. Therefore in any case it is a question of standing on the Government's commitment made to the Parliament. All the parties here are pressing that that must be honoured. Therefore I hope that you will also use your good offices to see that at least tomorrow this Bill must be introduced and passed. This will be passed within half an hour. It will not take more time than that. Please ensure one thing that it must be done. Otherwise it will be a very shabby kind of treatment of the House if the Government backs out at this stage. I hope they will not do anything of that kind.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Unanimity does not mean consensus.

SHRI INDERJIT: Mr. Speaker, Sir, the first point I would like to make is that so far as I am concerned there is no unanimity in the matter in the House...*(Interruptions)*... It is my privilege to represent Darjeeling constituency in this House. The Darjeeling Gorkha Hill Council has formally declared that its official language is Gorkha Bhasha. They represent eight to ten lakhs of people. In addition to this may I point out that on August 23, 1988 a solemn agreement was reached between the GNLF and the Government of India, headed by Rajiv Gandhi. Mr. Buta Singh was then the Home Minister and happily now he is present in the House. In this memorandum of Settlement it was clearly acknowledged that the Gorkha language is the language...*(Interruptions)*...

Can I have your protection? I seek your protection from the Sikkim lady...*(Interruptions)*... I would beg of the House to give me a patient hearing. On the 23rd of August 1988 a solemn agreement was reached between the GNLF and the Government of India. It was signed by Shri Subhash Ghising on one side and Shri Buta Singh and the Home Secretary on the other.

The third paragraph of this agreement clearly states: Inclusion of Gorkha Language in the Eighth Schedule of the Indian Constitution. This proposal was not pushed at our request. But the fact that the language of the Gorkhas of Darjeeling Hill is Gorkha Language was acknowledged in this memorandum of settlement. Therefore I beg to submit that any attempt to deflect and deviate from this memorandum of settlement would amount to repudiating what Rajiv Gandhi and his Government did. Therefore I beg of the Government to understand and make it clear. Are they prepared to repudiate what Shri Rajiv Gandhi did and agreed to in 1988? I would ask you to have a look at the memorandum of settlement. *(Interruptions)*

You read the memorandum of settle-

ment. Your friends are speaking in absolute ignorance. Do not speak in ignorance. I would request Sardar Buta Singhji to tell us if there is any doubt.

The Prime Minister has ventured to suggest and propose from the rampart of the Red Fort a moratorium on all divisive issues. It is an excellent proposal. But to push ahead with this will only lead to more divisions. Since the idea of including these languages in the Eighth Schedule was mooted, several other demands have come. I would therefore urge the Government (a) not to repudiate what Shri Rajiv Gandhi did; and (b) not to repudiate the idea of a moratorium, put forward by the Prime Minister from the ramparts of the Red Fort. To pursue this idea would set ablaze several parts of the country. Three days ago, I was in Jammu. The people of Jammu. *(Interruptions)*

SHRI VISHWANATH PRATAP SINGH: There shall be no division in the House for three years as moratorium.

(Interruptions)

SHRI INDERJIT: Mr. Speaker, Sir, three days ago, I was in Jammu. *(Interruptions)*

[Translation]

SHRI NITISH KUMAR (Barh): If he speaks the whole thing, what else will he speak after the introduction of the Bill? It is a Point of Order Sir. It will be a repetition. Please tell him about it... *(Interruptions)*

[English]

SHRI INDERJIT: Mr. Speaker, Sir, can I have your ears? Three days ago, I was in Jammu; the people of Jammu are highly exercised; they want Dogri language to be included. *(Interruptions)* Their leaders said that if you are going to include Nepali, which is a foreign language,...*(Interruptions)*...**

* Expunged as ordered by the Chair.

He said that if you are going to include Nepali in the Eighth Schedule, then ... (Interruptions) Sir, I maintain that Nepali is a foreign language. (Interruptions) it is a foreign language. (Interruptions)

11.26 hrs.

At this stage, Shrimati Dil Kumari Bhandari came and sat on the floor near the Table

(Interruptions)

[Translation]

SHRIGEORGE FERNANDES (Muzafarpur): You are yourself speaking in English** (Interruptions)

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): He is himself speaking in English which is Britishers' language, a language of slavery. (Interruptions)

[English]

SHRISOMNATH CHATTERJEE: Is the Congress party here, in this House now? (Interruptions)

MR. SPEAKER: Please go to your seat. I will allow.

(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGALAM): Sir, let them hear the Government. (Interruptions) Would you not hear him? (Interruptions) You have heard the hon. Member, you hear him also. (Interruptions)

SHRIGHULAM NABIAZAD: Sir, let me be very clear that the hon. Member is speaking on his behalf and not on behalf of the Government. (Interruptions)

MR. SPEAKER: Shrimati Bhandari, I will allow you to speak.

(Interruptions)

11.27 hrs.

At this stage, Shri Yaima Singh Yumnam came and sat on the floor near the Table

(Interruptions)

SHRI YAIMA SINGH YUMNAM (Inner Manipur): Sir, I also join her. (Interruptions)

MR. SPEAKER: If you sit down I will allow.

(Interruptions)

MR. SPEAKER: I will allow.

(Interruptions)

[Translation]

MR. SPEAKER: Please take your seat. Shri Inder Jit, you also sit down please. Shrimati Bhandari, you also please go to your seat for two minutes. I will give you time to speak. Please take your seat. There is no need of so many people coming here. Please, do not make an uproar like this... Why do not you sit down? Members should not assemble like this. Ms. Malini, you also go, please. I shall explain to you.

(Interruptions)

[English:]

MR. SPEAKER: I will allow you. Please take your seat.

(Interruptions) Why do you not take your seat? Please take your seats. Everything will be all right. Please take your seats.

(Interruptions)

11.29 hrs.

At this stage, Shri Yaima Singh Yumnam went back to his seat

(Interruptions)

MR. SPEAKER: Shrimati Bhandari, please go back to your seat.

(Interruptions)

MR. SPEAKER: I will make her understand.

(Interruptions)

MR. SPEAKER: Let me talk to her please.

(Interruptions)

SHRIMATI DIL KUMARI BHANDARI (Sikkim): If I have to face such an insult in my own country, I will observe fast unto death in this House, Sir. I will observe fast unto death in this House, if I have to face this sort of an insult and that too from a Member belonging to the ruling party. *(Interruptions)*

MR. SPEAKER: We respect your feelings; we respect your emotions. Every language which is spoken in our country is respectable. We all like it. It is as much our language as yours.

(Interruptions)

MR. SPEAKER: Please go back to your seat.

(Interruptions)

MR. SPEAKER: I will allow you to speak.

(Interruptions)

MR. SPEAKER: This is going to the other side.

[*Translation*]

Ms. Malini, please take your seat. Mr. Rao, you sit down please.

(Interruptions)

[*English*]

MR. SPEAKER: Mr. Rao, this is going to the other side please.

(Interruptions)

MR. SPEAKER: You are causing harm to the cause itself.

[*Translation*]

Please sit down.

(Interruptions)

SHRI GHULAM NABI AZAD: Will you allow motion speak? *(Interruptions)*

MR. SPEAKER: Mrs Bhandari, may I talk to you please?

(Interruptions)

MR. SPEAKER: You speak from the seat.

SHRI GHULAM NABI AZAD: Sir, let me tell you very clearly on behalf of the Government that Nepali is not a foreign language. Whatever the hon. Member was saying, he was saying in his personal capacity as Member of the Parliament from that particular constituency. He has not been speaking

on behalf of the Government. (Interruptions)
He is a Member of Parliament from that constituency. So, he has a right to say his views. (Interruptions)

[Translation]

MR. SPEAKER: Now the matter ends.

(Interruptions)

MR. SPEAKER: All of you, sit down please.

[English]

SHRI GHULAM NABI AZAD: He has a right to vindicate his views. (Interruptions) It does not necessarily mean the views of the Government. (Interruptions)

MR. SPEAKER: You should go back to your seat. I am requesting you.

(Interruptions)

MR. SPEAKER: Mrs. Bhandari, this is not necessary.

(Interruptions)

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Please tell the hon. Member to withdraw his remarks. (Interruptions)

MR. SPEAKER: Will you take your seat?

(Interruptions)

I will allow you to speak. Not like this.

(Interruptions)

MR. SPEAKER: You cannot bamboozle him also like that.

SHRI BASUDEB ACHARIA: Sir, we

want to know whether he is going to withdraw. (Interruptions)

MR. SPEAKER: Let us finalise the issue properly.

(Interruptions)

MR. SPEAKER: Thank you, Mrs. Bhandari.

(Interruptions)

SHRI BASUDEB ACHARIA: Do not allow him to speak now. (Interruptions)

[Translation]

MR. SPEAKER: First of all, all of you please sit down. Do not compel me to say in a louder voice. Please have pity on me.

(Interruptions)

MR. SPEAKER: Look, this language issue is a very emotional and sensitive one. Nevertheless, he said it. Again you stood up. I cannot talk to each and everybody. Please sit down.

(Interruptions)

MR. SPEAKER: Mr. Lokanathji when I am on my legs you please sit down. Please understand that the language issue is a very sensitive issue...

(Interruptions)

MR. SPEAKER: Please sit down.

(Interruptions)

[English]

At this stage, *Shrimati Dil Kumari Bhandari went back to her seat.*

SHRI SOMNATH CHATTERJEE: Why don't you hear? *(Interruptions)* This is a fit case for a separate seat.

(Interruptions)

[*English*]

[*Translation*]

MR. SPEAKER: Arrangements will be made on their requests.

SHRIMATI DIL KUMARI BHANDARI: Sir, he should withdraw his comment that Nepali is a foreign language.

MR. SPEAKER: I will allow you.

(Interruptions)

MR. SPEAKER: Please deal with the issue in such a manner as it may have no repercussions.

SHRIMATI DIL KUMARI BHANDARI: But he should first withdraw his comment. Sir. *(Interruptions)*

(Interruptions)

[*Translation*]

[*English*]

MR. SPEAKER: Mr. Ghulam Nabi Azad, I think, you have said something now. Is that enough?

MR. SPEAKER: The Government has already stated that it does not treat Nepali language as a foreign language.

[*English*]

He has said it.

SHRI GHULAM NABI AZAD: At this stage, that is enough.

(Interruptions)

(Interruptions)

MR. SPEAKER: Mrs. Bhandari, I will allow you.

SHRI SOMNATH CHATTERJEE: Sir, I am on a point of order. If it is not a foreign language, then the allegation made by the Member who spoke earlier pretending to be from the Congress Party, should be expunged. Sir, he has insulted the sentiments and feelings of a large number of people in this country and all of us. So, that should be expunged from record.

(Interruptions)

MR. SPEAKER: Somnathji, I will look into it.

(Interruptions)

[*Translation*]

MR. SPEAKER: Please see that whatever you are saying, you are not understanding that You please sit down. If you refer to English it would adversely affect the southern regions of the country you please understand the issue and then speak. Please sit down. You are not understanding as to what you are speaking and what effects it will have. We respect all the languages. We do not give the motherly treatment to any language. We try to adopt everything that is good in any of the languages.

[*Translation*]

SHRI NITISH KUMAR: Mr. Speaker, Sir, Shri Indrajeet is speaking in such a tone as can create tension in the country. He is exploiting the people of Darjeeling. He should

make his speech either in Nepali or in Gorkhali language. Such representatives are responsible for creating tension in the country. They also should speak in Gorkhali language. Why is he speaking in English? (*Interruptions*)

[*English*]

SHRI NIRMAL KANTI CHATTERJEE: Sir, unless he withdraws his remark, he should not be allowed to speak. He has to withdraw that statement. (*Interruptions*)

MR. SPEAKER: Mr. Nirmal, please do not go beyond a limit. I have said that I will look into it. Do not stretch it too much.

(*Interruptions*)

SHRI INDER JIT: Mr. Speaker, Sir, I must have a chance to speak... (*Interruptions*)... I wish to make it quite clear that I have no intention at all of hurting the feelings of Mrs. Bhandari. I have known her for long. We have been friends. I certainly do not wish to hurt her feelings. I have merely stated whatever I was told in Jammu. I agree with what the Parliamentary Affairs Minister has said. I am not speaking on behalf of the Government. I am speaking on behalf of my constituency, putting forward the views of my constituency. (*Interruptions*)

[*Translation*]

SHRI CHHEDIPASWAN: Mr. Speaker, Sir, we do not want to hear him in English. He should speak either in Hindi or in Gorkha language. We would not like to hear him in English. (*Interruptions*)

[*English*]

SHRI HANNAN MOLLAH (Uluberia): You are speaking on behalf of those who want to break the unity of this country. (*Interruptions*)

SHRI TARIT BARAN TOPDAR (Barackpore): This is a seditious remark.

SHRI INDER JIT: This is not a seditious remark... (*Interruptions*)... Mr. Speaker, I have only one more point to make. It is true that the Home Minister convened a meeting of all the national parties to work out a consensus. It is also true and I am told that a consensus was reached. But my complaint is that in reaching this consensus, a certain mockery of democracy was made. The party which represents Darjeeling, the party which won all the three seats nashing up the CPI (M) MLAs and its candidates there, is the Gorkha National Liberation Front. But Sir, their views were not considered. The views of the Gorkha National Liberation Front were completely ignored.

SHRI SOMNATH CHATTERJEE: Sir, he is misleading the House deliberately. And in this way, the country's unity is being broken. (*Interruptions*)

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker, Sir, I am on a point of order (*Interruptions*) We have witnessed as to how emotions are linked with the language. But it is also possible that the discussions on the language can be held in the House peacefully and it should be held peacefully. Whatever Shri Inderjit is saying, I do not agree with him and I totally disagree with his views. But he has every right to express his views. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: How many times would you repeat the same thing?

SHRI ATAL BIHARI VAJPAYEE: This is a different issue. (*Interruptions*) I am a very senior member of the House. My friend Shri Inderjit Gupta is sitting here. Once such a situation had arisen in this House when

someone had named Hindi as a foreign language and we had to tolerate it peacefully because we have to keep in mind the unity of the country. Do not make it a Hindi-English issue. There may be difference of opinion regarding Gorkhali or Nepali. He is talking about his constituency. The party has clarified it that it is not linked with it, the Government has also no concern with it. Let him express his views. But Shrimati Dil Kumari disagrees with his views and just now she has expressed her views.

MR. SPEAKER: She has expressed her sentimental difference also.

SHRI ATAL BIHARI VAJPAYEE: How a woman can become aggressive..... (*Interruptions*) Shrimati Bhandari can be given an opportunity. If our Marxist friends wish to express their strong reaction in this regard, they can also do so. If some member is not given a chance... (*Interruptions*) Please don't say like this. If some other member speaks in this manner, he will also be pointed out that he is saying so. It is not good. (*Interruptions*)

[*English*]

SHRI RUPCHAND PAL (Hooghly): But can he go on making provocative statements?

SHRI NIRMAL KANTI CHATTERJEE: Is it your contention that anything can be said in the House even when it is not permissible, and that is the hallmark of parliamentary democracy? (*Interruptions*)

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, You are here to conduct the proceedings of the House. If something is said unparliamentary, the hon. Speaker would control it. If you want to raise any objection, please raise it after the speech of

the member. But the debate cannot continue in this manner. If she is alone in the House, she is not supposed to have lost her right to speak in the House. She has every right to express her views in the House, and I would like to defend her right to express her views in the House.

[*English*]

SHRI SOMNATH CHATTERJEE: Sir, I also concede the right of Members to speak. But I raised an issue to which, only the Government can give an answer. The question is whether the Bill is being brought or not. Some Members have supported me. The leader of the Opposition said that the Bill has to be brought because there has been consensus. Now suddenly, we are hearing speeches on that. All sorts of provocative comments are being made and no discussion is going on the merits of the Bill. The same thing is being repeated. He is calling an Indian language a foreign language. If he has a right to speak I too have the right to object. He cannot hurt the sentiments and feelings of crores of people in this country, just on the plea that he is exercising his right. You may recall that that is why I have asked you to expunge those remarks. He cannot go on speaking indefinitely in this way. I never challenged his right to speak. Is this the occasion to talk in that fashion? We only wanted to know from the Government that they may make it clear as to when this Bill is being brought. (*Interruptions*)

SHRI INDER JIT : Kindly allow me to explain... (*Interruptions*)

MR. SPEAKER: Mr. Inder Jit, please sit down.

SHRI INDER JIT GUPTA: You may exercise your right to expunge the remarks. They should not go on the record of Parliament.

MR. SPEAKER: I have already said that I would look into it.

(Interruptions)

MR. SPEAKER: Order please. I am on my legs. I want to say something. Please hear me first.

[Translation]

Whatever Vajpayee Sahib has said is quite correct, he has stated as to how the Members should express their views in the House. There is no mistake in that. If you have any objection I will give you a chance to speak. You should clarify it. If any objectionable thing is going on record, please tell me and I will look into it. It had also been raised.

...(Interruptions)...

[English]

SHRI SOMNATH CHATTERJEE: Sir, deliberately he has been making provocative statements. Sir, I have a right of intervention. Intervention is a permitted method of Parliamentary democracy.

MR. SPEAKER: Yes, You have a right. Nobody will deny you and nobody objects to your talking also. Let me tell you.

SHRI SOMNATH CHATTERJEE: I said, because of the commitments, Government must tell us what is going to happen.

MR. SPEAKER: If I have understood Vajpayeeji correctly, he has not objected to your method of speaking. He has not objected to the method of speaking of Inderjitji or Vishwanathji. He had objected to some Members obstructing him. He is hundred per cent correct in that. What is really happening is that sitting here I am not in a position to say something. I am very grateful to the senior Members. They have been helping me to

control the House. But this kind of help should come from all sides. That is my request.

SHRIMATI DIL KUMARI BHANDARI: Sir, I am also hundred per cent for the right to speak.

MR. SPEAKER: I will allow you immediately after Shri Inderjit.

SHRIMATI DIL KUMARI BHANDARI: No, Sir, I would like to speak before him. You please give me just half-a-minute.

MR. SPEAKER: Inderjitji, you should yield to the lady member when she is intervening.

SHRI INDER JIT: I am always willing to yield to Shrimati Dil Kumari Bhandari. If she lets me know, I shall gladly yield.

SHRIMATI DIL KUMARI BHANDARI: Sir, I am also hundred per cent for the members, right to speak in the House, but in the name of right to speak in the House a Member cannot mislead the House. Shri InderJit is misleading the House.

MR. SPEAKER: I will look into the matter.

SHRIMATI DIL KUMARI BHANDARI: Sir, I will not allow him to do that because I do not think that there is any rule which allow InderJitji to mislead the House and the country. If there is any Gorkha language and any Gorkha literature, let him produce and then I will see.

MR. SPEAKER: I would like to say that when a particular sentence was spoken here, tears trickled down your eyes. That is not an easy thing. In think it is because of the feelings you have for the nationality and for the language. We respect it and I have no doubt that the House and the Government

will respect it. You should not have any doubt about that.

SHRI INDER JIT: Sir, I was saying that a meeting of all the national parties was held and a certain consensus was reached. I concede that and it is in the fitness of things that Government continues to move in the direction of consensus. But my complaint is that the Gorkha National Liberation Front which won all the three seats in the last election to the West Bengal Assembly, which won 28 out of 30 seats in the Council Elections, was not consulted. The Darjeeling Hill areas are represented by the Gorkha National Liberation Front and none else. I strongly feel that the Government should have consulted the Gorkha National Liberation Front before taking a final decision in the matter. And, so long as the Gorkha National Liberation Front, which represents the entire Darjeeling hill areas where Gorkha *bhasha* or Nepali as they call it is spoken-is not consulted no decision can be taken. If the Gorkha National Liberation Front is not given a chance to put forward their views before the Government, it would be making mockery of democracy. That is my view. Therefore, I urge that before a final decision is taken in bringing forward this Bill, the Gorkha National Liberation Front must be consulted.

One more thing and I would have done. I was present in the House when Shri Jacob replied to the debate on behalf of the Government. He said that matter was being studied, and the Government would try its best to bring forward...

SHRI SOMNATH CHATTERJEE: No.

SHRI INDER JIT: You can look into the records. He said that he would try to bring forward this Bill during the course of the Session but meanwhile demands for inclusion of several other languages have come up. It is a grave situation. The Government must go into the entire totality of the issue

raised and then only come forward with a Bill.

One thing more and I would have done. An objection has been raised to my description of Nepali in a Particular way. I would venture to submit that the same expression was used on July 8, when the issue was discussed here.

MR. SPEAKER: Don't repeat it. It is not necessary.

SHRI INDER JIT: Secondly, I would like to say that under the Indo Nepal Treaty for peace and Friendship there are certain provisions which I would say need to be seen. Today it is my great regret that even some friends here are calling Nepali a national language.

Even, as all my friends here today feel proud in calling Nepali as a national language, they should know the position of the Hindi language in Nepali. A language which is spoken by 40 per cent of the people in Nepal, is not accepted there either as an official language or as a national language. I think we must bear this in mind.

Therefore, to conclude, let us, not make a mockery of democracy... (*Interruptions*)

MR. SPEAKER: This is not a mockery of democracy. Don't use such strong expression.

SHRI INDER JIT: I would urge the Government strongly not to repudiate what has been done earlier and really strengthen the concept of a moratorium on all divisive issues. (*Interruptions*)

[*Translation*]

MR. SPEAKER: I will also give you a chance. Please sit down. Let us take the issues one by one.

SHRIRAM SARAN YADAV (Khagaria):

I would like to say when our country is one than the language should also be one. There is no restriction on teaching of any language in our country then why such a controversy over the language is going on. If there are so many languages in the country there will be disputes and it will weaken the country. Therefore, there should be one language in the country.

[English]

SHRIMATI DIL KUMARI BHANDARI:

Mr. Speaker, Sir, I am sorry that I was swept away in my emotion and in the process, I showed emotions very wrongly. I am sorry for that.

MR. SPEAKER: No. You did it correctly. We respect it. You please know it that the entire House respects your tears and your emotions about this language and the nationality.

SHRIMATI DIL KUMARI BHANDARI:

Thank you.

Sir, the demand for inclusion of Nepali language in the Eighth Schedule was started in the year 1956. Recently, when I was going through the records in the Parliament Library, I came to know that as many as 20 Private Members Bills have been adopted on Nepali and nowhere, during the course of the discussion also ever Gorkha word was used. Not only that, in 1971, here in this august House, one hon. Member of Parliament, late Shri Rathan Lal Brahma spoke in Nepali. He represented Darjeeling and spoke in Nepali because he did not know English or Hindi. So, he was allowed to speak in Nepali. For all practical purposes, for the Government also, the work or the nomenclature of the language is always Nepali. In the year 1988, when hon. Shri Narasimha Rao wrote me a letter regarding the seat of Reader in Banaras Hindu University, then also, he

mentioned to me that Nepali is taught in Banaras Hindu University as one of the modern Indian languages. Nepali is being taught in Allahabad University since 1911. Like wise, almost 18 universities in the country teach Nepali as modern Indian language. Not only that, the country's prime educational Boards viz. ICSE and CBSE have Nepali language in their courses. In West Bengal only in 1927, Nepali was declared as a vernacular. In 1961 on the insistence of Shri Jawahar Lal Nehru, Nepali was declared as an official language of three hill Sub-Divisions of Darjeeling District, namely Kalimpong, Kurseong and Darjeeling itself.

The State Legislatures of West Bengal, Tripura, Sikkim and recently, Himachal Pradesh, have also passed Resolutions for inclusion of Nepali language in the Eighth Schedule of the Constitution. Nowhere, Gorkha word was mentioned.

I know and you might have observed also that my esteemed friend Shri Indrajit Khuller does not know even whether the term is Gorkha Basha or Gorkhali; when if he knew or since when it became Gorkhali Basha, I do not know.

Even now, if you go to the Library and look for the reference you will find that Nepali word always used; nowhere Gorkha word was used. It is being coined by few people for their political expediency, a handful of people.

Recently, from Darjeeling all the leaders of the political parties have signed one statement and sent it to the Prime Minister and the Home Minister; all the political parties except GNLFF and GNLFF in his own letter, Subhash Ghising has written to the Prime Minister that in Darjeeling there are eight to ten lakh people; in Darjeeling, there is a the Congress Party; there is also the BJP; there is also CPI; then there are CPI (M), Forward Bloc, Gorkha Pranta Parishad

and recently formed Gorkha Democratic Front. All these parties are supporting Nepali language; and there was difference of opinion within the GNLF also; and one MLA was expelled from the party because he was supporting Nepali language.

MR. SPEAKER: The topic is that the Bill should be introduced.

SHRIMATI DIL KUMARI BHANDARI: Not only that, in 1991 when the census was carried out for mother tongue, as per report, 99 per cent of the people of Darjeeling registered themselves their mother tongue as Nepali. So, Many people were physically intimidated for that by GNLF. But through their embarrassment, they found out that, even GNLF Councillors their household people, even their wives, parents, they had registered themselves their mother tongue as Nepali.

I was born in Darjeeling. Shri Inderjit visits Darjeeling rarely. (*Interruptions*)

SHRI INDERJIT: If you invite me, I shall be happy to accompany you to Darjeeling. (*Interruptions*)

SHRI SOMNATH CHATTERJEE (Bolpur): Why should she? (*Interruptions*)

SHRIMATI DIL KUMARI BHANDARI: Is it a parliamentary term? (*Interruptions*) I know the feelings of the people of Darjeeling. I have seen my parents, my grand-parents and other people of my village. They went in a procession to Darjeeling town because we live in tea garden; from there, the people used to go up the hills to reach Darjeeling town shouting.

*"Jyan dinchhoun pran
dinchhoun,
Bhasha Hamro linchhoun-
linchhoun
Nepali bhasha amar rahos."*

Then the Chief Minister of West Bengal, Shri B.C.Roy was not consenting for this, only after Pandit Nehru intervened, he came to terms. So, our people were shouting.

"Bisi roy bhasha khoi."

So, these three slogans

*"Jayan dinchhoun pran dinchhoun,
Bhasha hamro linchhou-linchhoun.
Nepali bhasha amar rahas
Bisi roy bhasha khai."*

These slogans still ring in my ears. He does not know all these things. (*Interruptions*). I am sure, for that matter, he cannot speak in his Punjabi language with that emotion with which I can speak in my language, because he can speak in English only; he does not know his own mother tongue; that much can say I am sure about it.

As he is supporting Subhash Ghising, what about this book? I have to show this because recently one Press was raised in Delhi. I do not know why is the Home Ministry hushing up the matter. This press was raided. (*Interruptions*) Why is he agitating? I am talking about this book, which was confiscated by Delhi Police. Why is he agitating?

SHRI INDERJIT: I am on a point of order. I want your direction and ruling. Are we discussing this particular pamphlet a copy of which was handed over by Mr. Ghising to the Home Minister and the Home Secretary in my presence? No, no. If we are discussing this, let us discuss it.

12.00 hrs.

If we are discussing this, let us discuss it and I must have a chance to speak on this issue.

SHRIMATI DIL KUMARI BHANDARI:

They have already declared Darjeeling as no-man's land. In parts of Kalimpong, there was a slogan raised: *Bhutan Raja Zindabad, Jigme Singye Wang Chuck Zindabad.*

MR. SPEAKER: Please conclude, Madam.

SHRIMATI DIL KUMARI BHANDARI: Because as per their interpretation Kalimpong is part of Bhutan and it is a lease-hold land. I request my hon. Colleagues who are in Public Accounts Committee, who visited Sikkim recently. They might have seen that across the Testa Bridge, there is a big hoarding saying "welcome to no-man's land, welcome to lease-hold land." They have already declared it a lease-hold land. They might recall, because many of the Members have visited that place. Now if a ruling party Member is subscribing to that also, I have my doubts.

SHRI SOMNATH CHATTERJEE: This is a point.

MR. SPEAKER: This is a political point.

SHRIMATI DIL KUMARI BHANDARI: I do not know, what is his stand about it. They have already declared Darjeeling a no-man's land and they want their right also in this country, our motherland, India. I do not know what they are asking for. Even though I had moved a Private Member Bill in this House, when the assurance was given by the Government through Shri M.M. Jacob, I withdrew my Bill.

SHRI HARCHAND SINGH (Ropar): She is advocating for Nepali and is speaking in English.....(Interruptions)

[English]

MR. SPEAKER: Madam, do not reply to him. Not necessary to reply this. He is an elderly man, saying some good things.

[Translation]

SHRIMATI DIL KUMARI BHANDARI: Sir, during the course of my speech, I had already thanked the Government for taking moral and just steps. I had also withdrawn my Bill before it.

[English]

There was unanimity so I thought it would get pass. Except for one Member, all the others had supported this Bill. Even now, I do not want to impress anything on anybody, like as my esteemed colleague Shri Inderjit is saying that there is a *Gurkha Bhasha* and he wants to call my *Bhasha* as *Gurkha Bhasha*. I want to say, before the House that our countrymen have every right to know what we are doing here.

MR. SPEAKER: Madam, please conclude.

SHRIMATI DIL KUMARI BHANDARI: I will produce works of Nepali literature though it is already proved that Nepali literature is rich.

MR. SPEAKER: No, the question is not that it should not be there; it is about the Bill.

SHRIMATI DIL KUMARI BHANDARI: I want to say one more thing that I can produce 16-17 books written in Nepali by Shri Subhash Ghisingh and an encyclopaedia of Indian Literature brought out by the Sahitya Academy where Shri Ghisingh has been entered as a Nepali Writer. When it was published, he was so happy that he bought 40 copies of that volume. It cost Rs. 400 per volume. He was so happy that he wanted to distribute it among his friends.

MR. SPEAKER: I think it is adulatory so I am allowing this. I hope that it is not defamatory.

guage in the 8th Scheduled

SHRIMATI DIL KUMARI BHANDARI: Even the Indian Constitution is written in Nepali.

MR. SPEAKER: No, please, there are many other subjects which the Members want.

SHRIMATI DIL KUMARI BHANDARI: I would like to ask my friend Shri Inderjit if he can produce one book written by Shri Ghisingh in Gorkhali. *(Interruptions)*

[*Translation*]

MR. SPEAKER: No, No. A lot of time will be wanted in interruptions.

[*English*]

SHRI INDERJIT: Is it fair to mislead the House in regard to what Shri Ghisingh stands for when that gentleman is not present here? She cannot take his name. Shrimati Dil Kumari Bhandari: I want to ask him if he can produce one book written by Shri Ghisingh in Gorkhali. *(Interruptions)*

MR. SPEAKER: I will allow you.

(Interruptions)

MR. SPEAKER: Madam, may I request you to conclude? There are other Members who want to raise many other issues. We have already given one hour's time to this. Please do it a little briefly quickly, please.

SHRI SOMNATH CHATTERJEE: What is the Government's decision? What is the Government doing? *(Interruptions)*

SHRIMATI DIL KUMARI BHANDARI: This amply proves that there is no language called Gorkhali, or Gorkah bhasha as such. So, I would like to know from the Government- as they had promised on the floor of the House, and they had given an assurance

that a Bill would be brought in this session itself, the word 'itself' was used—whether they are introducing the Bill in this session itself. I want an assurance on this.

MR. SPEAKER: Now, would you like to hear from the Minister what he wants to say?

(Interruptions)

MR. SPEAKER: First hear the Minister.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT (SHRI RANGARAJAN KUMARAMANGALAM): Mr. Speaker, Sir, we had a meeting today of all the parties.

[*Translation*]

SHRI SURAJ MANDAL (Godda): The Leader of the Opposition did not say even a single word about Santhali language..... *(Interruptions)* Please listen to me. The Minister of parliamentary Affairs should give a reply.....

[*English*]

MR. SPEAKER: This is not a regular debate going on here. Unless I raise my voice nobody is sitting down. It is not correct. You please sit down. Take your seat.

(Interruptions)

MR. SPEAKER: I will allow you. Please sit down. You sit there.

SHRI YAIMA SINGH YUMNAM: I am representing Manipur.

MR. SPEAKER: I will allow you. You please sit there.

I am standing here and you are still speaking then what can I do. You want to discuss an issue without giving a prior notice. Thereon, and all the Members want to speak on that. Besides this you want to discuss all other matters and want to seek information from the Government in that regard. How can all these things go on simultaneously? Therefore, you should not stand up frequently during the discussion. I shall regulate it.

[English]

SHRI YAIMA SINGH YUMNAM: I am taking up the question raised by Shri Somnath Chatterjee as to why the Bill is not brought up. That is the point I am raising. On the strength of the assurance given by Shri M.M. Jacob, the Minister of State and also, in addition to that, on the written assurance of the hon. Home Minister, Shri S.B. Chavan, to the Chief Minister of manipur, that the Bill would be introduced during this session itself.....

MR. SPEAKER: May I understand that your are for introducing the Bill?

SHRI YAIMA SINGH YUMNAM:.....all the agitations in the State have been suspended. They have been kept pending. It is being suspended. I have received a call from the Chief Minister that there will be a flare up and there will be violence, there will be so many things; the State will be on fire. So, on the strength of this assurance, in view of the written assurance given by the hon. Home Minister Shri S.B. Chavan, we are waiting. Now only one day is left in this Session. If the Bill is not brought before the House in this Session, then it will flare up the whole State of Manipur.

As regards the point raised by Shri Inderjit, I do not agree with him. I am op-

posed to Shri Atal Bihari Vajpayee also because we are not free to say anything what we like in the House and we are subject to certain norms.

Is Shri Inder Jit ready to call Manipuri also as a foreign language? (Interruptions)

SHRI INDER JIT: No, it is a national language.

SHRI YAIMA SINGH YUMNAM: Manipur was not a part of the Indian Union and it was merged with the India Union later on...(Interruptions)

SHRI INDER JIT: I support his demand. Manipuri is a national language.

SHRI YAIMA SINGH YUMNAM: Likewise, Sikkim was merged with the Indian Union...(Interruptions)

MR. SPEAKER: All those things are not necessary. Why do you not understand that there are other Members who want to raise other issues?

SHRI YAIMA SINGH YUMNAM: I am requesting you, Sir, to ascertain from the Government, whether the Bill will be brought in this Session...(Interruptions)

MR. SPEAKER: You allow the Government to respond.

SHRI YAIMA SINGH YUMNAM: Sir, the Government should respond to this. It is a question of the nation. It is a question of the State. It is not a question of one or two states. So, I urge you indulgence to ask the Government to bring this Bill in this Session itself.

SHRI RANGARAJAN KUMARAMAN-GALAM: Sir, yesterday we had a meeting of all party leaders...(Interruptions)

MR. SPEAKER: You please hear the

Government's stand on this so that you will be able to make your points very briefly and very forcefully.

(Interruptions)

SHRI HARISH NARAYAN PRABHU ZANTYE (Panaji): Konkani language also should be included in the Eighth Schedule.

SHRI RANGARAJAN KUMARAMAN-GALAM: Sir, there were two meetings on this issue among all party leaders. It is a fact that we had discussed the issue about the inclusion of various languages in the Eighth Schedule. We had come to a consensus about it. The Government stands by the commitment that has been made by the hon. Home Minister as well as the Minister of State for Home Affairs on the floor of the House. We will bring this Bill tomorrow and we hope that we will manage to do all that needs to be done...*(Interruptions)*

MR. SPEAKER: Please understand that the Government is going to bring the Bill tomorrow. You all may have the opportunity to speak on the Bill and you can express your views at that time. There are other Members who want to raise other issues. Supposing you had allowed Shri Kumaramangalam to speak, this much of time would not have been taken at all.

SHRI SOMNATH CHATTERJEE: If he had responded to my point earlier, this much time would not have been taken...*(Interruptions)*

[Translation]

SHRI SURAJ MANDAL: Mr. Speaker, Sir, please listen to us, we are standing for quite some time...*(Interruptions)*

[English]

MR. SPEAKER: We will list your name

at the beginning tomorrow when we discuss the Bill. *(Interruptions)*

[Translation]

SHRI KALKA DAS (Karol Bagh) Mr. Speaker, Sir, four days back, the hon. Prime Minister had used the word 'Bhangi' at the Red Fort, which has hurt the feelings of the crores of people. *(Interruptions)*

SHRI RAM VILAS PASWAN (Roseria): Mr. Speaker, Sir, I want to draw your kind attention to the Punjab problem. The people of Akali Dal and the young Sikhs have been staging a dharna for the last ten to fifteen days and are courting arrest, their demand is that Justice Bains should be released. *(Interruptions)* Justice Bains is lodged in jail without any reason. On the one hand, we want that the problem of Punjab.

SHRI SURAJ MANDAL: So many leaders have spoken about Bhojpuri and Rajasthan.

MR. SPEAKER: You may speak tomorrow.

SHRI SURAJ MANDAL: Not even a single person has spoken about Santhali, which is spoken by two and a half lakh people. This issue is avoided every time. We people come from the regional parties.

(Interruptions)

SHRI RAM VILAS PASWAN: The situation in Punjab is deteriorating day by day. The Government steps back from the point it reaches.

MR. SPEAKER: Please be brief, there are so many Members to speak today, today is the last day.

SHRI RAM VILAS PASWAN: Justice Bains is in jail for the last four months, he has

been a good judge. He has been imprisoned for the last four months, the people of Punjab are demanding his release. We have been told about Jathedar Ranjeet Singh that there are no charges against him but he is also in jail. No action is being taken against the leaders against whom there are charges in connection with the riots that took place in 1984 since they belong to the ruling party. Therefore, the Government may immediately pass orders forthwith for the release of Justice Bains. Action should also be taken against those who were involved in the 1984 riots.

(Interruptions)

SHRI SURAJ MANDAL: We wanted that if this Bill is taken up tomorrow, its information should be given to Government.

MR. SPEAKER: You meet the home Minister.

(Interruptions)

MR. SPEAKER: Please sit down. Everyone is speaking which creates confusion for me. Please sit down.

SHRI SURAJ MANDAL: We always abide by your orders.

MR. SPEAKER: It is too much. If everyone does like this, then the House will not be able to function. You had been given an opportunity to speak.

SHRI SURAJ MANDAL: They do not let us speak, the others speak out. *(Interruptions)*

MR. SPEAKER: Loknathji, please sit down.

[English]

MR. SPEAKER: There is also a limit to my patience.

(Interruptions)

[Translation]

SHRI SURAJ MANDAL: I was not allowed to deal with issue on which I wanted to speak, the other issues have been taken up. There is nobody here to listen about the tribals. Mr. Speaker, Sir, we welcome the Bill to include Nepali language in the Eighth Schedule which is likely to come up. I admit that there should be some regard for the regional language, but it should also be taken into account as to how many people speak it. The total population of tribals throughout the country is 11 percent and out of those tribals, two and a half crore people speak Santhali language. It is spoken predominantly in Orissa, Bangal and Bihar. A Gorkha Hill Council has been formed for Gorkhas in Bangal and the Central Government and the Bangal Government have recognised it but it is not known, whether their language will be given recognition or not but there should be some regard for all the languages. Subhash Gheising is the leader of the Gorkha Hill Council, if his voice is suppressed.

MR. SPEAKER: You may discuss with the Government on this issue.

SHRI SURAJ MANDAL: There are around 30 to 35 lakh Santhali people in Bangal...

MR. SPEAKER: One and a half hour has been allotted to a single issue...

SHRI SURAJ MANDAL: There are one crore Santhali in Bihar but in Assam and Bangal, there are 45 lakh tribals who have

not been given the status of tribals and the tribals who have come from Santhal Pargana and who are known by name of tea garden and all the regional languages should be included in this Bill and in the Eighth Schedule. (*Interruptions*)

MR. SPEAKER: All of you, please sit down, I am giving time to Shri Loknath Choudhury. He will speak not on this issue, but on some other issue.

[*English*]

SHRI LOKNATH CHOUDHURY (Jagatsinghpur): Mr. Speaker, Sir, I want to bring to the notice of the House that very recently, on 13th, a stone fell in the garbhagriha of the Jagannath Temple. As you know, Sir, Jagannath Temple is a famous temple and this falling of stone has been repeated. Before this also, there was a stone falling from it.

This temple was handed over to the Archaeological Department in 1974 for repair and now it is found that some beams are missing. There is apprehension that the temple may collapse. The 800 years old temple which is world famous, is now facing the ruin. Therefore, I will urge upon the Government to take immediate steps. The Archaeological Department should take immediate steps to renovate the temple as early as possible, otherwise again the stones will be falling and there will be deaths and other things. All these things are apprehended. Therefore, it is a serious problem. The Minister of Human Resource Development is sitting here. I want him to respond as to what steps they are taking to repair the Jagannath Temple immediately.

SHRI BRAJA KISHORE TRIPATHY (Puri): Sir, I also want to speak on the same issue.

MR. SPEAKER: No, it is not necessary.

You hear the Government's stand. I am not going to allow a full-fledged discussion on every point.

SHRI BRAJA KISHORE TRIPATHY: I am the representative from the same place, Sir.

[*Translation*]

SHRI RABI RAY (Kendrapada): Mr. Speaker, Sir, he is a Member of Parliament from Puri, let him speak.

MR. SPEAKER: This is the problem with me and the work suffers due to it.

[*English*]

SHRI BRAJA KISHORE TRIPATHY: I have been giving notice for last four days.

[*Translation*]

SHRI TARA CHAND KHANDELWAL (Chandni Chowk): Mr. Speaker, Sir, I want to take one minute's time...

MR. SPEAKER: I will give you a chance, if you get displeased even then I will offer my thanks to you. (*Interruptions*)

SHRI TARA CHAND KHANDELWAL: I do not speak without your permission.

MR. SPEAKER: Let me make the House regular, please. It is for you only.

[*English*]

SHRI BRAJA KISHORE TRIPATHY: Sir, this is not the first time that this has happened. On July 7, 1875, four heavy stones had fallen from the *garbha-griha* the sanctum sanctorum, and also on June 14, 1990, another stone weighing seven tonnes crumbled down from the height of 180 feet. It seems that the Archaeological Depart-

ment which has taken over the temple since 1974 are not very much sincere about the maintenance of the temple. For the last eighteen years, they have taken over such an important and historical temple of the country. But it seems they are not very much serious about the maintenance of the 12th century temple. Sir, you will be astonished that a junior Engineer is only in charge of the temple...(Interruptions).

MR. SPEAKER: Why don't you give this entire information to the Minister? The Minister was about to give you the information. Are you interested in having some relief or you are interested only in speaking?

SHRI BRAJA KISHORE TRIPATHY: Sir, the temple is crumbling. So, I seek a clarification from the hon. Minister whether the Archaeological Department will depute a senior officer to take over the temple and, if necessary, will they invite assistance from the technical people of UNESCO, if they are not available in our country.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): Mr. Speaker, Sir the anxiety expressed by the hon. Members on what has happened in the sacred temple at Puri is very justified and it has caused anxiety to all of us. As soon as we heard of this incident, we sent the Director General of the Archaeological Department himself. He went to the spot. With the help of the local authorities, an inspection was made. He came back and gave us a preliminary report. On that he was asked to go back again and draw up a plan so that the damage that has been caused, could be repaired. And not only that, all efforts should be made so that there is no further damage to the structure of the temple.

Now that plan has to be put into operation. There are certain things which have to be taken care of. We are talking to the temple authorities. As soon as they all agree, you

rest assured, Government will do everything in its power to see that the temple is not damaged.

In this connection I may say that we have all the expertise in this country. We do not have to go to any foreign country for that.(Interruptions)

12.26 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

RE: USE OF WORD "BHANGI" BY THE
PRIME MINISTER

[*Translation*]

SHRI MANGAL RAM PREMI (Bijnor): Mr. Deputy Speaker, Sir, the Prime Minister has used the word "Bhangji" during his speech delivered from the rampart of Red Fort on 15th August. Sir, it has hurt the feelings of crores of people and they have gone on strike in many places and staging dharnas. It is the worst situation. I would like to ask the Prime Minister whether it was necessary for him to use the word "Bhangji"? When the Prime Minister of a country use such word then each and every child in the entire country will freely use this word. Sir, regarding the scheme under which the Prime Minister has used this word, I have written a letter to Shri Sita Ram Kesari to change the name of the scheme in which "Bhangji" word has been used. I had suggested that the name of the scheme should be "Safai Karamchari Mukti Pariyojana" in place of "Bhangji Mukti Pariyojana". Sir, with these words I would like to urge upon the Prime Minister to come in the House and express his regret over this...(Interruptions)

SHRI MADAN LAL KHURANA (South Delhi): The Prime Minister should apologise...(Interruptions)..

SHRI KALKA DAS (Karol Bagh): The

Prime Minister should not have used this word..(Interruptions)

[English]

SHRI P.C. THOMAS (Muvattupuzha): Sir, I want to raise an important matter. The F.C.I. employees are on dharna. (Interruptions) It is a serious issue. (Interruptions)

MR. DEPUTY SPEAKER: Kindly resume your seats?

(Interruptions)

MR. DEPUTY SPEAKER: May I request the hon. Members to resume their seats?

(Interruptions)

MR. DEPUTY SPEAKER: Kindly respond to my request first. Shri Thomas, I request you. There should be an order in the House. If, at the same time, four to five Members were to stand up and speak, where do we go? What is the impression that we create in the House? It serves no purpose.

(Interruptions)

MR. DEPUTY SPEAKER: Kindly hear me. If Members speak one after the other, all can be heard.

(Interruptions)*

MR. DEPUTY SPEAKER: Nothing goes on record.

Please hear me. Should we not follow certain norms in the House? You please survey the things that have taken place. Has it served any purpose? Have you achieved anything? One after the other, all of you were to raise if all were to speak less so that

subsequent speakers also shall have the opportunity of ventilating the grievances of their constituencies, and also of matters of national interest. If it should go like this, nothing serves the purpose and our reporters also cannot take the report properly. You are experiencing it. Immediately when your speech is over, they have to chase you and catch hold of you for corrections. These are the practical difficulties that our reporters are facing and it shall have to be reported properly. Please cooperate.

(Interruptions)

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): The prime Minister should beg apology before the House for using such word and the country as well. Why did he use this word in his speech..(Interruptions)

SHRI TARACHAND KHANDELWAL (Chandni Chowk): It is an offence under the law.

SHRI MANGAL RAM PREMI: The matter should be discussed in the House.

SHRI KALKA DAS (Karol Bagh): The way the Prime Minister used the** word from the rampart of the Red Fort is an offence under the law. I have the Civil Procedure Code with me. It has been clearly mentioned in it that the use of such words is an offence and there is also a provision of taking punitive action. Since the Prime Minister has used this word from the rampart of Red fort, action should be taken against him on the basis of this Code. If this Act has been enacted properly, the Prime Minister should be punished. (Interruptions)

SHRI MADAN LAL KHURANA: The

*Not recorded.

** Expunged as ordered by the Chair.

Prime Minister should apologise before the House. (*Interruptions*)

SHRI KALKA DAS: He must be punished as per the existing laws of the land or he should beg apology from the rampart of the Red Fort. (*Interruptions*)

SHRI DATTA MEGHE (Nagpur): Mr. Deputy Speaker, Sir, the word which is being discussed by hon. Members is unparliamentary. He has used here unparliamentary word. This word should be expunged from the proceedings of the House. (*Interruptions*)

SHRI MADAN LAL KHURANA: Why did the Prime Minister use this unparliamentary word. He should apologize (*Interruptions*)

SHRI VILAS MUTTEMWAR (Chimur): Mr. Deputy Speaker, Sir, these are their crocodile tears. What the Prime Minister had called, it was not liked by them. Perhaps they did not try to understand it. You kindly tell us, in what reference he had used this word. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: Kindly resume your seats.

(*Interruptions*)

[*Translation*]

SHRI MADAN LAL KHURANA: The word which the Prime Minister used was an abuse. He should beg apology for it. (*Interruptions*)

SHRI VILAS MUTTEMWAR: Tell us, in what reference he has spoken that word. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: This will not

serve the purpose. The time is being lost, it serves no purpose.

(*Interruptions*)

MR. DEPUTY SPEAKER: No, Please sit down. Kindly resume your seats.

(*Interruptions*)

MR. DEPUTY SPEAKER: I do not agree with you. How does your shouting help you? There is a proper procedure for it.

(*Interruptions*)

MR. DEPUTY SPEAKER: Now, Mr. Vishwanath Pratap Singh may speak.

(*Interruptions*)

DRKARTIKESWAR PATRA (Balasore): Sir, there is no law and order in Orissa for the last 10 days. (*Interruptions*)

SHRI MADAN LAL KHURANA: Sir, the Prime Minister must come to the House immediately. (*Interruptions*)

MR. DEPUTY SPEAKER: This is not the method to ventilate the grievances. Suppose somebody had said something outside, there is a regular procedure and according to that, you can move a resolution. Otherwise, mere shouting will not serve any purpose.

(*Interruptions*)

[*Translation*]

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Mr. Deputy Speaker, Sir, an insult has been made from the rampart of Red Fort and it is not being allowed to be raised in the House. We will not tolerate this type of attitude..(*Interruptions*) we will move the Court... (*Interruptions*) we will file a case against you..(*Interruptions*) We will file a

case against the Prime Minister. *(Interruptions)*

[English]

MR. DEPUTY SPEAKER: Now, we will take up the Papers to be Laid on the Table.

(Interruptions)

12.36 hrs.

At this stage, Shri P.C. Thomas came and sat on the floor near the Table.

MR. DEPUTY SPEAKER: Mr. Thomas, this is not the way to ventilate your grievance. Please go back to your seat.

(Interruptions)

12.37 hrs

At this stage, Shri P.C. Thomas went back to his seat

SHRI P.C. THOMAS: Sir, I never cry for a chance to speak like this. But this is a very serious issue that I would like to take up the matter here. So, I request you to please give me a few minutes to raise this very serious issue.

MR. DEPUTY SPEAKER: Mr. Thomas, you can speak afterwards. First, let V.P. Singhji speak and then Buta Singhji will speak. Then, you can speak.

(Interruptions)

MR. DEPUTY SPEAKER: We have hardly 15 minutes at our disposal.

(Interruptions)

MR. DEPUTY SPEAKER: I have called V.P. Singhji now and afterwards, I will allow Buta Singhji.

(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS AND THE DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT) (KUMARI MAMTA BANERJEE): Mr. Deputy Speaker, Sir, this House is not the monopoly of any particular party. You should give chance to our side also. *(Interruptions)*

SHRI VILAS MUTTEMWAR: Sir, they should not be allowed to cast any aspersion on the Prime Minister. *(Interruptions)*

MR. DEPUTY SPEAKER: Please take your seat.

[Translation]

SHRI VILAS MUTTEMWAR: They are taking an irresponsible manner. *(Interruptions)* You are shedding crocodile tears.. *(Interruptions)*.. It will not be tolerated. Why do you bring politics into it. *(Interruptions)*

[English]

MR. DEPUTY SPEAKER: All the people could have spoken by this time had there been no interruptions.

SHRI P.C. THOMAS: We do not quarrel for the opportunity given. I should also be given a chance.

DR. KARTIKESWAR PATRA: I have given a notice. Will you allow us? *(Interruptions)*

[Translation]

SHRI VISHWANATH PRATAP SINGH: We will not leave you like this. We will not allow the House to run. You are not allowing

us to raise the issue in the House. The Government is trying to suppress the voice of crores of people. They have been insulted. It will not be allowed to continue. When we want to ventilate their grievances, we are not allowed to speak. We will not tolerate the insult to crores of people in this way, in the House.

SHRI VILAS MUTTEMWAR: Will you continue to speak? We will not listen anything wrong which goes against the prime Minister...*(Interruptions)*..

[English]

MR. DEPUTY SPEAKER: My humble submission is, this kind of procedure, this kind of exhibition of anger does not serve any purpose. This is the House, each Member representing more than 10 lakhs of waters. Hardly you have got two days at your disposal. Lot of water has already flown under the bridge. We repent for it. At least, whatever time is available at our disposal, let us do justice.

(Interruptions)

MR. DEPUTY SPEAKER: I will wait for five minutes. I

f the House does not come to proper healthy order, then I shall take up regular subject. You should not afterwards...*(Interruptions)*

MR. DEPUTY SPEAKER: How long can you go on like this? If you want to continue this for another half-an-hour, are we to waste our time here? No. It is not possible to tolerate indiscipline and disorder. Kindly oblige. Let us hear what he says. Suppose, if there are some words which are not palatable, which are contrary to the parliamentary system, such words will be expunged. You need not have the fear.

(Interruptions)

MR. DEPUTY SPEAKER: We are expected to exercise patience.

[Translation]

SHRI KALKA DAS: Please call the Hon. Prime Minister here. *(Interruptions)*

SHRI RAM VILAS PASWAN: The Hon. Prime Minister should immediately resign on this issue. *(Interruptions)*

[English]

MR. DEPUTY SPEAKER: If the Prime Minister has said something, under the regular rules, you can move through a motion. There is scope for that. There is a specific provision in the rules. Why should you not utilise such provisions? In this way, how does it help? How does it help? It certainly does not help your task. Kindly excuse me. I have requested Shri Vishwanath Pratap Singhji to speak. Afterwards, Shri Buta singh will speak. These two Hon'ble Members will speak.

Prof. K.V. Thomas, exhibiting your banner and pamphlets are against the rules. Whatever time you wanted to take, you have taken. But anyhow let us forget about it.

Shri Dattatueya Bandarr, would you like to go on like this? How does it serve the purpose? It is now 15 minutes to one O'Clock. There is also criticism. Zero Hour is being extended beyond practice of this House.

I request Shri Vishwanath Pratap Singhji to speak. If anybody wants to talk, if Shri Vishwanath Pratap Singh yields, then only you have got a right to speak. In the absence of it no one can speak. Kindly oblige.

[Translation]

SHRI VISHWANATH PRATAP SINGH: Mr. Deputy Speaker, Sir, I would like to thank

you...*(Interruptions)* ... I would like to thank you for providing me an opportunity to give expression to the agonies of the oppressed class whose issue has been raised by the hon. Members in the House.

Sir, it is not only poverty that is associated with the fate of the poor, they are also a humiliated lot. Efforts have been made to provide to them a respectable position in society under the law and provisions of the Constitution. How much they get or do not get is a different concern but how much hurt they might have felt by the words of the Hon. prime Minister who adorns the highest position of the country. I do not want to go into the matter as to whether it was deliberate, intentional or not. But this much is certain that this words were offensive. Moreover, I would like to emphasize, Sir, that there cannot be anything more offensive than the fact that those words were uttered from the ramparts of the Red Fort on the eve of Independence Day. So the demand that has been made now has been made keeping in view the sentiments of the crores of people belonging to the oppressed class. Thousands of people have today gathered at the boat club. The Hon. Prime Minister should go there and should take back his words before them and should say sorry for what he uttered. Otherwise, there is a provision in the law for that. He can be put behind bars under section 7 of the Indian Penal Code. This law is applicable not only to the poor, but it applies to the persons occupying high offices also. Yesterday it was resolved by the Lucknow State unit of our party that if the Hon. Prime Minister does not beg paroon for what he uttered, the party would file a case against him under the aforesaid section of the law. We would seek permission of the Supreme Court in this regard.

Sir, we are not merely paying lip service but express our whole hearted support to this cause. The hon. Members are agitated because their sentiments are hurt and there-

fore they have raised the issue. Leave aside the sentiments of hon. Members but the honour of crores of people belonging to the oppressed class of the country is at Stake and therefore they seek protection.

I would therefore request you to call the Hon. Prime Minister and ask him to beg pardon. This is my submission. With these words, I hope, that you would honour the sentiments of the people.

(Interruptions)

[English]

MR. DEPUTY SPEAKER: You are all senior-most hon'able Members of this House. Some hon'ble Members are here from the very beginning of the life of the Parliament. You shall have to follow certain norms. Shri Vishwanath Pratap Singh has advanced his argument. Shri Buta Singh will speak next. He will counteract it. let us hear him with patience.

(Interruptions)

[Translation]

SHR BUTA SINGH (Jalore): Mr. Deputy Speaker, Sir, I have been trying since morning to draw the attention of this House to a very important issue, but in the meanwhile a controversy was raised. First of all I would like to place the issue for which I have been trying since morning. This House is well aware that Government has reverted as many as 104 officers belonging to Scheduled Castes and Scheduled Tribes and when this issue was raised here, at that time the House was informed that this was done in compliance with an order of the Supreme Court. There was a debate on this issue in which the opposition leaders Shri V.P. Singh, Chatterjee Sahib, Shri Indrajit Gupta, Shri Chandrashekhar, Shri Ram Vilas and myself participated. We all raised that issue unani-

mously. After a detailed discussion hon. Mr. Speaker promised to intervene and did intervene. A meeting was held in the chamber of Mr. Speaker in which the viewpoint of Government was placed by the senior bureaucrats of the department and with the intervention of the hon. Speaker it was decided that this issue should again be referred to the Supreme Court. That issue was again referred to the Supreme Court and it would be a pleasure for the Members of this House to know that the Supreme Court reverted its order and passed another order to restore the promotion of all the officers. (*Interruptions*)

SHRI RAM VILAS PASWAN: Smt. Margaret Alva should resign.

[*English*]

The Minister should resign. The Minister has misled the House. I support Buta Singhji. But the Minister should resign.

[*Translation*]

SHRI BUTA SINGH: Mr. Deputy Speaker, Sir, I would like to extend a hearty thanks to the hon. Speaker on behalf of the country. (*Interruptions*) who for the first time in the capacity of a Speaker intervened and was instrumental in restoring the promotion to such a large number of officers belonging to Scheduled Castes and Scheduled Tribes. I also thank the Hon. Prime Minister for this. (*Interruptions*)

Mr. Deputy Speaker, Sir, I would like to refer to the controversy in the context of which the ex-Prime Minister Mr. V.P. Singh was telling by showing the copy of a law that the Hon. Prime Minister could be put behind bars. While the Hon. Prime Minister was speaking from the ramparts of the Red Fort he was just giving the details of the achievements of our party towards the upliftment of

the oppressed class and the poor. He referred to a scheme of the Government of India that is in force for the last 10 years and that was also in force during the regime of Mr. V.P. Singh. The name of that scheme is: Bhangi Trust Mukti Scheme. (*Interruptions*) We are equally sorry for the continuation of the words that have been pointed out by Shri Mangal Ram Premi and Shri Kalka Das. Such words should not be there in our constitution. (*Interruptions*)

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): In everything**

Please listen. He is telling that such words should not be there in the constitution. (*Interruptions*) Shri Buta Singh is telling that such words should not be there in the constitution. Why do you not listen? He said that those words should not be mentioned in the constitution. (*Interruptions*)

SHRI MADAN LAL KHURANA (South Delhi): The hon. Minister is abusing. His** will not succeed here. He is rolling up his sleeves. (*Interruptions*)

SHRI NITISH KUMAR (Barh): Mr. Deputy Speaker, Sir, I am on a point of order. (*Interruptions*)

SHRI RABI RAY (Kendra Pada): Mr. Buta Singh please take your seat. Please listen his point of order. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: Kindly resume your seat.

(*Interruptions*)

MR. DEPUTY SPEAKER: What is your point of order? Let us hear him.

**Expunged as ordered by the Chair

(Interruptions)

SHRI BUTA SINGH : I am not yielding.
(Interruptions)

THE MINISTER OF STATE OF THE
MINISTRY OF STEEL (SHRI SONTOSH
MOHAN DEV): How can he say 'sit down'
when you are sitting in the Chair? *(Interrup-
tions)*

MR. DEPUTY SPEAKER: Shri Vish-
wanathji has advanced his argument. Mr.
Buta Singh is also on his legs and he is also
participating in the discussion. This is how
you have committed a mistake. Have you no
patience to hear him what he wants to say?
Unless you hear him fully, how do you
counteract it? I do not agree with it. You have
not exercised your patience. When you get a
chance you can counteract it with double the
force. How does your getting up and speak-
ing in between help you? It does not help
your argument at all. Whosoever he may be
my humble point is this is an august House
of former Speakers, former Prime Ministers
and various Speakers of various legislatures
with rich experience. If we do not follow
certain rules who else will follow it? Let us
hear one by one whatever the arguments
that are being advanced. You can counter-
act it. You have got a rich experience with
you.

(Interruptions)

SHRI SRIBALLAV PANIGRAHI (Deog-
arh): There is no point of order during Zero
Hour. *(Interruptions)*

MR. DEPUTY SPEAKER: Zero Hour is
not an absolutely free hour.

(Interruptions)

SHRI NITISH KUMAR: I am on a point
of order.

(Interruptions)

DR. KARTIKESWAR PATRA
(Balasore): Several times the Chair has given,
a ruling that there will be no point of order
during Zero Hour. *(Interruptions)*

MR. DEPUTY SPEAKER: Kindly res-
ume your seat.

*(Interruptions)**[Translation]*

SHRI NITISH KUMAR: Mr. Deputy
Speaker, Sir, I am on a point of order; but it
is in regard to something other than what
Shri Buta Singhji has said. Mr. Deputy
Speaker, Sir, just now the hon. Minister Shri
Jagdish Tytler was pointing towards the hon.
Member Shri Madan Lal Khurana and speak-
ing loudly that...** I heard it clearly. It is utterly
objectionable. He should withdraw his words.
(Interruptions)

[English]

MR. DEPUTY SPEAKER: If that word is
unparliamentary, we will expunge it.

[Translation]

SHRI RAJVEER SINGH (Aonla): Mr.
Deputy Speaker, Sir, it won't do like this, the
hon. Minister should first apologise or it.

MR. DEPUTY SPEAKER: Sometimes
it does.

[English]

MR. DEPUTY SPEAKER: Now the word
is expunged.

** Expunged as ordered by the Chair.

[Translation]

SHRI RAJVEER SINGH: The hon. Minister should first apologise for it.

[English]

MR. DEPUTY SPEAKER: I have expunged that word.

[Translation]

SHRI RAJVEER SINGH: How will the proceedings of the House run if the hon. Minister does not apologise for it. He will have to apologise, other wise the proceedings will not run. He should stand up and apologize (*Interruptions*)

SHRI RAM NAIK (Bombay North): How it would be if I say that he is ...**...Minister. (*Interruptions*)

[English]

MR. DEPUTY SPEAKER: Please do not resort to that language.

[Translation]

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): Word is not an unparliamentary word. It is used in jokes. Don't enter into the politics of Delhi....goes on. (*Interruptions*)

[English]

MR. DEPUTY SPEAKER: You want a ruling on the word...**. The word is now held unparliamentary and is expunged from the proceedings to the House. (*Interruptions*)

MR. DEPUTY SPEAKER: That also is removed. All unparliamentary words used

with emotion, with a bit of anger are expunged.

(*Interruptions*)

MR. DEPUTY SPEAKER: When Shri Buta Singh is on his legs, how can you interfere? There should be some norms followed. You please read the rules.

[Translations]

SHRI BUTA SINGH: Mr. Deputy Speaker, Sir, my submission is that the context in which the hon. Prime Minister used the word...is, as the former king of Manda already pointed out, not only poverty, but very disgraceful.

SHRI VISHWANATH PRATAP SINGH: He is distorting my name, I don't know whose name he is mentioning.

SHRI BUTA SINGH: Mr. Deputy Speaker, Sir, I would like to inform the House that the cabinet of Shri Rajiv Gandhi introduced a bill to delete such derogatory words including the just mentioned words, in regard to the people of Scheduled Castes and Scheduled Tribes. Had Raja Sahib been so concerned about the matter, he would have passed the Bill. He should at least now extend his co-operation in this regard. In all the documents or laws regarding the Scheduled Castes and Scheduled Tribes, such words...

SHRI VISHWANATH PRATAP SINGH: 'Raja Sahib' is an insulting word. Please don't address me with such words.

SHRI BUTA SINGH: I respect you a lot.

SHRI JAGDISH TYTLER: Does it mean that should not call you Raja Sahib?

SHRI BUTA SINGH: It is a matter of love, I address you with these words just out of love. *(Interrptions)* One thing is there ... *(Interrptions)*

No Harijan was allowed to wear a turban shoes while passing near the palace of the king of Manda; whoever dared to do so, was skinned alive. *(Interrptions)*

SHRI VISHWANATH PRATAP SINGH: I challenge him for making such remarks. It is a false charge. *(Interrptions)* He is misstating the facts.

SHRI BUTA SINGH: I would appeal to the hon. Minister of the Parliamentary Affairs to introduce the Bill in regard to the imposition of restrictions on the use of insulting words in regard to any class of the people in the constitution a positively by tomorrow. The submission made by Shri Vishwanath Pratap Singhji about the insult... *(Interrptions)*

[English]

MR. DEPUTY SPEAKER: Let him complete his speech. *(Interrptions)*

MR. DEPUTY SPEAKER: You can speak afterwards. *(Interrptions)*

MR. DEPUTY SPEAKER: I have called Shri Sreenvasa Prasad. It is a very urgent matter. *(Interrptions)*

[Translation]

SHRIMADANLAL KHURANA: The hon. Prime Minister should come in the House and apologise; he has insulted the people of Scheduled Castes and Scheduled Tribes while addressing the people from the com-parts of Red Fort.

(Interrptions)

[English]

MR. DEPUTY SPEAKER: Shri Khurana, you have been repeating this. This is the third time you are demanding this. *(Interrptions)*

MR. DEPUTY SPEAKER: Whatever you want to say, you have said; and the Government have heard it. *(Interrptions)*

MR. DEPUTY SPEAKER: You please sit down now. *(Interrptions)*

MR. DEPUTY SPEAKER: Shri Khandelwal, you have told this; you have told this tentimes. *(Interrptions)*

[Translation]

SHRI BUTA SINGH: ... *(Interrptions)* I praise the setting up of National Commission for Safai Karamcharis for their upliftment and all the members of the House should congratulate the hon. Prime Minister for this... *(Interrptions)*

[English]

MR. DEPUTY SPEAKER: I have called Shri Sreenivasa Prasad to speak. He is raising a very very important issue. Every one of you is concerned about it.

(Interrptions)

[Translation]

SHRI MADAN LAL KHURANA: As the hon. Prime Minister is not coming to the House, therefore, we walk out... *(Interrptions)*

13.07 hrs.

[English]

After that Shri Madan Lal Khurana and some other hon. Members walked out from the House.

*(Interruptions)**[Englins]*

SHRI GHULAM NABI AZAD: Sir, I will have to reply to what they have said.

*(Interruptions)**[Translation]*

SHRI GEORGE FERNANDES (Muzaffarpur): I raised the matter in the morning at about 11 O'Clock, but took my seat when Mr. Speaker insisted me to do so. Since then I have requested the speaker five times. I have moved an Adjournment Motion and it was necessary to move it in the early hours. I gave notice for Adjournment Motion at 9.30 A.M. This matter is being discussed in the House for the last two years...

SHRI GHULAM NABI AZAD: We want to decide the matter.

SHRI GEORGE FERNANDES: It won't do.

[English]

Sir, I have requested the hon. Speaker five times today. It is a matter of utmost importance. It concerns the dignity of the House. It concerns the Prime Minister. It concerns a lot of issues which are at stake.

[Translation]

Mr. Deputy Speaker, Sir, please listen to me first. I want to say something in regard to my Adjournment Motion.

MR. DEPUTY SPEAKER: I think, I am violating the rule. It is true. Your subject might have been taken up earlier. Now Mr. Paswan has been called. He is on his legs. The same subject was there. Immediately after that, you can have it. I think, that much understanding and adjustment is necessary in a democratic set-up.

(Interruptions)

SHRI ANBARASU ERA (Madras Central): No, Sir. How many times?

MR. DEPUTY SPEAKER: I know you want to raise an issue pertaining to the death of a Superintendent of Police.

*(Interruptions)*Kindly bear it. *(Interruptions)*

MR. DEPUTY SPEAKER: You will have a chance.

[Translation]

SHRI RAM VILAS PASWAN (Rosera): The issue just now raised by Shri V.P. Singh and Shri Buta Singh is not an issue of party politics. They have rightly said that there were 104 officers belonging to Scheduled Castes and Scheduled Tribes. Shri Arvind Netam is present here. He is convener of the forum. I had given a Privilege Motion in this regard. It is still pending with the hon. Speaker. I had given this Motion against the hon. Minister of Personnel, Shrimati Margaret Alva. She had said in the House that the Government had demoted 104 officers on the basis of Supreme Court orders. Today, Shri Buta Singh has said that the Supreme Court has since clarified that it had not given any such orders and it was wrong to demote the officers after giving them promotion. The

Supreme Court has decided the issue and the hon. Minister said that the Government has done so on the basis of supreme Court verdict. Shri misled the House. I asked her whether she was saying so in the House after careful thinking. Otherwise, we would bring a Privilege Motion. She said that she was saying so after careful thinking. Thereafter, we 106 Members of parliament met the hon. Prime Minister under the leadership of Shri Aravind Netam. It would have been better had the hon. Prime Minister said before going to court that the orders were wrong. But now it is a court verdict. Therefore, its credit does not go to the hon. Prime Minister. Now the matter is subjudice and we would like to express our thanks to the court. Mr. Deputy speaker, Sir, through you, I would like to say that the word ** has been used. The Government does not show any respect. (*Interruptions*)

MR. DEPUTY SPEAKER: Please conclude.

SHRI RAM VILAS PASWAN: Sir, I am just concluding.

[*English*]

SHRI ANANTRAO DESHMUKH (*Washim*): sir, I am on a point of order. during the discussion in this House, you had said that Mr. V. P. Singh will speak and it would be responded by Mr. Buta Singh. Now, that is all over. Now, again you are repeating the same thing. If you could allow them, you should also allow us to speak on this issue. This is my point of order. (*Interruptions*)

SHRI RAM VILAS PASWAN: You can also speak. I have no objection.

MR. DEPUTY SPEAKER: What the hon. Member says is a very relevant point.

(*nterruptions*)

[*Translation*]

SHRI RAM VILAS PASWAN: Mr. Deputy Speaker, Sir, I would like to say only one thing that the Hon. Prime Minister of India used...word from the rampart of the Red fort and whatever Shri Buta Singh has said is not correct. He said that the Hon. Prime Minister used the word...Mukti. I can play the tape of the Hon. Prime Minister's speech before you. He did not use this word with reference to 'Bhangi Mukti'. This word is disgraceful for a particular caste and the Hon. Prime Minister should beg apology for it. Today, 50,000 youth are sitting at the Boat Club and they would stage a demonstration at the Prime Minister's residence and would court arrest. The Hon. Prime Minister has no moral right to hold this post unless he begs aopology from them...(Interruptions) He has no right to hold this office if he cannot visit Tsundur and Kumher...(Interruptions)

[*English*]

SHRI GHULAM NABI AZAD: Sir, whatever has been happening in this House in the last more than a month reminds me of a story which I read in sixth class which is about a wolf and a lamb. The wolf wanted to find fault with the lamb. So, the wolf said to the lamb, "why are you making my water muddy?" the lamb said", Sir, the water is flowing from you to me and not from me to you. How can I make your water muddy?" Then the wolf said, "OK. You abused me last year." The lamb replied, "I was not born last year." then the woir said, "OK. it must have been your brother." The lamb answered, "I do not have any brother." Again the wolf said, "Then he must have been one of your relations." then he pounced on the lamb. Sir, this is what has been happening in this House for the last one and a half months. (*Interruptions*)

MR. DEPUTY SPEAKER: Have patience and hear. He is not referring to any of you here.

(Interruptions)

SHRI GHULAM NABI AZAD: Sir, my distinguished and honorable friends on the other side had the impression that this is a minority Government and will not last for more than six months or one year. But, in spite of their best efforts, we have lasted more than one year...*(Interruptions)*.. You can say anything under the umbrella. But we cannot say like that. In spite of their best efforts, we have lasted on the floor of the House, so far as the no-confidence motion is concerned. Now, they are trying to find fault with us in one way or the other.

The first few days were sacrificed in the name of bank scam and the Government and no less a person than the Prime Minister came forward for JPC. Then the Ayodhya issue was raised. I must congratulate the Prime Minister on this. This Government took very positive steps and without any bloodshed in the country, we could solve the Ayodhya issue to a great extent; and I am sure that this Government will find a permanent solution too. After this issue is solved, our friends on the other side halted the proceedings of the House for the last three days. They did not want the House to function, in the name of a split, which was their internal matter and with which, the Congress Party has got nothing to do. Still, the House was not allowed to work. When this issue is also being solved, they have come up with one more issue. In the morning, we had a meeting with the leaders of different Opposition Parties with regard to the language issue. After that meeting, I thought there was no need of discussing it again here. In that meeting, we had assured that we would come before the House the next day. When this issue too was solved, they are now trying to find fault with the speech of Prime Minis-

ter. Whatever has been said in this House with regard to the speech of the Prime Minister is a total distortion of facts and they are saying all these things just to politicize what the Prime Minister has said. The Prime Minister has said that he is very keen about the development of our Dalit friends. Whatever be the name, you should see the purpose behind the speech. He wanted to help the Dalit community. But most of our friends do not want these things coming from the Prime Minister to go on record because they feel that this is their monarchy or their domain into which the Prime Minister is entering. They feel that they should not allow it to happen. This is exactly the wolf and the lamb story. They want to find fault, with the Government one way or the other just to defame and just to malign the Government. Sir, this is my submission.

SHRI V. SREENIVASA PRASAD (Chamarajanagar): I would like to draw the attention of the Home Minister to the very unfortunate and ghastly incident that took place in my constituency. Sir, I am referring to the gruesome gunning down of policemen including the Superintendent of Police, Mysore District, by the sandalwood smuggler and ivory poacher, Veerappan. He has once again established the fact that the Karnataka and Tamil Nadu police are ill-equipped to tackle the dreaded decoit. Sir, the police operation against Veerappan has resulted in killings of dozens of police and forest department personnel without, in any way, diminishing the illegal trade in sandalwood ivory. Veerappan and his gang are lording over this terrorist stricken area. I urge the Union Home Minister to make anti-smuggling drive an operation of the Central Government. An effective strategy must be formulated and effectively executed by a crack team of the Armed Forces. To leave the matter in the hands of Karnataka police may result in a number of deaths and it may further demoralise the State police and create outrage among the local people. The

Government of Karnataka has also requested the Central Government to send Armed forces to nab the notorious poacher Veerappan. As a Member representing this particular constituency, I am deeply concerned about it. I demand that the Central Government should provide vital inputs that are needed to end this Veerappan menace. The hon. Minister has given an assurance in the other House. Therefore, I request the Central Government and the Home Minister to assure us categorically in this regard.

SHRIMATI CHANDRA PRABHA URS (Mysore): Sir, I would like to bring to your notice that now and then the issue of this notorious gangster Veerappan has been raised in this House as well as outside the House. He is a notorious smuggler and a poacher in our area, especially the area of the border of Tamil Nadu and Karnataka. He has looted forest wealth worth hundreds of crores of rupees. This includes the sandal wood and other forest produce. For the sake of valuable ivory he has killed a number of elephants. The State Government had made an effort to nab him but it has not succeeded so far. Lot of lives, especially of the police personnel and other innocent people, have been lost. Tamil Nadu government also supported our worry but unfortunately it is still going on. Recently, a few days back so many young police officers were killed brutally. This should be stopped at once.

In this House we requested the hon. Home Minister to send some assistance to the Karnataka State. He assured us that if a request comes from the State Government he will give us all help. So, I request that either the BSF or other paramilitary forces should be sent there immediately to nab that gangster. This will save us a lot of national wealth and wild life wealth. This has been going on for a long time and till now no solution has been found out. Therefore, I urge upon the Central Government to send

some assistance immediately and take some action in this regard.

SHRIG. MADE GOWDA (Mandya): Sir, the State of Karnataka and the country know.

SHRI GEROGE FERNANDES (MUZAFFARPUR): I have given an Adjournment Motion.

MR. DEPUTY SPEAKER: Yours is next.

SHRI GEORGE FERNANDES: Sir, I agree you do not disregard the rules. But you cannot go on doing like this. (*Interruptions*)

SHRI GEORGE FERNANDES: If your Government in Karnataka cannot tackle one poacher, I do not know why you are wasting the time of the House over your own Government in Karnataka. You dismiss that Government.

SHRI G. MADE GOWDA: Sir, this is a very very important issue. I request Shri Fernandes.

MR. DEPUTY SPEAKER: Let us not deviate from the issue.

SHRI V. DHANANJAYA KUMAR (Mangalore): The Chief Minister of Karnataka will not be of any help. He has gone to Sai Baba. He is after saving his chair. He will not come here to help you.

MR. DEPUTY SPEAKER: Mr. Dhananjaya Kumar, he is on his legs. How long you want to continue Zero Hour?

SHRI G. MADE GOWDA: Sir, according to Shri Fernandes.

MR. DEPUTY SPEAKER: You please do not refer to Fernandesji. You straightaway come to the point.

SHRI G. MADE GOWDA: Sir, he said

that the Karnataka Government should be dismissed.

MR. DEPUTY SPEAKER: You do not worry about that.. A police Superintendent has been killed. You say what assistance do you require from the Central Government.

SHRI G. MADE GOWDA: Sir, I wanted to say something but you are not allowing me to speak.

MR. DEPUTY SPEAKER: But why are you making references to others?

SHRI G. MADE GOWDA: Sir, let the country know the Veerappan's case. Veerappan is a notorious smuggler and a poacher. His is a 14 members gang. He has taken the life of a very sincere police officer. Government is spending a lot of money on the constitution of police force and forest officers and police officers are being sent there to nab this gang. But they are not able to trace them. The government of Karnataka has requested the Union Home Minister, it has appeared in the newspapers, to send the military force to nab these 14 gangsters. I feel ashamed to know that the Government of Karnataka has acted in this way. I am told that some politicians are encouraging him. So, I request the Home Minister, through you, that before sending the military force he should first collect all the information. (*Interruptions*)

SHRI P.C. THOMAS (Muvattupuzha): Sir, when 70,000 employees of FCI were on strike, the MPs and others got involved in it and tried to bring about a compromise. When the nation wide strike was about to start, a compromise was arrived at and a few decisions were taken by the Government. The Government took a decision that if the strike was withdrawn immediately, they will call the Union for a dialogue.

Secondly, it was also decided that the

General Secretary of the Union, who was to be transferred on an alleged charge of victimisation, his transfer would be kept in abeyance. Now, it is disturbing that that is not being honoured by the FCI Management. Unless, the FCI Management takes immediate steps and calls the FCI Union for a dialogue and also to keep the order of transfer of the General Secretary in abeyance, within a few hours from now, I think, again a nation wide strike would start.

MR. DEPUTY SPEAKER: Mr. Thomas, do you want that the Government should immediately intervene in the affairs and solve the problem?

(*Interruptions*)

SHRI P.C. THOMAS: We want a response from the Government.

MR. DEPUTY SPEAKER: Mr. Thomas, you want that the Central Government should respond. You also want that they should interfere in their affairs and see that the strike is averted. The Government has heard it.

SHRI P.C. THOMAS: Yes, otherwise, I will have to sit on *Dharma*. (*Interruptions*)

SHRI BASUDEB ACHARIA (Bankura): Immediately, the Government should intervene and negotiations with the Union should be started. Thousands of employees are sitting on *Dharma* at Boat Club.

SHRI GEORGE FERNANDES: Sir, I also endorse the demand made by the hon. Member and support the cause that he has espoused here. It is not only just supporting the cause but it is also a matter where an order given by the Minister has been defied by the Chairman and continues to defy and the government is sitting quietly. I hope; they will take action; they are your own men. (*Interruptions*)

SHRIBASUDEB ACHARIA: On the floor of this House, this assurance was given and the strike was then withdrawn. (*Interruptions*)

[*Translation*]

SHRI GEORGE FERNANDES: Mr. Deputy Speaker, Sir, today morning, I have given an Adjournment Motion. My Adjournment Motion is about such an issue, which has been discussed in the House during last two sessions... (*Interruptions*)

SHRI GULAM NABI AZAD: Mr. Deputy Speaker, Sir, I will bring it to the notice of the hon. Minister the request regarding FCI made by the hon. Member.

SHRI P.C. THOMAS: Sir, the assurance that was given by the Government should be honoured.

MR. DEPUTY SPEAKER: Mr. Thomas, if, tomorrow, you become a Minister, can you assure such thing on the floor of the House? Let us be very practical.

SHRI P.C. THOMAS: I have met the hon. Prime Minister also. He had also agreed with me that that was the Government's decision.

Sir, I sat on the Well of the hon. House, not for anything else, but only to draw the attention of this House and the nation to the very important demand of the 70,000 employees of the FCI.

MR. DEPUTY SPEAKER: Mr. Thomas, you are young and you are very dynamic. You have said that 70,000 people are involved in this. You have already mentioned this thing, when you started your speech. Where is the need for you to repeat it. Because of this, many people, who have got important matters to be discussed will lose the chance. After all, you have got only two

days. Many important matters could not be taken up in the Zero Hour. It is very unfortunate.

[*Translation*]

SHRI GEORGE FERNANDES: That issue has been discussed in the House. And a Minister of External Affairs had to resign on the issue. The Hon. Prime Minister has said several times both inside and outside the House... (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: Mr. George, this matter is *sub judice*, under Rule 58.

SHRI GEORGE FERNANDES: I am not touching any *sub judice* matter.

[*Translation*]

First listen to my point and then give your decision.. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: Further, this is not a subject matter which is fit for Adjournment Motion: There are other ways and means by which you can raise this matter.. you can raise this matter at that time.

[*Translations*]

SHRI GEORGE FERNANDES: I have given you two notices-one is an Adjournment Motion and the other is about raising this issue in the House. Both the notices have been sent to you in time. This issue should not only be discussed here today but some points must also be clarified by the Govt. especially by the Prime Minister in this regard. Today we have received an information that the Government of India has informed the Government of Switzerland

through the Interpol that it is not at all interested in cases filed against Mr. Win Chadha.. (*Interruptions*)

[*English*]

SHRIGULAM NABI AZAD: From which paper are you quoting?

SHRI GEORGE FERNANDES: I am quoting from the information that I have received. I will lay the information on the Table of the House if the Chair so decides.

[*Translation*]

The police official who is dealing with these matters has stated that

[*English*]

"We got from the Interpol the official news that in Chadha was no longer being pursued by India and that the international search and warrant against him has been revoked."

[*Translation*]

A discussion has been held in this House on this subject. The Prime Minister has stated that it would be his own responsibility to bring out the truth before the House and whatever attempts are needed to bring forth the facts will be made. Now we have received the information from that official of Switzerland who is related to it that the 15th November, 1991.. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: Are you speaking about the reported withdrawal of cases against Win Chadha?

SHRI GEORGE FERNANDES: No, Sir. I am speaking about Win Chadha who has been wanted in this country. A warrant for his

search and arrest has been issued by this country in a clandestine manner; that warrant had been withdrawn on the 15th November, 1991.

MR. DEPUTY SPEAKER: This is a Zero Hour. There are other rules also.

SHRI GEORGE FERNANDES: There is nothing more important than this.

MR. DEPUTY SPEAKER: Under specific provision you can raise this matter.

SHRI GEORGE FERNANDES: Government has given assurance to this House; the Government has not only gone back on their assurance but the Government has acted in a clandestine manner. I charge the Government today with acting in a clandestine manner. On the 15th of November 1991. Interpol of which India is a member; Interpol is not just an international agency; India is part of the Interpol, which means the police authority of this country, in other words the Home Minister and the prime Minister of this country have told Interpol that tour warrant for search and arrest of Win Chadha which has been operational for the last several years is no more valid. (*Interruptions*)

[*Translation*]

Where does it lead to? As a result of it Mr. Win Chadha got the permission to stay in Switzerland on the 16th March. Though he may not stay there as a citizen of Switzerland yet he is residing there permanently after obtaining the permission. The cases are pending against him in the Cantonal court of Switzerland as well as in the Court of India. Since last august a lot of attempts have been made by the Govt. of India and a lot of amount has been spent by it to arrest him. Today I would like to draw the attention of the House towards the statement made by the Prime Minister in which he has committed that every effort would be made to arrest

him. But the Police Official of Switzerland has said another thing. That even today, if the Government of India seeks for his extradition, they were ready to handover Mr. Win Chaddha. The Police official said that .

[English]

"If the Indian Government really wants the man, they can ask for extradition."

[Translation]

Today we would like to know from the House as well as from the Prime Minister as to who had informed the Interpol that Win Chaddha was no more wanted in India and the warrant which was meant for his arrest has been withdrawn. When this information was sent to the Government of Switzerland? When the Government of India received the information that Switzerland is prepared to extradite Win chadha on the demand of the Govt of India and if the Govt has received such information what action has been taken by it in this regard?

Thirdly, in view of this information we would like to know from the Government of India whether it is ready to ask the Swiss Government to arrest and extradite Mr. Win Chaddha to India because he has owning a house in Switzerland and on the basis of it the Swiss Govt knows his where-about. With the valuable contribution of the Indian Express, the whole of the nation is well aware of this information. We would like to know whether the Prime Minister is ready to take steps regarding extradition...

[English]

SHRI ANBARASU ERA (Madras Central): How long will this continue? For so many months, we have been discussing the same subject.

MR. DEPUTY SPEAKER: Please conclude.

[Translation]

SHRI GEORGE FERNANDES: Mr. Deputy Speaker, Sir, there is one more issue which is linked with this matter. In this House, Shri Madhav Singh Solanki, the then Minister of External Affairs had said that he had gone to Daos in Switzerland and met his swiss counterpart. After the meeting Shri Solanki had given a letter to him. The foreign Minister of Switzerland has contradicted each and every word of the statement made by Shri Madhav Singh Solanki, the then External Affairs Minister, in this very House, i.e. Lok Sabha. He has contradicted his statement publicly and told that this man..** He had stated that this man has insulted not only the House but also the entire nation. Mr. Raine Failbar has already stated this thing two months ago. I had written to the Prime Minister a letter that he had protected the Minister of External Affairs in the House as well as outside the House. Now when the whole world knows the deeds of your former External Affairs Minister, what action you are going to take against him particularly when he had committed an offence of breach of trust in the House?

The Prime Minister has not yet replied to my letter for the last two and a half months. when he feels pleasure, he replies. If he feels troubles, he does not reply. I have raised this matter before you in the House. On 2nd June, I had written to the Hon. Speaker that it was the matter of breach of privilege. Mr. Deputy Speaker, Sir, please listen to him first. No discussion has yct been held here on my resolution.

[English]

MR. DEPUTY SPEAKER: Mr. Ghulam Nabi Azad, would you like to say something?

MR. DEPUTY SPEAKER: Mr. Fernandes, my difficulty is that almost one and a half hour is lost and there are so many Members who are agitating. Kindly listen. You should also realise the difficulty of Presiding Officers. It is all discriminating. You have made your case absolutely clear.

SHRI GEORGE FERNANDES: The question is not how many issues are there. If this House is being misled by the Prime Minister, where do we go... (Interruptions) ...who is now to discipline this Government, if this House is not going to consider this matter?

MR. DEPUTY SPEAKER: No, what I say was that there are so many Members who also want to speak.

(Interruptions)

[Translation]

SHRI GEORGE FERNANDES: I only want to say this much that you should call the Prime Minister and ask him to give a statement regarding the extradition of Mr. Win Chadha.

[English]

MR. DEPUTY SPEAKER: Yes, papers to be laid on the Table. Shri Arjun Singhji...

(Interruptions)

SHRI BASUDEB ACHARIA: I have given notice on this.

[Translation]

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Mr. Deputy Speaker, Sir, it is very essential issue. You please give an

opportunity to Shri Basudeb Acharia. It is a serious matter. The entire case of Mr. Win Chadha remains unfinished. We were trying to bring him in India. The government has withdrawn the warrant issued against him. You are not giving an opportunity to Shri Basudeb Acharia to speak.

[English]

MR. DEPUTY SPEAKER: Kindly excuse me Shri V.P. Singhji. There are so many people who want to speak. Is this the desire of the House that the 'Zero Hour' should be extended for one hour?

(Interruptions)

He is insisting since morning.

SHRI ANBARASU ERA: Since 11 o'clock, I have been asking.

13.45 hrs

PAPERS LAID ON THE TABLE

Annual Report and Review on the working of the Indian Institute of Technology Bombay for 1989-90 etc.

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): On behalf of Shri Arjun Singh, I beg to lay on the Table:-

- (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Bombay, for the year 1989-90.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Indian Institute of Technology, Bombay, for the year 1989-90.

[Placed in Library See No. LT-2560/92]

2. (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Madras, for the year 1989-90.

(ii) A copy of the Review (Hindia and English versions) by the Government on the working of the Indian Institute of Technology, Madras, for the year 1989-90.

[Placed in Library See No. LT-2561/92]

3. (i) a copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Kanpur, for the year 1989-90.

(ii) A copy of the Review (Hindia and English versions) of the Indian Institute of Technology, Kanpur, for the year 1989-90.

[Placed in Library See No. LT-2562/92]

4. (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Delhi, for the year 1990-91.

(ii) a copy of the Review (Hindia and English versions) by the Government on the working of the Indian Institute of Technology, Delhi, for the year 1990-91.

[Placed in Library See No. LT-2563/92]

5. (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Kharagpur, for the year 1990-91.

(ii) A copy of the Review (Hindia and English versions) by the Government on the working of the Indian Institute of Technology, Kharagpur, for the year 1990-91.

[Placed in Library See No. LT-2564/92]

6. (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Kharagpur, for the year 1989-90.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Indian Institute of Technology, Kharagpur, for the year 1989-90.

[Placed in Library See No. 2565/92]

7. A copy of the following Papers (Hindi and English versions) under sub-section (4) of section 23 of the Institute of Technology Act, 1961:-

(i) Annual Accounts of the Indian Institute of Technology, Bombay, for the year 1989-90 together with Audit Report thereon.

[Placed in Library See No. LT-2566/92]

(ii) Annual Accounts of the Indian Institute of Technology, Madras, for the year 1989-90 together with Audit Report thereon.

[Placed in Library See No. LT-2567/92]

(iii) Annual Accounts of the Indian Institute of Technology, Kanpur, for the year 1989-90 together with Audit Report thereon.

[Placed in Library See No. LT-2568/92]

(iv) Annual Accounts of the Indian Institute of Technology, Delhi, for the year 1990-91 together with Audit Report thereon.

[Placed in Library See No. LT-2569/92]

(v) Annual Accounts of the Indian institute of Technology, Kharagpur, for the year 1990-91 together with Audit Report thereon.

[Placed in Library See No. LT-2570/92]

(vi) Annual Accounts of the Indian Institute of Technology, Kharagpur, for the year 1989-90 together with Audit Report thereon.

[Placed in Library See No. LT-2571/92]

8. Two statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) to (7) above.

[Placed in Library See No. LT-2572/92]

9. A copy of the National Policy on Education, 1986- Programme of Action-1992 (Hindi and English versions).

[Placed in Library See No. LT-2573/92]

Statement correcting the reply to unstarred Question No.2920 dated 13.3.1992 and reasons for delay in correcting the reply.

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI ASHOK GEHLOT): I beg to lay on the Table a statement (Hindi and English versions) (i) correcting the reply given on the 13th March, 1992 to Unstarred Question No.2920 by Shri Syed Shahabuddin regarding Production of Cotton and Textiles by various sectors and (ii) giving reasons for delay in correcting the reply.

[Placed in Library See No. LT-2574/92]

Programme of Action, August, 92- National Sports Policy

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS AND THE DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT) (KUMARI MAMATABANERJEE): I beg to lay on the Table a copy of the Programme of Action, August, 1992 - National Sports Policy (Hindi and English versions)

[Placed in Lebrary See No. LT-2575/92]

Jammu and Kashmir State Legislature (Delegation of Powers) Act, 1992 and Notification under Delhi Policy Act, 1978

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): On behalf of Shri M.M. Jacob, I beg to lay on the Table:-

A copy each of the following papers (Hindi and English versions) under

sub-section (3) of section 3 of the Jammu and Kashmir State Legislature (Delegation of Powers) Act, 1992:-

(i) The Jammu and Kashmir Laws (Amendment) Act, 1992 (President Act No. 3 of 1992) published in Gazette of India dated the 17th July, 1992.

[Placed in Library See No. LT-2576/92]

(ii) The Jammu and Kashmir Disturbed Areas Act, 1992 (President Act No. 4 of 1992) published in Gazette of India dated the 17th July, 1992.

[Placed in Library See No. LT-2577/92]

2. A copy of the Union Territory of Delhi Swimming Pools (Licensing and controlling), (Amendment), Regulations 1991 (Hindia and

English versions) published in Notification No.570/Spl/Cell (PHQ) in Delhi Gazette of India dated the 23rd October, 1991 under section (2 of section 148 of the Delhi Policy Act, 1978.

[Placed in Library See No. LT-2578/92]

Statement showing action taken by the Government on various assurances promises and undertakings during various sessions of Eighth Ninth and Tenth Lok Sabha

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRIGHULAM NABI AZAD): On behalf of Shri Rangarajan Kumaramangalam. I beg to lay on the Table a copy each of the following statements (Hindi and English versions) showing action taken by the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Eighth, Ninth, and Tenth Lok Sabha:-

(i) Statement No. XXX Ninth Session 1987 '

[Placed in Library See No. LT-2579/92]

(ii) Statement No. XXV Eleventh Session, 1988 '

[Placed in Library See No. LT2580/92]

(iii) Statement No. XXII twelfth Session, 1988 '

[Placed in Library See No. LT-2581/92]

(iv) Statement No. XXII Thirteenth Session, 1989

[Placed in Library See No. LT-2582/92]

(v) Statement No. XV First Session, 1989

[Placed in Library See No. LT-2583/92]

(vi) Statement No. XVI Second Session, 1990 '

Eighth Lok Sabha

[Placed in Library See No. LT-2584/92

(vii) Statement No. XII Third Session, 1990 '

[Placed in Library See No. LT-2585/92]

(viii) Statement No. X Sixth Session, 1990 '

(ix) Statement No. IX Seventh Session, 1991

[Placed in Library See No. LT-2587/92]

(x) Statement No. VIII First Session, 1991

[Placed in Library See No. LT-2588/92]

(xi) Statement No. V Second Session, 1991 '

[Placed in Library See No. LT-2589/92]

(xii) Statement No. III Third Session, 1992 '

[Placed in Library See No. LT-2590/92]

(xiii) Statement No. I Fourth Session, 1992 '

[Placed in Library See No. LT-2591/92]

Ninth Lok Sabha

Tenth Lok Sabha

**Notification under Coir Industry Act,
1953**

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRIGHULAM NABIAZAD): On behalf of Prof. P.J. Kurien, I beg to lay on the Table a copy of the Coir Board (Services) amendment bye-laws, 1990 (Hindi and English versions) published in Notification No. S.O. 385(E) in Gazette of India dated the 5th June, 1991 under sub-section (4) of section 27 of the Coir Industry Act, 1953 together with corrigenda there to published in Notification Nos. S.O. 307 (E) dated the 30th April, 1992 (in Hindi and English versions) and S.O. 570 (E) dated the 30th July, 1992 (in Hindi version only)

[Placed in Library See No. LT-2592/92]

Memorandum of understanding between the Hindustan Organic Chemicals Limited and the Ministry of Chemicals and Fertilizers for 1992-93 etc.

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS AND THE DE-

PARTMENT OF WOMEN AND CHILD DEVELOPMENT) (KUMARI MAMATA BANERJEE): On behalf of Dr. Chinta Mohan, I beg to lay on the Table:-

1. A copy each of the following papers (Hindi and English versions):-

(i) Memorandum of Understanding between the Hindustan Organic Chemicals Limited and the Minister of Chemicals and Fertilizers for the year 1992-93.
[Placed in Library See No. LT-2593/92]

(ii) Memorandum of Understanding between the National Fertilizers Limited and the Department of Fertilizers Ministry of Chemicals and fertilizers for the year 1992-93.
[Placed in Library See No. LT-2594/92]

(iii) Memorandum of Understanding between the Madras Fertilizers Limited and the Department of Fertilizers, Ministry of Chemicals and Fertilizers for the year 1992-93.

[Placed in Library See No. LT-2595/92]

(iv) Memorandum of Understanding between the Rashtriya Chemicals and Fertilizers Limited and the Department of Fertilizers, Ministry of Chemicals and Fertilizers for the year 1992-93.

[Placed in Library See No. LT-2596/92]

(v) Memorandum of Understanding between the Pyrites, Phosphates and Chemicals Limited and the Department of Fertilizers, Ministry of Chemicals and Fertilizers for the year 1992-93.

[Placed in Library See No. LT-2597/92]

(vi) Memorandum of Understanding between the Paradeep Phosphates Limited and the Department of Fertilizers, Ministry of Chemicals and Fertilizers for the year 1992-93.

[Placed in Library See No. LT-2598/92]

(vii) Memorandum of Understanding between the Fertilizers and Chemicals Travancore Limited and the Department of Fertilizers, Ministry of Chemicals and Fertilizers for the year 1992-93.

[Placed in Library See No. LT-2599/92]

Consolidated Report on the working of the Regional Rural Banks for the year ended 31.3.1991 etc.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAMNABI AZAD): On behalf of Shri Dalbir Singh, I beg to lay on the Table:-

1. A copy of the consolidated Report (Hindi and English versions) on the working of the Regional Rural banks for the year ended the 31st Mar, 1991.

[Placed in Library See No. LT-2599A/92]

2. (i) A copy of the Annual Report (Hindi and English versions) of the Export-Import Bank of India for the year 1991-92 along with Audited Accounts under sub-section (5) of section 19 and sub-section (5) of section 24 of the Export-Import Bank of India Act, 1981.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Export-Import Bank of India for the year 1991-92.

[Placed in Library See No. LT-2600/92]

Notification under Employees Provident Funds and Miscellaneous Provisions Act, 1952

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI PABAN SINGH GHATOWAR): I beg to lay on the Table a copy of the Employees' Provident Funds (Amendment) Scheme, 1992 (Hindi and English versions) published in Notification No. G.S.R. 293 in Gazette of India dated the 20th June, 1992 under sub-section (2) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

[Placed in Library See No. LT-2601-92]

13.46 hrs

COMMITTEE ON PUBLIC UNDERTAKINGS**Eighth Report and Minutes***[English]*

SHRI BASUDEB ACHARAI (Bankura): I beg to present the Eighth Report (Hindi and English versions) of the Committee on Public Undertakings on Bringing of Reserve Bank of India, nationalised banks including State Bank of India and its subsidiaries and other financial institutions within the purview of Committee on Public Undertakings and Minutes of the sittings of Committee relating thereto.

13.46 1/2 hrs.

**COMMITTEE ON AGRICULTURE
Fourth Report and Minutes***[Translation]*

SHRI J. CHOKKA RAO (Karimnagar): I beg to present the Fourth Report (Hindi and English Versions) of the Committee on Agriculture on the Ministry of Agriculture (Department of Agriculture and Cooperation)-Agricultural Productivity in Eastern India with reference to Sen Committee Report and Minutes of the Sittings of the Committee relating thereto.

13.46 3/4 hrs

**COMMITTEE ON SUBORDINATE
LEGISLATION
Fifth Report***[English]*

SHRI SOMNATH CHATTERJEE

(Bolpur): I beg to present the Fifth Report (Hindi and English versions) of the Committee on Subordinate Legislation.

13.47 1/4 hrs

**COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE
Minutes***[English]*

SHRI PROBIN DEKA (Mangalodi): I beg to lay on the Table Minutes (Hindi and English versions) of the sitting of the Committee on Absence of Members from the sittings of the House held on the August, 1992.

13.47 1/4 hrs

MESSAGES FROM RAJYA SABHA*[English]*

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:-

o

- (i) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Jammu and Kashmir Appropriation (No.2) Bill, 1992, which was passed by the Lok Sabha at its sitting held

on the 11th August, 1992, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

- (ii) "I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Wednesday the 12th August, 1992 adopted the following motion in regard to the Joint Committee on Offices of Profit:-

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do elect three members of the Rajya Sabha to the Joint Committee on Offices of Profit and resolves that the House do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, three members from among the members of the House to the said joint Committee to fill the vacancies caused by the retirement of Shri Som Pal from the membership of Rajya Sabha and the membership of Shrimati Kailashpati and Shri Santosh Kumar Sahu from the membership of the said Joint Committee."

I am further to inform the Lok Sabha that in pursuance of the above motion, the following members of the Rajya Sabha have been duly elected to the said Committee:-

1. Shri S.K.T. Ramachandran
2. SHRI Shiv Pratap Mishra
3. Shri Som Pal

13.48 hrs

**PRE-NATAL DIAGNOSTIC TECHNIQUES
(REGULATION AND PREVENTION OF
MISUSE) BILL, 1991**

**Appointment of Member of Rajya Sabha
to the Joint Committee**

[English]

THE MINISTER OF STATE IN THE
MINISTRY OF HEALTH AND FAMILY
WELFARE (SHRIMATI D.K. THARADEVI,
SIDDHARTHA): I beg to move:

"That this House do recommend the Rajya Sabha that Rajya Sabha do appoint one member of Rajya Sabha to the Joint Committee on Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Bill, 1991 in the vacancy caused by the retirement of Shri Bhaskar Annaji Masodhkar from Rajya Sabha and do communicate to this House the name of the member so appointed by Rajya Sabha to the Joint Committee."

MR. DEPUTY-SPEAKER: The question is :

That this House do recommend the Rajya Sabha that Rajya Sabha do appoint one member of Rajya Sabha to the Joint Committee on Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Bill, 1991 in the vacancy caused by the retirement of Shri Bhaskar Annaji Masodhkar from Rajya Sabha and do communicate to this House the name of the member so approved by Rajya Sabha to the Joint Committee."

The motion was adopted.

[Translation]

SHRI CHHEDI PASWAM (Sasaram): Mr. Deputy Speaker, Sir, the entire country is feeling a sense of humiliation due to the dismal performance of our players in the Olympics. (Interruptions) But the hon. Minister is the least concerned about it and he should resign from his post. (Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS AND THE DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT) (KUMARI MAMATA BANERJEE): Mr. Deputy Speaker, Sir, please instruct them. (Interruptions). You see, how they are politicising the issue?

13.50 hrs

PRE- NATAL DIAGNOSTIC TECH-
NIQUES (REGULATION AND PREVEN-
TION OF MISUSE) BILL

Extension of time for the presentation
of the Report of the Joint Committee

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI D.K. THARADEVI SIDDHARTHA): I beg to move:

"That this House do further extend upto the end of the Winter Session, 1992, the time for presentation of the Report of the Joint Committee on the Bill to provide for the regulation of the use of Pre-Natal Diagnostic Techniques for the purpose of detecting genetic or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of the misuse of such techniques for the

purpose of pre-natal sex determination leading to female foeticide; and for matters connected therewith or incidental thereto."

MR. DEPUTY- SPEAKER: The ques-
tion is:

"That this House do further extend upto the end of the Winter Session, 1992, the time for presentation of the Report of the Joint Committee on the Bill to provide for the regulation of the use of Pre-natal Diagnostic Techniques for the purpose of detecting genetic or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of the misuse of such techniques for the purpose of pre-natal sex determination leading to female foeticide; and for matters connected therewith or incidental thereto."

The motion was adopted.

[Translation]

(Interruptions)

SHRI CHHEDI PASWAN (Sasaram): Mr. Deputy Speaker, Sir, this is an issue of the country's prestige. Please ask the hon. Minister to resign.

[English]

MR. DEPUTY SPEAKER: Mr. Paswan, you give a separate notice.

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH

AFFAIRS AND SPORTS AND THE DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT) (KUMARI MAMATA BANERJEE): I want to submit to the hon. Member that he should request the State Governments to include sports in the Concurrent list and I am ready to bring a legislation that no politician or bureaucrat could be the head of the sports federation. If it is done, our country will definitely with the medals also. (*Interruptions*)

[*English*]

MR. DEPUTY-SPEAKER: Now let us take item no. 18: Matters under Rule 377.

SHRI RAM NAIK (Bombay North): Sir, item no. 17 relates to the Bill to be introduced by the Home Minister, Shri S.B. Chavan. On that item, I want to raise a point of order because you have called the next item - Matters under Rule 377. I just want to know what has happened to item no. 17.

MR. DEPUTY-SPEAKER: They are not moving.

SHRI RAM NAIK: For that only, I want to raise a point of order. We have been given this Bill which is supposed to be introduced today. For introducing any Bill, according to the procedure, there is a system that we must get the Bill two days in advance. If the Bill cannot be given two days in advance, the Government must explain the reasons. Sir, we got the Bill yesterday with 106 pages. The Speaker has allowed under his discretion to introduce this Bill. We don't know why has this been allowed. Now you said that they are not moving. When the Government comes to the Speaker, they have to give notice seven days in advance. The Government has not done that. We are required to get the Bill two days in advance. But we have not got this bill two days in advance. The Government says that they do not want to introduce this Bill now. Now I quote a rele-

vant portion from the book, *Procedure and Practice* by Kaul and Shakhder: page 493:

"A Bill is not included in the List of Business for introduction until copies of bills have been made available to Members at least two days before the day on which it is proposed to be introduced. This requirement is waived by the Speaker in respect of appropriation Bills, Finance Bills and such Bills as are included in the List of Business. In case of other Bills, if the Minister concerned gives adequate reasons in a memorandum for consideration of the Speaker as to why the Bill is proposed to be introduced without copies being made available to the Members, the Speaker may permit introduction of the Bill without prior circulation or after circulation for a shorter period."

Sir, this memorandum has been given to us. Now the Government says that they do not want to introduce the Bill. They are taking the House for a ride. They are also taking the Speaker for a ride.

Sir, this Bill pertains to one crore citizens of Delhi. What is this going on? I request you, Sir, to reprimand the Home Minister for taking the time of the House and he must apologize. The Delhi citizens are very much interested in this and now the Government says that only two days are remaining. So, I request you, Sir, to reprimand the Home Minister and also if necessary, the Parliamentary Affairs Minister because under his instructions, this Bill has been included in the Agenda. Sir, now you have said that they are not moving.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): I request him to ask his Whip and better not to pursue it.

MR. DEPUTY-SPEAKER: Now, Matters under Rule 377.

13.55 hrs

MATTERS UNDER RULE 377

- (i) **Need for upgradation of technologies of the Ordnance factories, Jabalpur, Madhya Pradesh**

[English]

SHRI SHRAVAN KUMAR PATEL (Jabalpur): Sir, there is an acute recession faced by the Central Government Factories, Jabalpur in Madhya Pradesh. Jabalpur is known for its Ordnance Factories such as the Gun Carriage Factory; the Ordnance Factory, Khamaria; the Grey Iron Foundry; and the Vehicle Factory and others.

These factories have been running far short of 'Orders' during recent years. For example, the Vehicle Factory which is expected to have orders, enough to keep it running to capacity for around 4 years at a given point of time has lately been having orders enough to run it only for a year or so. Similar situation is faced by the other Central Government run ordnance factories in Jabalpur.

While cut in defence expenditure during recent years could be one of the reasons, the main reason is the pressing need for upgradation of their technology and if necessary diversification of their product-mix even attracting orders from civilian market.

I, therefore, urge upon the Government to speedily undertake a study in the light of the proposals made by the workers and

others concerned to determine ways for upgradation of their technology and diversification of the lines of production to keep them running to capacity smoothly.

- (ii) **Need for early installation of electronic telephone exchanges at Yavatmal, Wani and Jawala, Maharashtra**

SHRI UTTAMRAO DEORAO PATIL (Yavatmal): Sir, in the Yavatmal Division of the telecommunication, there are continuous complaints of non working of telephones. The matter was raised in the House and Government had assured to install the Electronic exchanges at Yavatmal, Wani and Jawala exchanges in 1992. But, so far no action has been taken in this regard. Now the electronic machines are lying at Yavatmal Headquarter of DET.

Hence, I request the Central Government for early installation of electronic telephone exchanges at Yavatmal, Wani and Jawala, Maharashtra.

- (iii) **Need to firmly deal with Bodo Security Force, Assam.**

SHRI PROBEN DEKA (Magalodi): Sir, the 18th July, 1992 massacre of eight persons at Guladhihahi Darrang district, Assam by the Bodo security force militants is a grim reminder of the potential for blood-letting on the vexed Bodland issue. Ever since the Bodo Security Force was formed in 1987 in Darrang district, it has indulged in mindless violence, un mindful of far reaching consequences. The frequency of indiscriminate killings during the last couple of years has set alarm bells ringing in the Bodo dominated areas of Assam. Unlike the ULFA, it does not publicise its activities, because of its organisational structure. Its nexus with the NSON and other insurgent outfits in the region as also its proclaimed objectives to "liberate" Bodo-dominated area through "armed

[Sh. Probin Deka]

struggle" should be cause for serious concern. Recently, the Army launched two operations, code-named "Honeycomb" and "Appelcart". The Bodo Security Force is trying to take away the initiative from ABBU-BPAC combine capitalising on the exasperation among moderate groups with the slow progress of the tripartite talks. After all, the ABSU had stolen the initiative from the PTCA in similar fashion. The carnage may have been timed to sabotage the ongoing negotiations. Hence, I request the Union Government to deal with the Bodo Security Force firmly, the tripartite talks need to be reactivated to find an early solution of the Bodo tangle.

- (iv) **Need to review the decision regarding sale of iodised salt in the country**

[Translation]

SHRI RAMESHWAR PATIDAR (Khar-gone): Mr. Deputy Speaker, Sir, in accordance with the reported survey conducted by the UNICEF, the Ministry of Health of the Govt of India had issued an order on 10.11.87 imposing a restriction on the salt-producers to mix a definite quantity of iodine with salt. The sale of the common salt was banned and now only iodised salt is available and consumed everywhere.

The quantity of iodine varies from person to person in view of his circumstances, country, periods profession, his State of health and climate. The Chairman of the National Institute of Nutrition, Hyderabad and Academy of Nutrition Improvement, Nagpur have opposed the use of such iodised salt indiscriminately. Many scientists have also opposed it. The Government has launched the iodised salt programme without any prior examination of facts and scientific research. But its advertisement is continued round the clock through Door-

darshan, newspapers and pamphlets, posters in cities.

Iodised salt is detrimental to the health of the people of Assam. In many regions of the country, despite the use of iodised salts, the disease, goitre is rapidly spreading. Its reason is the consumption of iodine more than the required quantity. The U.N. sub-committee of Nutrition of 1988 had expressed its opinion that even the slightest surplus quantity of iodine can have a serious adverse effect on the people who are over 40.

The quantity of iodine and its date of expiry are not mentioned on these iodised salt packets. According to the scientists, the iodine in iodised salt packet ceases to be effective after 6 months.

I urge upon the Central Government to hold an enquiry into this matter and instead of making the use of iodised salt compulsory all over the country, it should be limited to goitre-affected regions only.

[English]

- (v) **Need to fill up posts of Judges in Mumbai (Bombay) High Court**

SHRI RAM NAIK (Bombay North): The volume of pending cases in the Mumbai (Bombay) High Court has reached an alarming proportion. The number is more than 1.5 lakh as on 30th June, 1992. Due to pending cases, there is frustration among the litigants and they are losing confidence in judicial system. The dictum "Justice delayed is justice denied" has become operative. Out of the total number of 48 judges in the Mumbai High Court, sixteen posts are vacant and five judges would soon retire, taking the total number of vacancies to twenty-one. Moreover, eighteen additional posts have been created but no process has been initiated for their appointment. Thus, thirty-nine judges have to be appointed. I request the Prime Minister to look into this problem

and move the administrative machinery promptly so that thirty-nine judges are appointed and justice is given in respect of pending 1.5 lakh cases in Mumbai High Court.

(vi) **Need to set up industries in Bikramganj area, Bihar**

[Translation]

SHRI RAM PRASAD SINGH (Bikramganj): Mr. Deputy Speaker, Sir, Bikramganj area of Bihar is generally an agricultural area. Most of the inhabitants of this area are farmers and landless labourers. The only means of their livelihood is the agriculture. Most of the time these farmers and landless labourers remain without work. They have to face a lot of difficulties due to lack of sources of livelihood and employment, as a result they become victim of unemployment and poverty. This is the area which has neither a public sector industry nor a private sector industry. This area is totally no-industry area. The lives of 25 lakhs people living in this area have become very distressing. As these people are generally without employment so the number of criminals and anti-social elements is increasing rapidly. People are inclining towards nexalites and terrorism. Therefore, through you I would like to demand from the Central Government that by conducting a survey of this area employment oriented big, medium and small industries should be set up in this area as soon as possible, and this area should be freed from the influence of Nexalites and terrorism by providing employment to the labourers and educated youths of this area.

(vii) **Need to supply Natural gas to the Firms which have been given license for production of methyl alcohol in Gujarat**

SHRI N.J. RATHVA (Chhota Udaipur): Mr. Deputy Speaker, Sir, a certain number of

firms of Gujarat have been given licences for the production of methyl alcohol by the Ministry of Industry. A good quantity of gas is in excess in Gujarat which is combusted uselessly and it is not being utilized. But the Ministry of Petroleum has not been able to supply this natural gas to these firms of Gujarat so far due to which they are not able to produce methyl alcohol. Had the Ministry of Petroleum supplied natural gas for the production of methyl alcohol to these firms, they would have produced it and it could be used for mixing it in diesel and considerable foreign currency could have been saved.

Therefore, I think when the Ministry of Industry of the Union Government has given licences to certain firms of Gujarat for the production of methyl alcohol, the Ministry of Petroleum should allot natural gas to these firms immediately so that these firms can produce methyl alcohol and can save foreign exchange for the country. On the other hand foreign currency would be saved, on the other hand the excess gas in Gujarat, which is being wasted at present would be utilized and these firms can produce methyl alcohol (metha- Nole). Unemployed youths will also get job if these firms will start production.

Therefore, I would like to request the hon. Minister of Petroleum to supply gas as soon as possible to those firms of Gujarat, which has been given licences by the Ministry of Industry for the production of methyl alcohol.

(viii) **Need for early completion of work for providing STD facility in the Akala district, Maharashtra**

[English]

SHRI ANANTRAO DESHMUKH (Washim): Sir, it has been a long standing demand of the people of Risod, Washim and

[Sh. Anantrao Deshmukh]

Malegaon townships in Akola district of Maharashtra State for providing STD telephone facilities to the. Part of the infrastructure required for providing STD facility, such as electronic telephone exchange, MSTD facility etc. is already existing in these places. By providing a few more equipments such as (i) 120 lines 8 megawatt microwave tower at Washim (ii) 30 channel VHF towers at Risod and Malegao; and (iii) 10 channel digital VHF tower at Riithad, STD facilities can be made available at the aforesaid places. Therefore, I urge upon the hon. Minister of Communications to take up this work on priority.

MR. DEPUTY SPEAKER: I am sorry that many hon. Members could not be accommodated in the zero hour though only two days are left in this session. I request the Members to take little time and be brief so that many of them could participate.

The House is now adjourned to meet at 3 p.m.

14.06 hrs.

The Lok Sabha then adjourned for Lunch till Fifteen of the Clock.

15.04 hrs

The Lok Sabha re-assembled after Lunch at four minutes past Fifteen of the Clock

[SHRI PETER G. MARBANIANG in the Chair]

BANKING COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKINGS) AMENDMENT BILL*

[English]

MR. CHAIRMAN: We shall now take up the Banking Companies (Acquisition and Transfer of Undertakings) Amendment Bill. The Minister of Finance may move for consideration.

THE MINISTER OF FINANCE (SHRI MANMOHAM SINGH): I beg to move:

"That the Bill further to amend the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, be taken into consideration"

Mr. Chairman, the Committee on Banking Regulations and Supervisory Practices appointed by the Bank of International Settlements has prescribed certain capital adequacy standards to be followed by commercial banks. These standards have been accepted for implementation by several countries. The BIS standards seek to measure capital adequacy in terms of the ratio of capital to risk weighted assets. For this purpose, weightages have been prescribed for different categories of assets. The recommended norm that is that all internationally operating banks must acquire a capital to risk weighted assets ratio of 8 per cent.

The Committee of Financial System under the Chairmanship of Shri M. Narasimham in its report submitted to the Government last year has inter-alia recommended that the banks in India should reach the BIS norm for capital adequacy in a phased manner. For banks with an international presence, the Committee has suggested

that the norm should be achieved as early as possible and in any event by March, 1994. The other banks are advised to achieve the capital adequacy norm of 4 per cent by March, 1993 and 8 per cent by March, 1996.

The Reserve Bank of India have recently issued detailed guidelines on capital adequacy measures. In terms of the said guidelines, the Indian banks which have branches abroad should achieve the norm of 8 per cent as early as possible and in any case by 31st March, 1994. The other banks have been directed to achieve the norm of 4 per cent by 31st March, 1993 and 8 per cent by 31st March, 1996. The banks have been accordingly been advised by the Reserve Bank of India to review the existing level of capital funds vis-a-vis the prescribed level and plan to increase the same in a phased manner to achieve the prescribed ratio by the end of the stipulated period.

Despite substantial growth in deposits and advances, it has not been possible for banks, due to various operational constraints, to augment their owned funds to the required level. The low level of profitability and the need to comply with prudential requirements for provisioning leaves them with little surplus for the augmentation of their reserves.

There is an urgent need to augment the paid up capital of the nationalised banks. The ceiling on paid up capital was raised from Rs. 15 crores to Rs. 100 crores in 1985 and further to Rs. 500 crores in 1988. At present, therefore the ceiling on paid up capital is Rs. 500 crores. The paid up capital of one bank has already reached this level. Some more nationalised banks are expected to reach this level this year. It is, therefore, necessary to increase the level of the ceiling on paid up capital. The Bill before the House, therefore, seeks to raise the limit on paid up capital of the nationalised banks by amending Section 3(2) (A) and Section 9(2)(A) of the Banking Companies (Acquisition and

Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980. The Bill provides for enhancement of the ceiling on their paid up capital from the present level of Rs. 500 crores to Rs. 1,500 crores. This will enable the Government to strengthen the capital base of the nationalised banks by contributing more funds to their paid up capital. The Bill does not envisage any policy changes. As I mentioned earlier, the ceiling had earlier been raised twice in 1985 and 1988.

With these words, I commend the Bill for consideration of the House.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, be taken into consideration."

MR. CHAIRMAN: There are amendments to motion for consideration. Shri Girdhari Lal Bhargava.

SHRI GIRDHARI LAL BHARGAVA
(Jaipur): Sir, I beg to move:

That the Bill be circulated for the purpose of eliciting opinion thereon by the 22nd October, 1992."

[Translation]

SHRI DAU DAYAL JOSHI (Kota): Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by 23 October, 1992." (2)

[English]

Bank of India and also the private banks.

MR. CHAIRMAN: Prof. Rasa Singh Rawat - Not present.

Shri Moha Singh - Not present.

Shri Rajendra Agnihotri - Not present

SHRI CHETAN P.S. CHAUHAN (Amroha): Mr. Chairman, Sir, I rise to support this Amendment. This Amendment was necessary for a long time as the Minister has just said that some of the banks have already crossed the limit of Rs.500 crores and as such, there was a need to increase the capital of the nationalised banks from Rs. 5000 crores to Rs. 1,500 crores. This has also been necessitated by the International Conference of the Bank of International Settlements which had recommended to a number of countries for increasing the capital of the banks, especially for those banks which are operating in foreign countries.

Accordingly, the risk weighted assets to the percentage of capital has been asked to be increased. The targets which have been set here are that the bank should reach four per cent by 1993 and eight per cent by March, 1996. I have a lot of doubts about how this capital will be raised. So far the capital of the banks which has been raised has been mostly from the contribution of the Government of India. From 1985 until 1990-91, the Government of India has contributed nearly Rs. 2600 crores. Last year in 1991 also, an amount of Rs. 700 cores was provided by the Government of India to the banks. This year also in the Budget, a provision of Rs. 700 crores has been made. My fear is, with the profit of the nationalised banks going down, more and more burden is coming on the Government. As such, it is high time that the Government looks into the working of the nationalised banks. State

The capital can be raised only through four methods. One is the Government contribution. Second is profit. Third, I can think of is revaluation of assets. And the fourth is, raising money or equity from the market. In the recently held consultative committee meeting of the Finance Ministry the Finance Minister has given an indication that the banks may be going to the market for raising capital.

The most important thing is the profit. Profit is decreasing instead of increasing. There is so much pressure on the banks. The profit which should be ploughed back into the capital is not being done. On an average about Rs. 200 crores profit from the nationalised banks goes back to the Government.

The other fear I have is the malpractices which have come into the banking system. Everyday we hear collusion between the bankers or bank officials and the customers. This is resulting in a lot of loss to the banks. Maximum growth in any Department of the nationalised banks has been the Department of Vigilance. The Vigilance Department has grown about four times since the nationalisation has taken place. The reason for profit going down has been political also. Not in the previous Government, but in the Government before that, i.e. Congress Government, there were loan melas. Because of loan melas, a lot of money was given to the people which was not returned. In fact, I still remember way back in 1983 or so, loan melas were held in Bangalore where the Chairman of the banks were asked to go in procession along with the people who were given loans. These kinds of schemes or wrong policies of the Government, I am sure, will result in a lot of loss to the banks. Similarly, the previous Government has waived loans up to Rs. 10,000 to the small

farmers. This also has resulted in a lot of loss. Because of this loss, capital of some of the banks has eroded and as a result, the Government had to contribute to the capital of the banks.

The other thing which would like to state here is, as I spoke in the Scam - I have put in 23 years in banking- the polices which are there in some of the banks are quite disturbing. It is seen that officers are working in a particular Department, at a particular place for 10 years or even 15 years. Especially the Specialist Officers are working for a long time and because of this a nexus is created.

I suggest to the Finance Minister that this system of Specialists should be done away with. If the Officers who look after the specialised jobs could be posted as per the rotation, I am sure, this will help the banks.

The other point which is very common and which is reported not only to me but also to many Members of Parliament is that the recruitment in the banks has been stopped since 1985. Now it has been allowed and only one per cent of the staff is allowed to be recruited per year. This one per cent is very very meagre because in the last seven year, a number of branches have been opened by the banks and a lot of people have retired. A lot of people have expired and lot of people have left the banks and joined some other organisations.

The other point which has been brought here also is the balancing of books and reconciliation. An amount of nearly Rs.2,40,000/crores is involved all of which is not being used because of the lack of balancing of books and reconciliation. In some cases, the reconciliation is pending for more than ten years. This does not speak very well. This does not speak of a healthy system. The recovery of bad and doubtful debts has also gone down. The recovery is

only about 60 per cent. 40 per cent of the loans are becoming bad or doubtful. I had also put in a question about the setting up of special courts and the answer I have got was that the bank is not considering the setting up of special courts. Now that the special courts have been set up for investigating into the scam, I request the Finance Minister that this also should be considered. I do not know the amount which is pending. I had asked a question about this but the information was not given to me. I think there are crores of rupees which are locked up in debts and, I am sure, if these special courts are set up, these cases which are pending for very long can be taken up by the special courts and the matters could be settled amicably and this amount would be recovered.

Another suggestion which I had made earlier also is that the average return of the bank is about 10 per cent only because the banks are giving money at four per cent. The banks have to loan 40 per cent of their deposits to the priority sector. So, the average return is only 10 per cent. I had suggested to the Finance Minister earlier also that Central/State Public Sector Undertakings should not be allowed to bank with the foreign banks because the foreign banks are taking away the cream of the business from the Indian business and, as such, the left-over is remaining with the nationalised banks. If the public sector undertakings are forced to bank only with the nationalised banks, I am sure, the nationalised banks will be able to do some good business and also make profit.

Another point which worries everybody is the frauds which take place in the banks. This is the point I had suggested before also. I would not like to go to the extent of saying that the clerical staff should be transferred but at least rotation should be frequent and, as such, orders must be passed for the rotation of the clerical staff, the supervisory staff and the executives and so on.

[Sh. Chetan P.S. Chauhan]

There was a move to transfer scale four officers in the regional offices and their above offices from one bank to the other bank. This is a good suggestion but somehow this has not been implemented because some of the small banks, the nationalised banks, do not have the required expertise whether it is foreign exchange or advances and also in the share business investment etc. These are very very specialised fields. And, as such, if transfers could take place of Regional Managers and above from one bank to the other bank, I am sure the expertise will be passed on from one bank to the other bank. This will also help in increasing the business and also the portfolio advances especially will become healthier.

Regarding revalidation of the assets, I would say that the revaluation, of course, will be a book entry only. No substantial money will come into the bank. But even then with the revaluation of the assets, only the bigger three or four banks which have assets only they will be able to gain. As such revaluation will also not be enough. The market borrowing which the Finance Minister has said just now, it is a good suggestion. The banks may be asked to go to the market to borrow money. But then I have a fear that the control on the banks may be diluted because of this. Of course, the amount required is also substantial. The amount required to take this to 8 per cent of the assets, to the risk-weighted assets, to the capital ratio will be about Rs. 10,000 crores which will be needed. The only way the Government would do well is to go to the market and get this money.

What has happened in the Baking Industry? I will just quote here one thing:

"Banking in India, though said to be commercial, is socially-oriented and the

lending policies of the banks are in tune with the social objective of the Government. Given the option, banks would steer clear of investing in priority-sectors where the average realisable return is less than 10 per cent and the no-recovery percentage is alarmingly high. But the 40 per cent target imposed on banks force them to lend in these areas compromising on their profitability. With the cost of funds escalating (more accentuated by the hike in the deposit rates) profits in banks are under severe strain..."

Another thing I would like to quote here. It has been said that in the past the bank has not bothered to raise the capital for the simple reason that the banks belong to the Government and any loss or any other pressure which was there on the banks was absorbed by the Government. Also, besides this, the banks were mostly socially-oriented and though they were called commercial banks, in real terms they were not commercial banks. As such, the need to raise the capital was not there. But now that these norms have been fixed, I am sure, the raising of the capital will help the banks. Also, these banks which have international branches, I am sure, will need more money. The suggestion that some of these small banks or some of the smaller nationalised banks could be merged will also be a good idea because this will strengthen the banks especially when we are competing with the international banks outside India. This will help us to increase our stake and compete with the international banks.

The other thing I would also like to point out here is that some of the branches which are the loss-making branches operating outside India have been asked to close down by the Reserve Bank of India. I say that some of the banks do not have the expertise. It will also be a good idea if some of the banks join together or if the Government can think

of forming a Global Bank, an International Bank merging all these branches which are working outside India into one bank and operating in the foreign countries and if it is done I am sure this will give a lot of strength. This will also help us to compete very well with the international banks.

Another thing I would like to point out here. A lot of people have come and they are quite worried about the working of the Rural Banks—they are called as RRBs. The Government had appointed a Committee. I think it was the NABARD or the National Institute of Bank Management which had gone into the terms and conditions of the working of these banks. This will again be a good idea if the Government could form a separate bank for the rural industry which will look after the rural population of the country because usually it is found that any bank, especially a nationalised bank when it opens a branch in a village, for nearly three years, it runs in a loss. It can be much more also. These nationalised banks are incurring huge losses because of the norms fixed for setting up a branch in the rural areas. There are problems of staff going to rural areas. If a regional rural bank or a separate bank is formed, I am sure, this will not only help the banks which are already there but it will also help the villagers and the farmers quite a bit because people will be available. The biggest problem which is faced by the banks is that the moment a person is transferred to the rural branches they are not very keen to stay there. People live in big cities and they come to the branches from there. They are not stationed in those places. As such, the work of the bank suffers.

With these words, I thank you very much for allowing me to speak. I would like to have some clarifications when the hon. Minister replies

SHRI PRITHVIRAJ D. CHAVAN
(Karad): Sir, I rise to support the Banking

Companies (Acquisition and Transfer of Undertakings) Amendment Bill, 1992. This Bill deals with raising the upper limits on the paid up capital of the nationalised banks.

The problem of weak capital base of banks has worried the financial community both here and abroad. Inadequate capitalisation is the main cause of bank failures, hostile take-over and financial instability in general. It is well acknowledged that Indian banks are seriously under-capitalised.

Traditionally, deposit taking and lending or the interest payments has been the core business of the banks. But the greater financial deregulation in the world during the eighties, coupled with revolutionary advances in the communications technology, has changed the very nature of banking. It has unleashed greater competitive pressures. Banks are now deriving an ever-increasing percentage of income from sources other than interest from merchant banking operations such as, trading in securities, brokerage, portfolio management services, underwriting, and providing back up liquidity. Greater portion of credit and liquidity exposure is being incurred by off balance sheet items and inter bank transactions, leading to reduced transparency.

There is a general agreement that the system needed reforms to better suit the needs of supplier and users of funds. The Bank of International Settlements (BIS) based in Basle, which is a Central Banker's bank, had set a Committee consisting of several Governors of the Central Banks—the Committee on Banking Regulations and Supervisory Practices in 1988. This Committee released a broad framework of standards which are known as BIS standards. They are followed by all the banks in the world, particularly those operating in international fields.

The amendment of Banking Compa-

[Sh. Prithviraj D. Chavan]

nies (Acquisition and transfer of Undertakings) Act has become necessary as the original 1970 and 1980 Acts had put an upper limit of Rs. 100 crore on the paid up capital which was subsequently amended and raised to Rs. 500 crore in 1988. Due to increased deposit mobilisation and lending by the public sector banks, it will not be possible to achieve the eight per cent capital adequacy ratio unless the present limit of Rs. 500 crore is raised. And this Bill intends to raise that limit to Rs. 1500 crore.

Sir, in the BIS standards, there is a definition for capital which is based on quality of capital and the capital has been divided into two parts, that is, tier-I or core capital and tier II or supplementary capital. And there is also another provision that the supplementary capital should not exceed the core capital.

On the assets side each funded and non-funded asset is assigned a risk factor. And the aggregate of all risk adjusted value of the assets is to be used for calculating capital ratio. But before this is achieved the Indian banks will have to take a realistic valuation of their present assets portfolio as to which loans are realisable and which are truly doubtful and are likely to be written off.

The Narasimham Committee on Financial System Reforms, in Chapter V, has generally endorsed the BIS standard and the capital adequacy ratio and the asset classification concept. However, it has recommended that this standard should be adopted in India in a phased manner and after minor adjustments are done to suit the Indian conditions.

Sir, on the serious under capitalisation of private banks-even through this Bill deals with the public sector banks- I would like to take a moment. This under capitalisation of private banks is also a matter of grave con-

cern. May small banks are falling prey to hostile takeover by larger monopoly industrial houses. We have the case of Bank of Sangli is attempted hostile takeover by Mittals; Madura Bank by Kotak Mahindra; Bank of Rajasthan by Bagurs; Syrian Catholic Bank by the House of Birlas; and Nedugali Bank by the now famous FFSI. We also know that the Bank of Karad was manipulated and controlled by a few brokers only because it had a paid up capital of only Rs. 30 lac while it had a business turnover of over Rs. 80 crore. And the whole action knows what happens when the financial and industrial houses get hold of small private sector banks. We have seen how a few banks have really wrecked a havoc with the entire financial system of this country. So, the Government will have to seriously formulate firm guidelines to stop such hostile takeovers which subvert the concept of social control of banks and reverses the spirit of bank's nationalisation which Shrimati Indira Gandhi brought in.

Sir, the topic of capital adequacy ratio raises some issues. The nature of public sector banks operating in India is quite different from those operating internationally. The issue of capitalisation has not been worrisome. In India, banks have been fully backed up by the Government. But those having international operations will have to accept this norm at the earliest.

The Narasimham Committee has recommended rationalisation of Indian banks operating abroad by establishment of a statutory overseas banking corporation. State Bank of India and some three or four large banks could be asked to be present abroad to get into international banking and not too many banks that we have now. Almost every nationalised bank now has a foreign presence. This is a suggestion which merits consideration.

Sir, second question is where from are

we getting the money to achieve eight per cent capital adequacy ratio. We have provisioned Rs. 700 crore in the budget. But some other schemes will have to be considered. Banks going public is one way. It is a contentious issue. There are two opinions on whether the control of banks by the public sector should be diluted. I think we should have a serious debate on partial privatisation of public sector banks to the tune of may ten or twenty per cent to raise capital, because as we know even the State Bank of India, the premier bank of this country, is also partially private owned.

One or two per cent shares of the State Bank of India are owned privately. We will also have to consider capitalisation of reserves of the banks. We also might have to look in to some new instruments like some hybrid debts or subordinated debts which is a common practice abroad. We can also consider raising some equity from public sector undertakings which are now cash-flush because of disinvestment and also some semi-Government or State Government organisations and corporations, particularly cooperative banks which have got surplus funds with them.

Another question which has to be looked into is about the foreign banks operating in India. Foreign banks being international in nature, will have to be made to accept the capital adequacy ratio of 8 per cent by March 1992.

The next issue about which I am worried is the transparency in financial accounts. There is a grave concern about the financial reporting: the balance-sheet and the profit and loss statements. The Ghosh Committee, which the RBI had set up, has made some changes in the format of the balance-sheet at the profit and loss statement. We have amended the Banking Regulation Act last year to incorporate this new format. This

format has indeed increased the transparency in the accounts. But more needs to be done.

There is also a proposal by RBI to invite foreign experts to get some help to frame "inspection manual" by RBI inspectors. We all know that because of the failure of proper inspection and to carry out the follow-up action after the inspectors found some lacunae in the operation of banks, that the scam took place. There is no harm if we invite the experts from abroad to guide us. It is just like a technical collaboration in an industrial company. We can invite them and utilise their experience in checking this kind of frauds and mis-operation.

We are going in for increased automation. We all know that computers necessarily help in speeding up the paper work. But they are also prone to major frauds. There have been major frauds with computerised banking. We are new to this field. We will have to get some foreign experts and wherever the expertise is available even in the private sector in India to stop modern day electronic age fraud.

Then main objectives of the Basle Committee on capital adequacy was firstly to strengthen the soundness and stability of the financial system and banking industries and secondly to establish the broad framework which would be fair and consistent throughout the world and to smoothness the competition inequality. The BIS standard has achieved that. There is a universal acceptance of the BIS norm by all countries. This Bill is a step towards achieving the international financial environment. But this alone will not help. A modern, efficient, computerised and automated system and advanced communication network is also equally important if we have to compete globally.

[Sh. Prithviraj D. Chavan]

Finally the reform suggested by Narasimham Committee should be debated in this House. We have today made a beginning to implement the changes and the reforms suggested by bringing in this amendment to help the public sector banks for raising capital limit.

There should be a wide debate in the House on the Narasimhan Committee report and also preferably a wide-ranging national debate. After such a debate we should implement the financial system reforms forthwith in order to keep the banking and the financial sector of the country competitive.

With these words, I support the Bill.

MR. CHAIRMAN: Now, Shri Syed Shahabuddin. Two Members are there from your party to speak and twelve minutes is the total time. It is just to remind you.

SHRI SYED SAHABUDDIN (Kishanganj): Mr. Chairman, Sir, I have no difficulty in supporting this Bill because it is, by and large, as technical Bill. But, if I may say so, it merely reflects the fall in the purchasing power of the rupee or the exchange value of the rupee. Therefore, it is something that we have got to live with and the Finance Minister has really no option in the matter and therefore we have also really no option in the matter.

But, Sir, I do wish to utilise this opportunity, with your permission, to present a brief critique of the banking system, not that the Finance Minister is not aware of it, but perhaps to reinforce his own endeavours to cleanse the stables so. This critique is the critique of a non-specialist, from the common man's point of view because I do not propose to present myself as an economist, particularly when I am faced with an econo-

mist of international reputation, Dr. Manmohan Singh.

We never get tired of saying that there has been a phenomenal growth in banking since independence or since nationalisation. That is a fact and I do not have to quote figures for that. But, at the same time, there is a growing feeling that there has been a phenomenal growth in inefficiency of the banking system, in the level of fraud and bad loans and in terms of corruption in the banking system. Well, I do not propose to dwell deeper into that; we have already appointed a Joint Parliamentary Committee for that purpose which I hope, will look beyond the recent securities scam into the malaise that really affects the banking system.

Sir, to my mind, one of the basic reasons for the deterioration in the banking system is the unorganised, unsystematic and perhaps to some extent, deliberate expansion which has created a lot of overlap, duplication and multiplicity. We have this peculiar situation in which each nationalised bank is practically operating throughout the country. Now, that has an inbuilt element of infrastructural problems because the resources in terms of staff, in terms of management capacity, in terms of inspection are all distributed over a very wide area; and therefore they became ineffective and inoperative.

Sir, apart from that fact, we have to pay the economic cost. After all, the people are transferred from one end of the country to the other including the lower staff; that costs public money. Apart from it, when you have got branches which are controlled from a particular economic centre and they have got branches in a rather economically undeveloped area. I do not think that the central office has the real feed of the requirements and the needs of the underdeveloped area where their branches are operating. There-

fore we pay higher costs and we receive less return because of this phenomenal expansion across the country right up to the lowest prices.

Therefore, there is a need for rationalising the banking structure. There is a need for developing a national system of banking in which there should, of course, be specialised bank which operate throughout the country like the agricultural bank the industrial bank, the housing bank perhaps an internal trade bank and external trade bank which can operate from various major centres where these economic activities are located, maybe right up to the district level; but they need not have branches all over the country, in every place. But at the same time, the general public is more concerned with the general banking system and the general banking system must be rationalised and must be—shall we say—regionalised, so that each bank has a clearly defined regional jurisdiction in which it operate whose need of overall banking, it takes care of an whose development becomes its real concern. That sort of a regional division of work among the various banks must be brought about. At one stage, the Reserve Bank of India did think about it. In fact, it informed me that it was going to bring it about in one way or the other and in whichever State particular bank does not have too many branches, it will have to swap those branches with another bank which has a larger concentration in that area. Over the years, the lead bank system has been eroded. To restore the lead bank idea and then to relate each nationalised bank with a particular region, consisting may be of one or more states, depending upon the size and population, these two ideas need to be knit together. And through swap arrangement among different banks, let each bank specialise in a given area and in its problems and deliver the goods. This is one basic suggestion that I want to make for the consideration of the hon. Minister.

Sir, once the bank is related to a particular area, the head office also will be located there. The recruitment pattern also will certainly change and the reorientation will meet the aspiration of the local people and the regional aspirations better than today, once we have got such a regional banking system.

As for the foreign operations, I am also of the view that there should be one specialised bank, call it overseas bank or international bank of India. It should have branches wherever necessary and not as every branch or every bank wants to have today they call in French '*pied-a-terre*' a place where they can land the Managing Director or the Chairman, on a world circuit, at certain places where everyone goes. You may even find whether there is multiplicity of branches of Indian banks in places which are very well known, for reasons other than banking, one sees a certain pattern.

I would rather have a single bank specialised in international banking as has been suggested and that could be an independent bank and that bank can maintain international standards, keeping to international norms and coordinate with other international banks in that area. The opening of the branches and to that I may add, the opening of the foreign bank branches in India should be based on the principle of reciprocity. There should not be open door policy in that respect. We cannot have a unilateral open door policy vis-a-vis other big banks in the world. Let us have a federal system or reciprocity. So, with regard to foreign banks, my suggestion is firstly, on our side, we should have one international of overseas bank which concentrate on activities in foreign countries and secondly we should certainly allow foreign countries and secondly, we should certainly allow foreign banks to operate in India in terms of reciprocity and not in terms of any IMF direction or Dunkel draft call for a total open door policy.

[Sh. Syed Shahabuddin]

Now, I come to the question of flow of credit. I have a feeling that the State-wise picture shows a lot of disparity. Even in terms of credit deposit ratio, certain States are disadvantaged and certain States are not. I do not have to quote the figures as you know, Sir and the hon. Minister is also aware of it. There is also a bias if you see from the perspective of urban-rural dichotomy much more credit is flowing into the urban area which is inevitable to a certain extent. But I believe that the rural areas are not getting their due and they are getting starved. Some States are getting starved. Generally rural areas are getting starved. And there are certain sections of the people who are getting starved. We do evolve a certain policy and we formulate a national programme but when it comes to actual implementation, if the hon. Minister will make a check on his own about the flow of credit to weaker sections, Scheduled Castes and Tribes, the disadvantaged areas, the minorities and even the population living below the poverty line or the unemployed youth—these are the five or six categories which come to my mind—he will find that the flow of credit is almost negligible. It is like an act of occasional charity it is like a crump that we throw from the economic power to them, to silence them and to keep them in good humour. Actually, it is not being done in a spirit in which the national policies were devised. Therefore, I would suggest that there should be a annual statement by the hon. Finance Minister in the Parliament about the quantum and level of flow of credit to the disadvantaged sections and regions.

Thirdly, I would suggest humbly, for the consideration of the hon. Minister, one more aspect. I get comments from many bankers I have met that they operate on banking principles and commercial principles and how can they fulfil the Government's social

demands? Government has to give a subvention subsidise it. That should be done. So, why not have a special banks like we have the bank for Agricultural development and bank for industrial development. We should have a separate specialised Bank for Social Development and let it operate deliberately in the principle of subsidy. So we would know what subsidy we are giving and to whom. We would know precisely where the flow is; what is the quantum of flow and what is the direction of flow. As we would know this, we can precisely target on achieving the objectives of social development. That can be much better achieved by one single instrument than by a multiplicity of the instruments at the command of the Government. Therefore, I plead for the establish of national Bank for Social Development.

Sir, I have to say a word about the banking practices. I am sorry to say, that I have lived abroad for about 20 years, when I enter into the portals of a bank in India, believe me the environment - I would like to point out to the Minister is hardly that of a bank. It is that of a bazar and worse than that perhaps of a Machali Bazar, with due respect to my friends from Calcutta. There is so much of noise that you cannot hear across the counter. Everybody is shouting. Everybody is running around all over the place. You think as if you are at a railway platform and not inside a bank. I suggest that something ought to be done. to create a proper atmosphere in every bank. when such is the atmosphere, what can one say of the public relation.

Every single District Magistrate I have come across throughout the country, complaints about the behaviour of the bank managers. They say that the bank managers are not responsive, are totally impatient, uncooperative and banks are like empire unto themselves or a State within the State.

Banks are part of the State. Banks are part of our economic structure. We debate them here and yet they behave as if they are independent entities. There is no coordination at all at the district level. Certainly you can not even think of proper coordination at the block level. Although, technically there is supposed to be a block banking Committee. But in many cases the bank managers never listen to the advice of the BDOs. I would suggest the hon. Minister that in every block and in every district there ought to be a Public Advisory Committee to look after only the social aspects of the banks and nothing more. They should not interfere but see to it that at least the Government policies, the social policies accepted by the nation should be implemented by the banks. And, for that you have to have some sort of political control and you have to establish a relationship between the administration, on one hand and bank on the other.

As for the banking practices, we have heard a lot about abandoning the practice of reconciliation which is not taking place over months and years. Accounts are not audited at all. There are recruitments which are sometimes not based on appropriate criteria. I also believe that there is lack of uniformity in terms and conditions of service of different banks. Why cannot we have a uniform set of terms and conditions of service for all the banking sector and why cannot we have some sort of a National Banking Commission rather than having one Committee for one bank and another Board for other bank.

Finally, Sir, I would plead with the hon. Minister on another point. I have always received a reply in the House that on frauds he cannot have control because they are commercial in nature and they are confidential in nature, at least he hon. Minister must have access to that information at least once in a year. So long as he is satisfied, I would be satisfied. But even he apparently does

not have complete information before him as to how much bad loan is there at the end of a year in every bank or how many cases of frauds have come up and what is the status of those cases. I am sure he does not have that information. He must have statutory authority for collecting that information and at least certifying to this House that everything is all right and within manageable limits.

So many posts of Chairmen, Managing Director and Chairman-cum-Managing Directors are vacant for not only months and months but for years. One reason, I maintain, Mr. Chairman, for the fall in the efficiency of the banking system is the fact that a few officers rule the roost. There is no public control at all. There is no Board of Directors to control their activities. I think if the hon. Minister were to appoint people of his confidence, people of integrity, people of eminence, I am sure they will be able to control the activities of these banks in a much better manner.

These are the points which I wanted to make and offer to the hon. Minister as a critique from a common man's point of view. We know that the banking system is essential for the country. It is the spinal cord of the economy. We fully appreciate it but we wish it will be healthy and run on efficient lines; run in terms of integrity, in terms of credibility and in terms of commanding the confidence of the community.

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Chairman, Sir, the hon. Minister of Finance wants to increase the paid up capital from the present level of Rs. 500 crores to Rs. 1500 crores through the Banking Companies (Acquisition and Transfer of Undertakings) Amendment Bill, 1992, presented by him. I would like to tell that under this amendment the Government wants to

[Sh. Girdhari Lal Bhargava]

increase share capital of the banks having branches abroad from 4 percent to 8 percent equivalent to international bank standard. This is the basic purpose of the hon. Minister that he wants to fulfil.

This is being done on the recommendations of Narasimhan Committee. There is discontent against this committee in the banking sector. Trade Unions of the banks have gone on country-wide strike three times, staged demonstration and organised rallies against this Narasimhan Committee. The committee has not paid attention towards the amount of Rs. 20,000 crores of recovery in the banks at present. This committee has also not considered how the amount will be returned which was waived by the Government. This amount was also more than Rs. 1400 crores, which the banks gave to the people in the name of loan waiving.

Then, I would like to say that the Regional Rural Banks are running in loss of more than Rs. 552 crore. This committee has also not mentioned as to how this loss will be recovered and as to how their future will be determined. Inviting the foreign banks in the country and giving them the function of class banking and the function of mass-banking to the Indian banks will prove to be wrong action and heavy loss will occur.

If foreign banks come here, there will be deposits of huge amount in those Banks and more than 50 per cent of employees of rural banks and other banks, who deal in the transaction of Rs. 5 or 10, will be rendered jobless. As per the recommendations of the Narsimhan Committee, the Government is inviting foreign banks. It is my submission that the All Indian Rural Workers Organisation has made valuable suggestions to meet the deficit of regional rural banks and asked for the setting up of an Indian Rural Bank. But the Government has not declared a clear-cut

policy so far. With the result, Rural Bank officials and employees are bent upon launching an agitation again.

I would like to request that the rate of interest being charged by Indian banks is the highest. When you go abroad, you find that the rate of interest is very low there. The poor people will not be able to derive benefits due to high rate of interest. Only the rich will derive benefit from these banks. Similarly, once the Government has said that it would reinstate those employees who had put in 84 days' service. I has also tabled a resolution to this effect under Rule 377. The hon. Minister may consider it.

In the end, I would like to submit that the news pertaining to scandal of Rs. 300 crore in various branches of the State Bank of Bikaner and Jaipur has appeared in many national dailies prominently.

16.00 hrs.

But the Government is keeping mum even on this matter. On the other hand, the officials who were involved in scandal of Rs. 300 crore were promoted to higher posts. It means if one wants to go up or get promotion, one should involve oneself in scandals and become dishonest. The clippings of all the newspapers are with me. I think the hon. Minister will throw light on this as a special case. With these words, I conclude and thank you for giving me time to speak.

SHRI RAJVEER SINGH (Aonla): Mr. Chairman, Sir, there is no quorum in the House.

[English]

16.01 hrs.

MR. CHAIRMAN: The bell is being rung.

Now there is quorum.

Prof. Susanta Chakraborty.

PROF. SUSANTA CHAKRABORTY (Howrah): Mr. Chairman, I rise to oppose the Banking Companies (Acquisition and Transfer of Undertakings) Amendment Bill, which seeks further to amend the Banking Companies Acts 1970 and 1980. The Banking Companies Acts of 1970 and 1980, as is seen from the statement of objects and Reasons, reveal that those Acts were brought in order to control the heights of economy and to meet progressively and serve better the needs of development of the economy in conformity with the policy of the State towards serving the principle as laid down in clauses b and c of Article 39 of the Constitution.

The present amendment negates all that was given by those Acts and the present Act runs contrary to the views held by this Act which spoke against the concentration of industry, trade and finance in a few hands.

The Bill proposes to raise the capital adequacy norms to eight per cent of the aggregate of the weighted capital assets of a bank in response to the Basu Committee's recommendations. A sum of Rs. 700 has been set aside in this year's Budget for the purpose. This provision in the Budget of this year is an investment in the equity capital of the nationalised banks. The Bill says, this investment will be simultaneously invested by the banks in the interest bearing securities issued by the Government. And the provisions of the Bill do not provide for any other expenditure. The question is where from the gap will be made out. Where from the money will come. The bank is conspicuously silent on the matter. The answer can be found from the recommendations of the Narasimhan Committee, which suggests that the banks are now free to straightaway approach the capital market for enhancement of their capital.

The norms of the Basle Committee, the international norms, indicate that each bank should have capital equal to 8 per cent more of risk weighted assets on balance sheet or and off balance sheet items. Capital is defined according to quality, the Tier I, the core capital and Tier II the Supplementary capital. The total of the two should be equivalent to at least 8 per cent of the aggregate of the weighted assets.

The Narasimhan Committee suggests that while the BIS norms are desirable, this will have to be phased over time in our case. The Committee, therefore suggests that the banks and the financial institutions should achieve a minimum of 4 per cent capital adequacy ratio in relation to risk weighted assets by March 93 and 8 per cent ratio by 1996.

True, many large banks in Europe may meet the norms within the deadline suggested by the Basle Committee, but the banks in USA even are not in a comfortable position at present and we apprehend that those banks in USA shall not be able to conform to these norms.

About the banks in India, we have a capital adequacy ratio of only 2 per cent. How do we expect to raise this to the level of 8 per cent by 1996, I do not know. Only this can be done that if the Government of India just meet the requirements of the public sector banks so that they can conform to the international standard. The question is, is it inevitable. What purpose will it serve by those norms?

Public sector banks in India are socially oriented and the lending policy of the banks is in tune with the social objectives of the Government. Now, given the option, these banks would steer clear of investment in priority sectors. The criteria would, therefore, encourage banks in the long run to

[Prof. Susanta Chakraborty]

become risk sensitive in appraising investment proposals. It would be good for the Indian economy. I want an answer from the hon. Finance Minister. Again in India the public sector banks run their business, we have confidence in them. I would like to cite certain cases. The Bank of India has a total of capital and reserves of Rs. 513 crores; the business transacted by this bank is Rs. 28,763 crores; the capital to business ratio is only 1.78 per cent. In the case of Syndicate Bank, while the total of capital reserves is Rs. 115 crores, the business transacted is Rs. 11,323 crores and the capital to business ratio is 1:01 per cent.

Is it essential that this should have to be maintained in order to maintain the confidence of the banking system?

In the case of foreign banks too, this is the position. Even foreign banks operating in India do not find the need for excessive capitalisation in relation to the business transacted. The Standard Chartered Bank as of March 1991 had a capital base of Rs. 26 crores for a business of Rs. 1856 crores while for the Bank of America the figures are Rs. 29 crores and Rs. 1755 crores. This is the picture.

Now, investments in priority sectors by banks in India are protected against losses up to 60 per cent by the guarantee scheme.

16.11 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

These unique features of the Indian banking system make the concept of capital risk asset ratio seem different from the one intended, while in the West, the confidence and public trust in banks which are mostly private owned rest to a good measure on the capital asset ratio, in India it is hardly so.

In view of this, I am of the opinion that it is not necessary for all banks to raise their capital adequacy ratio. But so far as the overseas banks are concerned, they required to conform to the norms, as otherwise they may not be able to carry on their business. For these reasons, I will request the hon. Finance Minister to ponder over whether all these overseas branches may be brought under a separate statutory overseas banking corporation owned either by the Reserve Bank of India or the Central Government. But, before that the Finance Minister should have consultations with the representatives of the workers belonging to the banking sector.

If the Reserve Bank of India is so keen on the compliance with the BSI norms, then the only option open to the Government is to pump in more capital. The Government's commitment to contribute Rs. 700 crores to increase the capital base will enable the banks to maintain only four per cent of the capital adequacy ratio. This is again half way from the goal which we want to reach. Is the Government in a position to invest more capital, when it has commitments to the IMF to bring down the revenue budgetary deficit? Is the Government in a position to contribute that much of capital? We want to know this. Someone has suggested that a realistic evaluation of the assets position may be made. It may marginally increase the capital adequacy ratio.

I have again suggested that the banks can shed most of their loans to the public which carry a one hundred per cent risk structure and substitute them by Government loans with zero risk. Now, capital base would be raised by this way. But the banks will then be handmaidens to Government and I am opposed to that move.

The Basle Committee said that the objective of raising the capital adequacy ratio is to strengthen the soundness and stability of

the banking structure. The Narasimhan Committee recommended it because they believed that this measure along with the other measures they suggested would enforce discipline in the financial system.

The Narasimhan Committee, in the name of raising capital assets ratio of banks, as per BIS norms of banks whose operations have been profitable and which enjoy good reputation in the market, recommended that such banks may approach the capital market, by issue of fresh capital to the public. Subscribers to such issues may include mutual funds, profitable public sector undertakings and employees of the institutions besides the general public.

Later in its recommendations the Committee suggested, I quote:

"The capital market should be generally opened up to foreign portfolio investment and simultaneously efforts should be initiated to improve the depth of the market by facilitating issue of new type of Equities and innovative debt instruments. In our view, these recommendations, if implemented, will radically change and dilute the character and composition of the Public Sector Banks and will defeat the very purpose, objectives and aims of nationalisation of Banks. The achievement of BIS norms by Banks in the country is not sacrosanct nor it is a highly essential requirement for Banks owned by the Government."

Therefore, I oppose this Bill.

If this is accepted, I warn the Government that in that case please be prepared for a rude shock which you have already experienced in the form of securities scam by your measures in regard to capital market reform and the spread of equity cult in the country, a shock from which the country will

not recover for many years. By throwing the Banks to the market you are not going to do any good to the country.

Pool of funds being limited, allocation of funds in terms of market preference cannot be allowed. India cannot allow such a luxury. The Amendment will therefore, accentuate the evils of concentration of economic power arising from the use of substantial portion of funds by a few private entrepreneurs, by a few private individuals and the attendant corrupt practices associated with monopolies. Again for this purpose, I oppose this Bill.

Sir, if the Security Scam has given any lesson, then it is regulating the economy. It is with the participation of the workers who are working in various fields, which are necessary. It cannot be done from above. If it is left as it is today in the whims and caprices of certain bureaucrats; and if this is allowed to function in the way it is done; if the corrupt practices that are there in the banking system are not corrected, then only by implementing the recommendations of the Narasimhan Committee and by increasing the capital adequacy ratio of our banking system, you cannot correct it; you cannot stabilise the financial system; and you cannot bring the confidence of the people into the banking system.

So, through you, Sir, again I would request the Finance Minister to reconsider the issue, to withdraw the amount and not by a back door method bring these public sector banks into the hands of the private individuals and please do not allow them to secure capital from the open market in the way the Narasimhan Committee has suggested.

○ With these words, I oppose this Bill.

MR CHAIRMAN: At this stage, may I allow Shri Arjun Singh to move his Motion for referring a Bill to a Joint Committee?

16.20 hrs.

COPYRIGHT (SECOND AMENDMENT)
BILL**Motion to refer the Bill to Joint
Committee.**

[English].

THE MINISTER OF HUMAN RE-
SOURCE DEVELOPMENT (SHRI ARJUN
SINGH): I beg to move:

" That the Bill further to amend the
Copyright Act, 1957, be referred to a
Joint Committee of the Houses con-
sisting of 45 members, 30 from this
House, namely:-

1. Shri E. Ahamed
2. Shri Anand Ahirwar
3. Dr. F. Azam
4. Shri Avatar Singh Bhadana
5. Shrimati. Dil Kumari Bhandari
6. Shri Gurcharan Singh Dada-
hoor
7. Shri Probin Deka
8. Shri Sharad Dighe
9. Mohammad Ali Ashraf Fatmi
10. Shri Imchalemba
11. Shri Jai Prakash
12. Shri Shyam Lal Kamal
13. Smt. Krishnandra Kaur
(Deepa)

14. Shri M. Krishnaswamy
15. Kumari Padmasree Kudumula
16. Shri V. Dhananjaya Kumar
17. Prof. (Shrimati) Savithiri La-
kshmanan
18. Shri Birsingh Mahato
19. Shri Simon Mirandi
20. Shri Janardan Prasad Misra
21. Shrimati Geeta Mukherjee
22. Shri Rupchand Pal
23. Shri Harpal Panwar
24. Shri Rameshwar Patidar
25. Dr. R.K.G. Rajulu
26. Shri Naranbhai Jamlabhai
Rathava
27. Shri Bhagwan Shankar Rawat
28. Shri Kodakani Eduodana Shi-
vappa
29. Shri P.C. Thomas
30. Shri Sobhanadreeswara Rao
Vadde

and 15 from Rajya Sabha;

that in order to constitute a sitting of the
Joint Committee the quorum shall be one-
third of the total number of members of the
Joint Committee;

that the committee shall make a report
to this House by the last day of the first week
of the Winter Session, 1992;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint committee and Communicate to this House the names of 15 members to be appointed by Rajya Sabha to the joint Committee."

MR. CHAIRMAN: The question is:

" That the Bill further to amend the Copyright Act, 1957, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:-

1. Shri E. Ahamed
2. Shri Anand Ahirwar
3. Dr. F. Azam
4. Shri Avatar Singh Bhadana
5. Shrimati. Dil Kumari Bhandari
6. Shri Gurcharan Singh Dadahoor
7. Shri Probin Deka
8. Shri Sharad Dighe
9. Mohammad Ali Ashraf Fatmi
10. Shri Imchalemba
11. Shri Jai Prakash
12. Shri Shyam Lal Kamal

13. Shrimati. Krishnandra Kaur (Deepa)
14. Shri M. Krishnaswamy
15. Kumari Padmasree Kudumula
16. Shri V. Dhananjaya Kumar
17. Prof. (Shrimati) Savithiri Lakshmanan
18. Shri Birsingh Mahato
19. Shri Simon Mirandi
20. Shri Janardan Prasad Misra
21. Shrimati Geetta Mukherjee
22. Shri Rupchand Pal
23. Shri Harpal Panwar
24. Shri Rameshwar Patidar
25. Dr. R.K.G. Rajulu
26. Shri Naranbhai Jamlabhai Rathava
27. Shri Bhagwan Shankar Rawat
28. Shri Kodakani Eduodana Shivappa
29. Shri P.C. Thomas
30. Shri Sobhanadreeswara Rao Vadde

and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-

[Sh. Arjun Singh]

third of the total number of members of the Joint Committee;

that the committee shall make a report to this House by the end of the first week of the Winter Session, 1992;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint committee and Communicate to this House the names of 15 members to be appointed by Rajya Sabha to the joint Committee."

The motion was adopted.

16.25 hrs.

BANKING COMPANIES (ACQUISITION
AND TRANSFER OF UNDERTAKINGS)
AMENDMENT BILL *CONTD.*

[English]

SHRI A. CHARLES (Trivandrum): Sir, the Banking Companies (Acquisition and Transfer of Undertakings) Amendment Bill, 1992 now before the House, has got a very limited purpose, that of enhancement of the ceiling and the paid-up capital from the present level of Rs. 500 crores to Rs. 1500 crores. This has been brought forward on the basis of one of the recommendations contained in the report of the Narshimam Committee. In Para 9 of the Summary Report, this recommendation has been made. So, I stand to support this Bill. I do not find

and irregularity in increasing the paid up capital.

o However, with my limited knowledge of finance and operation of the banking system, I would like to draw the attention of the Minister to a few points of my concern in the whole. But while supporting the Bill, I would like to highlight a few points.

Para 3 on page iv of the Summary of Report says, and I quote:

"However, both banks and the DFIs have suffered from excessive administrative and political interference in individual credit decision making and internal management."

At many other places also this statement of political interference is seen. I would like to know how political interference is creating problem in individual cases because with my limited experience as the President of a small Association which looks after the small industries. I am sorry to point out that even the recent liberalisation, I am afraid, will be washed out if they are not protected. The same paragraph continues to say, and I quote:

"The credit target for this redefined priority sector should henceforth be fixed at 10 per cent or aggregate credit which would be broadly in line with the credit flows to these sectors at present."

I totally oppose this. Forty per cent now given for the priority sector cannot be touched under any circumstances because even in the case of 40 per cent, sixteen per cent goes to the agriculture sector. I agree that in the agriculture sector, sixteen per cent be given to the marginal farmers, not to the big farmers, but if we touch the sixteen per cent

for the agriculture sector, what will be the future agricultural production of this country, what about the food materials we have to produce for the 850 million people of this country?

Again, if we touch the tiny sector, and the small industry, how are we going to improve our industry?

So, I would request the hon. Minister that the proposal to bring down the credit of the priority sector by ten per cent should be reconsidered, and I plead that the forty per cent be retained.

It is because as I stated, the small industrial sector is the vital sector in this country. 60 per cent of the total employment opportunities are from this sector. 45 per cent of the total industrial production is in this sector. 35 per cent of the foreign exchange is also in this vital sector. So, to protect this vital sector, their due share should be given. It is a priority sector. On the re-definition of priority sector, I agree but I oppose on the percentage to be given to priority sector.

Then again, what about the concessional rate of interest. I submit that it has to be examined.

Sir, as the time is short, I am rushing through.

I quote from para 23:

"The Committee proposes that Government should indicate that there would be no further nationalisation of banks".

I want to know why? I do not say that the banks shall be further nationalised. I do not oppose if some sort of autonomy is given to them. But to say that in future, under no circumstances, there could be any nationalisation, I do not think that even this House is

competent to do that. This is giving some sort of powers which are beyond the scope of the banking system. That is why I said earlier that we want a meaningful and detailed discussion on this report itself. Then, about recruitment, my friend Shri Shahabuddin has pointed out the details. I feel that the existing recruitment through the Banking Commission is all right. The proposal is to do away with the banking commission. The mistakes are not because of the banking commission. The banking commission should re-define the procedure for making recruitment so that some credit could be given to the local candidates. But to do away with the system of recruitment means that it again goes to the hands of the bureaucrats. I am sure that it will affect the scope of recruitment of the weaker sections.

Sir, I quote from page 8 :

"In the case of State level institutions it is necessary to distance them from the State Governments and ensure that they function on business principles based on prudential norms and you have a management set up suited for this purpose".

I am sorry to point out here that the State level institutions are doing a dis-service to the small industry.

In Kerala there is the Kerala Financial Corporation. I plead with the hon. Minister. If the Ministry of Finance or if Parliament has any power to investigate into the functioning of this Corporation, particularly for the last five years, an impartial investigation may be conducted. If such an investigation is conducted the cruelty caused by the Corporation in respect of the tiny sector the small scale sector will be known.

Sir, Clause 29 of the Kerala Financial Corporation Act gives the indiscriminate

[Sh. A. Charles]

power to the management for the closure of small industries. I can give hundreds of cases where a small industry which has taken a loan of about Rs. 50,000 and there has been delayed payments and in the process on repayment in five years, the small industry, which has taken Rs. 50,000, might have repaid more than Rs. one lakh, but still the balance to be repaid remains more than Rs. one lakh.

Sir, in a small industry where a few families are depending on that industry and if they commit some delayed payment, Clause 29 of the Act is applied and it comes into operation. That industry is closed. After closing the industry, they arrange a security guard, by payment from the treasury. There are cases, I can give many instances, where the book value of the whole industry comes to Rs. 30,000. That industry was surviving and that was closed because of delayed payment.

And two securities are appointed on daily wages, each being was paid Rs. 38 per day. This amount in six months will exceed the total book value of all the assets of that industry. By closing the industry what has the financial institution gained, I cannot understand. So, I plead that something should be done to control and revamp the functioning of the State financial institutions.

Lastly, I may say briefly about the IRDP. Here I would like to draw the attention of the hon. Minister to the second para on page 29 of the Report of the Committee on the Financial System, which I quote:

"The system of directed credit programmes has contributed to an expansion of credit in the directions that were considered necessary. In purely quantitative terms this expansion must be

regarded as a successful fulfilment of the objectives of such redirection. However, this achievement has been brought about at the cost of a deterioration of the quality of the loan portfolio, the growth of overdose and consequent erosion of profitability."

Who is responsible for this? Is it political interference or some other form of interference?

Again, I quote from page 30:

"Meanwhile, collateral requirements have been eased and this combined with inadequate appraisal of credit applications in terms of productive use of credit and insufficient post credit supervision has affected recovery of dues and increased on delinquencies."

This is the nexus, not the political interference. Why the collateral requirements have been eased out? Who is responsible for that. I think this has to be looked into and some broad outline has to be given by this august House.

Again, I quote the last paragraph on page 30:

"The experience with regard to IRDP is instructive in this regard. In many cases of IRDP lending banks have virtually abdicated their responsibilities in undertaking need based credit assessment and appraisal of potential viability and instead have tended to rely on lists of identified borrowers prepared by Government authorities."

This is totally wrong. In Trivandrum I used to attend the Committee meeting called by the banks. In the bankers' meeting this issue has come up. The State Corporation used to give 200 applications on a particular day. They will be processed by the District Industries Manager in consultation with banks. They identify the persons. They also have a study of the project and then they are sent to the banks. Finally, it goes to a particular branch of a bank. In that branch it is the discretion of the Manager of that branch that finally decides whether the loan should be given or not. All that I am saying is that it is because of this injustice the political interference comes in if at all there is any. After getting the application a poor man goes for six months knocking every door, spending money from his pocket and giving all the details for the approval of the projects. And finally, after six months the project is approved and thereafter it is sent to a particular branch. The Branch Manager visits the project at that stage and tells the entrepreneur that he is not eligible for the loan. What I would say is that once the study is completed and the persons identified, the project should not be rejected thereafter. A responsible Committee consisting of District Industries Officer and a representative of the Bank finally decides the project and so, the Manager of any particular Bank should not have any discretionary power to reject the loan. So, this is the problem faced by millions of people in this country. Hence, I would plead that this aspect may kindly be looked into. With these observations, I once again request that the report of this Committee may be discussed in detail in this House. With these words, I support this Bill because it has only a limited application.

SHRI R. NAIDU RAMASAMY (Periyakulam): Mr. Chairman, Sir, I thank you very much on behalf of AIADMK for giving me an opportunity to participate in the discussion on the Banking (Acquisition and Transfer of Undertakings) Amendment Bill.

Sir, the cornerstone of our democratic Constitution is socialism. Socialism cannot be realised without effectively deconcentrating wealth. Only with this in view, banks were nationalised two decades ago. Banks were supposed to function as institutions of social transformation. They were supposed to bring about economic parity among the masses. But, today due to certain vested interests, the whole banking industry is in shambles. The securities scam has exposed the loopholes in the banking sector and the leaks in the system which ought to be immediately plugged.

Sir, several hundred crores of rupees of public money which should have gone to build houses for the poor and the downtrodden, which should have gone to poor farmers for increasing the agricultural production, which should have gone to upliftment of the backward classes, Scheduled Castes and Scheduled Tribes for their social and economic advancement, have been siphoned off by a few for gambling in the stock market. Rs. 3,500 crores is not an ordinary amount. It is a matter of grave concern that those high officials who are at the helm of affairs in the banking sector are involved in this securities scam. This has made the country a laughing stock. Though I do not feel happy about the way the Government have allowed such a faulty system to develop, I am however happy that those who have been involved in the scam have been put behind the bars promptly. Even the high officials have not been spared.

Sir, this scandal is an eye-opener to the Government. Pending the investigations and the report of the Joint Parliamentary Committee, Government should take emergent measures to see that the banking industry functions for the welfare of the poor. Capitalism, liberalisation and economic deconcentration of wealth are not opposed to each other. These can co-exist. While the big businessmen have the potential of generat-

[Sh. R. Naidu Ramaswamy]

ing further wealth within their assets at their command, the poor will only have to look to the lending institutions for development. Therefore, even in capitalist society, the lending institutions should first cater to the needs of the poor and then to the big businessmen. Such a dovetailing is required.

As taxation is progressive, the lending rates by banks should also be progressive. The Backward Classes, Scheduled Castes and Scheduled Tribes, the farmers, petty artisans and their like from the developing communities should be charged low and the big businessmen who command wealth should be charged a higher rate of interest. In this country, whether more than 60 per cent of the people live below poverty line, why not a differential interest rate based on the asset holding of the loanee be charged by the banks to bring about economic parity among the contending parties in the industrial development?

In this connection, I am duty bound to inform the House the in Tamil Nadu, under the golden rule of the dynamic leader, Puratchi Thalaivi, a specific directive has been issued to all financial institutions like cooperative banks, land development banks that women, agriculturists and artisans as well as Scheduled Castes and Scheduled Tribes and backward classes should be considered as priority areas for the purpose of grant of loans by these institutions.

To avert scandals, the Government should immediately order that the bank employees should declare all their assets acquired by them and their family members over the past ten years. Such an order would reveal the extent of influence, peddling and corruption in the banking sector.

Sir, with a view to hearing public complaints in the day to day functioning of the

banks and to punish the guilty and to provide relief to the aggrieved, the Government must create by statute, the Banking Vigilance Commission exclusively for this purpose.

Sir, I also urge upon the Government to display as public notice in all the banks, the details of disbursements of all loans on day to day basis with particulars indicating the amount of loan sanctioned, the persons who applied for the loans, the persons granted the loans and the persons whose applications have been rejected with reasons, for public knowledge. This would enable the public to have a close check on the bank officials from indulging in corruption.

I also suggest that in all the nationalised banks, jewel loans should be provided to the poor since jewels are the only assets of the poor. If the existing counters are not sufficient, extension counters may be started in all the nationalised banks for the purpose of providing small loans on the mortgage of jewels. This would also encourage the people to give up the craze for gold.

With these words, I conclude my speech.

SHRISANDIPAN BHAGWAN THORAT (Pandharpur): Mr. Chairman, Sir, I rise to support this Amendment Bill. The nationalisation of the banks as done by Mrs. Indira Gandhi was meant for the poorer sections of the society. It was designed to make the banks reach small men in the rural areas. This was what late Mrs. Indira Gandhi thought.

Sir, the banking system in this country is the only means through which the country can develop. For the development of the nation, the commercial banks play a major role. This is a main factor for the industrial growth of a country.

The paid up capital is to be enhanced as suggested in this Amendment Bill. While

supporting this Bill, I would like to make some suggestions. The Government is contributing paid up shares to the banks. At this juncture, I would plead with the Finance Minister, when the Central Government is contributing to the paid up share capital of these banks, some portion of this paid up capital should be earmarked for the benefit of the Scheduled Castes and Scheduled Tribes in this country. The population of Scheduled Castes and Scheduled Tribes in this country is 22-1/2 per cent. So, 22-1/2 per cent of the paid up share capital which is going to the banks should be earmarked for the Scheduled Castes and Scheduled Tribes and that too free of interest. The bank should not charge any interest on these amounts because this amount pertains to the Government. The banks have no claim over this amount. My suggestion would be that the Finance Minister should consider this proposal while giving Government share to the banks in the form of share capital. They should impose a condition on the banks that this much portion of 22 1/2 per cent should go to the credit for the Scheduled Castes and the Scheduled Tribes.

The rate of interest being charged on the priority sector, the rural sector, is also high. Recently the RBI has issued directives and the rate of interest has been enhanced to 20 per cent. This is exorbitant. Previously the rate of interest was 14 per cent. it has been changed to 20 per cent. The rural industry cannot survive or cannot even come up. It is very difficult to start a rural industry in the rural areas. Previously the rate of interest for the general was 14 per cent. So, it should now be 14 per cent.

The second suggestion is for the IRDP. The loans which were given to the marginal farmers and artisans in rural areas, were very much helpful for them. But we do not know who issued the guidelines according to which that practice is now going to be stopped. The banks are not financing these poor people in the rural areas.

I request the hon. Finance Minister to see that these guidelines which were previously issued should be implemented properly and there should not be any restriction of the finances of the IRDP to the poor people.

The Board of Directors are to be appointed under Section 7. In the present set up, there is not a single person, according to my knowledge, on the Board of Directors of any nationalised bank who belongs to the Scheduled Caste or the Scheduled Tribe.

I would plead with the Finance Minister that in the next Session, he should come forward with another amendment to Section 7 incorporating in the Act that one person from the Scheduled Castes and one person from the Scheduled Tribes should be on the Board of Directors of the Bank.

There should be come social fund in the banks. it should be applied for the development of the Scheduled Castes and the Scheduled Tribes.

So far as the welfare of the Scheduled Castes and the Scheduled Tribes is concerned, many hon. Members have rightly said that credit does not go to these poor people. Some hon. Members said that there is a corporation, NSFDC for the welfare of Scheduled Castes to give credit to these poor people. But the funds provided for this Corporation are only Rs. 10 crores. The population of the Scheduled Castes and the Scheduled Tribes is 22-1/2 per cent. Almost one-fourth of the nation has been provided with Rs. 10 crores of credit for their development during the year. How is it possible? It is a dole.

I would plead with the Finance Minister that at least the funds which you are provided for the NSFDC should be kindly enhanced for the welfare of Scheduled Castes and the Scheduled Tribes.

With these words, I support this Bill.

[Translation]

SHRIBHOGENDRA JHA (Madhubani):
Mr Chairman, Sir, this Bill has been brought forward for few matters and has been brought at the juncture when there is an atmosphere in the country in which a blow has been dealt to the question of continuance of the ownership of public over banks in the public interest.

Mr. Chairman, Sir, in a meeting of M.Ps. of Bihar last week, top industrialists in the country had said while dealing with two points out of three that the nationalised banks should be privatised and industries in public sector should also be brought under private sector. Everybody has a right to make his suggestion in democracy. But this suggestion was made to M.Ps. after inviting them. It creates some doubt about Government policy. I am saying so because incidentally or fortunately I was in the Fourth Lok Sabha when the nationalisation of banks took place and the employees of the Central Government had called on one day's strike on 19th September, 1968 when 14 employees were shot dead, 23,000 were arrested and 45,000 employees suffered break in service. Fire was opened at Shastri Bhawan also and all of us had opposed it in the circumstances prevailing at that time. Thereafter, when the Plans were pending for want of funds, the plans were not initiated at the instance of the World Bank as there was no money available for initiating the plans for four years. Then, the issue of nationalisation of banks came up. We had also made suggestion and also met the Prime Minister. At that time, the Prime Minister was in a fix as the then Minister of Finance had said that there would no nationalisation of banks so long as he remained in office. The Prime Minister had shown me the press clipping in this connection. I said that he had not opposed it. She said, "How has he not opposed it?" I said that he had simply said that nationalisation of banks was not possible so long as he re-

mained the Minister of Finance. You might remove him from his office. Then the nationalisation could be possible. She said the Government would not run. We requested her to show courage, order nationalisation of banks and abolish privy purses. We promised to co-operate her in running the Government without any condition. I am recalling this background because some more M.Ps. were also involved in it. In Delhi, a committee was constituted to withdraw the deposited money from the banks. It was talked openly that the banks were going to be insolvent. At the time of nationalisation, the total capital of 14 banks was Rs. 3600 crore but the same has reached to Rs 7000-8000 crore today. There are irregularities. These irregularities were in the past also. But the people of the country, who have no money, have been associated with the banks. They have to borrow loan for purchasing rickshaw, buffalo or for self-employment. These things could not be envisaged at that time. Still there are a number of shortcomings.

When this Bill was brought forward before us, my experience regarding the problems of banks has been that most banks particularly, regional and rural banks, are on the verge of becoming involvement. Now the position is that when a loan of Rs. 10,000 is waived, people again hope for a loan waiver after getting loan of Rs. 10,000/- waived. The Government does not make any categorical declaration. Some M.Ps. also say that loan would be waived next time. The bank money is the original source for use in producing and planting trees but today this source is in danger. The Minister of Finance may explain it categorically before the House and the nation. After all, why there is such position of recovery of bank loan? What steps may be taken to improve this position, particularly both in rural and urban areas.

The other aspect is that when the nationalisation of banks took place, the banks

with a capital of less than Rs. 50 crore were left out.

17.00 hrs.

Later on in eighties, it was raised to Rs. 500 crores in 1988 and now this figure stands at Rs. 1500 crore. Now it is proposed to be raised from Rs. 500 crore to Rs. 1500 crore. In this situation whether other criteria will also be proportionately amended or the private banks will be allowed to jeopardise the nationalised banks and be allowed to effectively control the financial system of the country in the years to come. I am submitting all this because the nationalised banks are the public property and not the personal property of anyone individual. Though it is correct that persons in power used the banks more to serve their own ends. Yet these constitute the public property.

I think the criterion fixed for international banks is reasonable and we would not lag behind in supporting it. When the economy is linked with the world economy and dealings are also taking place with the foreign banks then we should go in for 8 per cent rate fixed for banks by 92 or 1993. However, though suddenly the limit of paid up capital has been raised to Rs. 1500 crore from Rs. 500 crore yet the demands of bank employees, agreement with rural banks employees and the award of the tribunal have not been implemented. The Government is committed. The Supreme Court in its judgment has ordered to implement it. But the Government has not implemented it so far. I would like to submit that the hon. Minister of Finance told me that it will have a financial implication of the order of Rs. 200-250 crore. I am not speaking on behalf of the bank employees but I am submitting on my own that it does not look nice if the award of the Tribunal and the judgement of the Supreme Court are not implemented by the Government. Government of India is totally unjustified. Do not give the money cash into the hands of the employees

put it into the fixed deposits. It will help in checking inflation in the country the money will remain in your own hands and the decision will also be implemented. It will be a practical step.

It will be nice if the hon. Minister of Finance makes an announcement in this regard during the discussion on the Bill itself. Otherwise it is an open violation of the decision of the Tribunal and the Supreme Court. It does not look nice. Therefore, we have strongly pleaded in this House that utmost priority should be given to the implementation of the verdict of the Supreme Court. I hope that the hon. Minister of Finance would not ignore this issue and make clear the Government's stand on it.

Mr. Chairman, Sir, I would like to lay stress on one thing more. The Banks are being misutilised on large scale. Not a single wholesale trader of essential commodities in the country operates with his own finance. He does business with bank money. We have no objection. Actually, they hoard the consumer goods after purchasing them from the farmers with the bank finance. The Consumers do not have any access to these godowns. According to the theories of Marshall, Keynes and Adam Smith when demand exceeds supply price tend to rise. In this situation traders with the help of banks secure the release of goods from godowns and make a profit of 1-1/2 or 2 times. The private wholesale traders in collusion with the banks and with the bank's money are contributing to inflation and price rise in the country.

I would like to submit that in the mixed framework of the economy, where in the capitalists are being thoroughly encouraged, I do not expect the Government to fully take over the wholesale trade. However, I would like the hon. Minister of Finance to categorically state that the banks and nationalised banks in particular will not give loans to

[Sh. Bhogendra Jha]

wholesale traders dealing in essential commodities. So that profiteering in the country could be checked and budgets of crores of families are not disturbed. If they want to take loans from private banks then let them take. If loan is secured for increasing production then it should be utilised for the same. Wholesale trade in the country should be banned. Last year I was elected when the hon. Minister of Finance said that the RBI is already working on the suggestion of Mr. Jha. However, the effects of it are not evident at all. It will be nice if an announcement is made to the effect that the wholesale traders are free to carry on their business, but they should not indulge in hoarding and profiteering with the money of the nationalised banks. They will carry on their business through the FCI or the Jute Corporation or other organisation and the bank's money will be properly utilised. There is another issue relating to rural areas. Last time also I raised this issue and produced receipts of 23 persons of Sahaspur Panchayat of Darbhanga district in Bihar. I had given these receipts to the hon. Minister of State in the Ministry of Finance, Shri Dalbir Singh, in the Parliament. Loans of those persons who never took any loans were written off. From this it is clear that someone else took loans in their names. In place of the previous manager new one was appointed who was totally unaware that 5-10 thousand rupee loans of those persons had been written off, who never borrowed any money. On this no action has been taken yet and now it has become the butt of joke. Loans for planned production and other things were sanctioned to landless persons and harijans of Khojoli in Madhubani district, but not a single penny was paid to them. I am not in favour of bank loans being sanctioned for consumer commodities as it will lead to bankruptcy of banks. However, bank loans were not sanctioned for production purposes. That is why I raised this issue in the House and also despatched a letter in this regard to

the hon. Minister of Finance. The hon. Minister replied that necessary action will be definitely taken. It is believed that an official of NABARD from Delhi paid a visit to the area and in his presence an affidavit was also filed. The persons in whose names the affidavits were filed come to me and told me of all this. If such things happen then people will file the criminal case in the courts. Could not the government machinery do anything in the matter of embezzlement of 100 per cent of funds....(Interruptions) Please advise whether the people should attack the banks or should file criminal cases. Nine months ago I wrote the letter to the hon. Finance Minister but nothing has been done whereas a new child comes to the world in this period. But in 9 months the hon. Minister of Finance could not take any action in the matter of swindling of funds by a branch of SBI. Issue of sanctioning of loans for production purposes was discussed and the hon. Minister of Finance had agreed that it will be taken care off. I feel that instead of going in for employment the youth should go in for self employment. Some districts should be earmarked as nodal districts. Loans at concessional rates should be given for productive activities only. A principle should be involved that bank loans will be given only for productive purposes. This can be extended to whole of the country or atleast to some areas on experimental basis so that the people of the country feel encouraged and also understand the utility of banks. On these issues the hon. Minister of Finance should express his views and also announce some policies. In the face of inflation it is not possible to support the Bill, because the decision to raise capital base limit from Rs. 50 crore to Rs. 1500 crore needs to be opposed. As this will enable the private banks to dominate the scene. It is not proper to oppose introduction of international criterion as I am in favour of the banks standing upto this challenge.

This Bill cannot be whole heartedly supported by me as there are many a thing

to be opposed in it. I do not think that the hon. Minister of Finance will withdraw the Bill and it is not possible for us to support the Bill in its present form too.

Foreign Secretary of Pakistan called on the President and the Prime Minister. I also had a separate meeting with him.

During the course of these meetings, we have reiterated that Pakistan's continued support to terrorism and subversion and interference in our internal affairs must stop and this issue must be put at rest without any further delay. We impressed upon the Foreign Secretary of Pakistan that concrete evidence of this happening alone will provide the atmosphere for building up friendly relations with Pakistan.

The Foreign Secretary of Pakistan has handed over a letter from Prime Minister Nawaz Sharif addressed to our Prime Minister. Our Prime Minister has indicated that after due consideration of the contents of the letter, a reply will be sent.

The Sixth Round of foreign Secretary level talks did not have a fixed agenda but covered the whole range of bilateral issues between India and Pakistan. The views on regional and international issues of mutual interest. During the talks, the Foreign Secretaries have reached agreement on a schedule of official level meetings in the coming months on certain pending issues of bilateral concern. These include Siachen, Sir Creek, the issue of missing Indian defence personnel and civilian prisoners in Pakistan as well as the next round of meeting for the India-Pakistan Committee to Combat Drug Trafficking and Smuggling. At the end of the talks similar agreed press statements were made. A copy of this statement is placed on the Table of the House.

[Placed in Library See No. LT-2603/92]

The bilateral talks with Foreign Secretary of Pakistan were held in a frank and cordial atmosphere. They were useful in that they have afforded us the opportunity to strongly urge that Pakistan must desist from

STATEMENT BY MINISTER*

17.11 hrs.

Foreign Secretary level talks between India and Pakistan at New Delhi

[English]

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI R.L. BHATIA): Sir, Hon.able Members are aware that the Sixteen Round of Foreign Secretary level talks between India and Pakistan was scheduled to take place in New Delhi on 17-19 August, 1992. These talks have concluded today.

The Sixth round of talks was to have been held in June, 1992 but was postponed due to the climate of bilateral relations having been vitiated by the abduction and brutal treatment meted to a senior Indian diplomat in Islamabad and Pakistan's conduct in violation of accepted norms of diplomatic functioning.

The Prime Ministers of India and Pakistan during their meeting at Rio de Janeiro on 14th June, 1992 had agreed that, despite recent setbacks, it was necessary to reduce tensions and set the bilateral dialogue back on track. We believe that there is no option but to continue this dialogue. We believe that channels of communication must be kept open with Pakistan and efforts under taken to reduce tensions.

During the visit to New Delhi, the For-

and realise the dangers inherent in, its continued support for terrorism and subversion in India and to take urgent corrective action. The actual proof of Pakistan's sincerity in developing friendly relations with India will lie in Pakistan giving concrete evidence on the ground. We shall carefully watch the situation in this regard.

At the conclusion of the Sixth round of talks, the two Foreign Secretary exchanged the Instruments of Ratification of the Agreement on Prevention of Air Space Violations and the Agreement on Advance Notice of Military Exercises, Manoeuvres and Troop Movements, which were signed in New Delhi in April 1991 and subsequently ratified by the two Governments. The Foreign Secretaries have also signed a Joint Declaration on Complete Prohibition of Chemical Weapons and a Code of Conduct for Treatment of Diplomatic/Consular Personnel of India and Pakistan. These three documents signify a step forward in the pursuance of confidence building measures.

We have kept communication channels open with Pakistan. The Prime Ministers of the two countries are scheduled to meet during the NAM Summit in Jakarta.

I assure Hon'ble Members that Government is committed to normalise relations with Pakistan and to try and resolve all issues peacefully, through bilateral negotiations. In our view a dialogue is essential to keep tension in check and to lower temperatures. While we are willing to discuss all issues with Pakistan, meaningful discussions on bilateral issues, specially once more complex bilateral questions, can only be held on Pakistan stops its support to terrorism and subversion in Punjab and J & K.

(Interruptions)

* Not recorded.

MR. CHAIRMAN (SHRI SHARAD DIGHE): It is not allowed. Please do not record anything. I have not allowed. (Interruptions)*

MR. CHAIRMAN: It is not to be recorded. (Interruptions)*

MR. CHAIRMAN: I have not allowed you to speak. (Interruptions)*

MR. CHAIRMAN: I have not allowed you. I have not given permission. Please do not record anything. (Interruptions)*

MR. CHAIRMAN: Now, Shri Ansari may speak on the Banking Companies Amendment Bill.

17.18 hrs

BANKING COMPANIES (ACQUISITION
AND TRANSFER OF UNDERTAKINGS)
AMENDMENT BILL - CONTD

[English]

SHRI MUMTAZ ANSARI (Kodarma): Sir, the Banking Companies (Acquisition and Transfer of Undertakings) Amendment Bill is before the Parliament for its passage or for its enactment. I find that this is a very limited Bill, for a limited purpose - that the paid up capital of the banking companies must be raised from Rs. 500 crores, in the year 1980 - as it was pointed out.

It was Rs. 50 crores in the year 1970 - to Rs. 1500 crores. So, it is a salutary Bill and it will have salutary effect on the banking companies also. It must be praised and it must be supported. But certain conditions must also be imposed thereon.

First, I would like to know from the hon. Finance Minister as to why this paid up capital is going to be increased. This is a

technical Bill and I am just a layman in this regard and that is why, I would like to have a clarification from the hon. Finance Minister as to why the paid up capital of the banking companies is going to be increased. Is there any authorised limit, authorised capital? There are a number of categories capital authorised capital, subscribed capital, paid up capital and all these things. But, you propose to increase the paid up capital only.

Once the *Lakshman Rekha* is there, once the authorised capital is there, authorised limit is there, upto that extent, every bank is free and independent to increase its limit on capital. So, I do not find any sense and I do not find any logic behind this that the paid up capital of the banking companies will be raised from Rs. 500 crores to Rs. 15000 crores. In spite of all these technicalities, I would like to go into the details of all these things.

17.20 hrs.

[SHRI TARA SINGH *in the Chair.*]

If the paid-up capital of the banking companies is going to be increased from Rs. 500 crore to Rs. 1,500 crore, what will be the purposes, what will be the aims and objects of this enhancement of the total paid-up capital? The reasons have not been assigned for enhancement of the paid-up capital. The aims and objects have also not been outlined - how this paid-up capital will be used, where this paid-up capital will be used and regionwise or percentwise or industrywise or likewise. So, I would like to have clarifications from the Finance Minister. This is just a limited Bill. Therefore, I want to confine myself to the discussion relating to the paid-up capital. If you enhance the paid-up capital, in that case, what will be the use, what will be the purpose of this paid-up capital?

First of all, I would like to point out that

there are certain basic policies or principles for the use and investment of this paid-up capital which will be available at the disposal of the banking companies. So, profitability is just estimated. It is considered as the first guiding principle for investment of all this paid-up capital in the banks.

At the same time, the safety point should also be taken into consideration. Once you just think over the profitability point of view, in that case, investment will be just misdirected and investment will be made in all the affluent areas and already infested by all these investments. If you just estimate the profitability, you also try to balance the quantity or the amount of safety. How far is it safe in the hands of the people? This is the factor responsible for the securities scam which took place in the country because safety consideration was not kept in view while the investment was being made by all these banking companies. There was no internal check system. There was no internal audit system which was taken care of. That is why such a big scandal took place in the country.

I would also like to say that diversification should also be taken into consideration while making investment or while making use of the paid-up capital. If you are making enhancement in the paid-up capital, diversification of risk should also be made. The diversification of risk means that the investment must be made in different regions, in different sectors of the economy, in different categories of persons, in different sections of society also so that the risk will be well distributed and the money will not be kept in risk just like all eggs in one basket. If it falls down, all the eggs are broken. If you invest a heavy amount of paid-up capital in a very risky sector of the economy and if you just part with this amount of money to such scandaious persons, as it has taken place in our country, in that case, the result will be a sorry state of affairs.

[Sh. Mumtaz Ansari]

At the same time, I would like to say that the national interests, liquidity and marketability, diversification, safety, profitability, all these factors must be taken into consideration while making use of the paid-up capital, which is going to be enhanced from Rs. 500 crore to Rs. 1,500 crore.

Similarly, the frauds are taking place in different branches of the banks and care is not taken. Finance Ministry is also not aware of it. Chairmen and Managing Directors are also not aware where frauds are taking place. After the commissioning of these frauds, embezzlement and misappropriation of funds, a lot of time just lapses. After lapse of a lot of time, it is detected by the management of the bank. In that case, it goes out of hand to have checks and balances over all these frauds. I would like to suggest that certain internal check system should be evolved and developed in the banking system. Books of accounts should also be made very much transparent. It should be maintained in such a manner that it must be very much open to all the people, the inspecting branch, the audit staff so that frauds or misrepresentation or misappropriation of funds are detected at an early stage. With small and few words, I would like to render certain valuable suggestions.

If you are going to enhance the paid-up capital from Rs. 500 crores to Rs. 1500 crores, as it was pointed out by Narasimham Committee, on the financial position of the banking system of the country, then it must be kept at a ratio of 8 percent of risk weighted assets. As it has been mentioned in the Objects of the Bill, it will be completed by the end of 1996 and upto 1993 also, it will be made upto 4 percent and wherever there is international presence, it will be just completed with 8 percent ratio by the end of 1994. So, if you are bent upon achieving this capital investment standard, then it is a good

thing. But at the same time, you will have to keep in mind certain considerations which will be just like guiding principles for you. How will regional imbalance be removed? There is development of banking system in the country which nobody can deny or refute. But at the same time we see that there are number of regional imbalances that have developed. Some States are having more branches of banks and some States are having less branches of the banks. If you try to remove this regional imbalance, then you will have to see to the point of credit deposit ratio. It was also pointed out by my esteemed colleague, Mr. Shahabuddin that credit deposit ratio should also be improved, so far as my State, Bihar is concerned. The credit deposit ratio is at the lowest level there. You are making collection of huge amount from nook and corner of that State though that State is poor. But the deposit has developed there. Every person tries to keep his own small savings in a bank and that is why, you are just making a collection of a huge amount of money from Bihar. At the same time, you are not making investment of the required amount of money for the development of that State. So, you must increase this credit deposit ratio also.

Next point is that priority sector should also be re-defined. Priority sector should also get preference in matters of investment.

You have defined certain categories of persons or certain segments of the economy that these sectors will be considered as priority sector and you have earmarked a certain amount for investment in all these priority sectors. But so far, I have come to know from Government report that investment is not made up to that standard. Similarly, certain categories like SCs and STs and minorities are very much downtrodden and they are not getting the due share from the banking system. After nationalisation in 1969, it was visualised that the benefits of nationalisation will percolate to the down-

trodden and the poor sections of the society. But to my surprise and consternation, I find that the benefits are not percolating to SCs, STs and minorities. So, a special guideline should be issued to the banking concerns that these under-privileged classes of the society must be given priority in matters of finance. Similarly, marginal farmers, traders, weavers and artisans are there. All these sections of people are not getting their due share from the banking system. So, I would suggest that these sections of society must be treated on priority basis so far as handloom section is concerned. So far as the handloom sector is concerned, at least three and a half crores of people are employed in this sector. You are giving big loans and advances to the mill owners. But these three and a half crores of people who really require such help are not getting adequate financial help from the banking system. This is nothing but a step-motherly treatment. Though the handloom sector has a great potential for employment generation, it is not getting any encouragement. From the facts that are coming to light and from the scandals that have taken place, we know that the banking system has become very defective. All these aspects highlight the problems and the plight of the banking system. They also show that the banking system is not responsive to that segment of the society which is needy and which genuinely requires a lot of financial accommodation and help. „with these words, I conclude.

[Translation]

SHRI BHAGWAN SHANKAR RAWAT (Agra): Sir, I have some doubts regarding the Bill introduced for raising the present limit of paid up capital from Rs. 500 crore to 15000 crores and the main doubt that I have is that this Bill also has been introduced under the pressure of the I.M.F. and the World Bank. There has been going on a secret move to privatise the Banks.. The Government is doing it under the pressure of

these financial institutions. But it does not want to admit it openly because it has no moral courage. It seems to me a part of that very plot.

Sir, a few days back I happened to go through a statement of the Finance Secretary, Shri Montek Singh which said that Government will be requiring Rs. 8 thousand crores to 10 thousand crores to raise equity capital and that amount will be mobilised from private persons and the equity capital will be raised. It obviously implies that we are proceeding towards the privatisation of Banks. Therefore, I would like to submit that the Government should point out clearly its policy. If it wants privatisation, it should clear its intention. Today the citizens of India want to know it from the Government.

Sir, I am not an ardent admirer of the nationalizations and of nationalisation of Banks. I know their present plight. The 23 percent of Bank's total capital is invested or blocked in the sick units or it has been given loans to such units from where there is no hope of being recovered and it is likely to be written off. Nationalised Banks are not functioning very satisfactorily. The Government should admit it in clear terms.

Sir, The Government has issued the notification on 18-1-91 regarding the intention of format of balance sheet and profit and loss accounts of Banks. Time and again it is being demanded from all sides that the accounts of balance sheets of banks should be maintained clearly. So that there should be clear picture before the people of the country. But inspite of this intention-notification no clear-cut papers are presented. I would like to know from the hon. Minister of Finance regarding the progress made after intention-notification on 18-1-91. Are the banks being pressurised to accept the intention-notification and prepare a clear-cut balance sheet and present before people?

[Sh. Bhagwan Shankar Rawat]

Sir, the third thing that I would like to point out is that the recent scam of Rs.5 thousand crore has surpassed many other big crimes. Even top financial criminals are ashamed their style of functioning as they could not do such a scam. They feel distressed over their inability to achieve such a dexterity in this field. Therefore, I want to say that I am not their admirer.

The management of Banks is very faulty. Posts of the Chairman in many banks are lying vacant. The appointments to the posts of C.D.Ms are not being made in the banks where they had fallen vacant. It shows the extent to which efficiency of the Banks has declined. Today everybody is talking about scam. As per the information supplied to me prior a clearance is sought from the CBI before making appointment to the post of chairman. I am constrained to state that the CBI has failed in selecting suitable persons and verifying the antecedents of such persons correctly. It has paved the way for the appointment such persons on these high posts in Banks whose integrity and loyalty is in question. I do not want to say anything more about this because, the Joint Parliamentary Committee has since been appointed. Many Senior Officers, Chairman or other high officials of many Banks are involved in this scam. As result of it, a sign of question mark has been put on the functioning of CBI. It has certain shortcomings which need to be looked into. The tenure of a Chairman should not exceed 3 years. He must bring about improvement and efficiency in the functioning of Banks within this period.

When Shrimati Indira Gandhi had nationalised Banks, it was said that more opportunities for employment would be generated and prices will be controlled. But I am constrained to say that the number of unemployed persons is increasing continuously

and prices are not being controlled, inflation is increasing continuously. Not only this much this time Banks have also released circulated 18 per cent more currency. It may be possible that some currencies might have been minted and some money might have been received from deposits. But the repercussion of the 18 per cent extra circulation of money is witnessed as rise in prices but not in production. Had the production increased by this money, the country might have progressed. From this it is obvious that this amount was spent and invested on unproductive things. It is great injustice against Indian economy and fraud committed against the general tax-prayers, middle-class people and the poor. The poor and educated but unemployed persons do not get the money from these banks which they deserve. Today, money is not made available in Banks for this purpose. Big industrialists manage to get loans from Banks but the unemployed persons run from pillar to post and very strict terms and conditions are imposed for getting loans.

In the last, I would like to say that emphasis should be given on improving customer's service in Banks, because the customer's service of Bank is deteriorating day by day. Therefore, I want to give a constructive suggestion. In zonal offices, divisional offices and Central offices of Banks employees are in full strength, but every Branch Manager is found complaining that there is no sufficient staff in the branch. Therefore, this should be looked into and efficiency in extending services to customers should be increased. With these words, I conclude.

[English]

SHRI BOLLA BULLI RAMAIAH (Eluru):
Mr. Chairman, Sir, Banking is always regarded as one of the most important institutions of our country and where surplus money is deposited and utilised for the purpose of development. Here, There is always a prob-

lem that whenever we try to utilise the money for development purposes, there may be some sort of involvement of risk is there. In view of this the bank of International Settlements has prescribed certain capital adequacy standards to be followed by commercial banks. The recommended BIS norm is that all internationally operating banks must acquire a capital-to-risk weighted-assets ratio of 8 percent by March, 1992. But, in case of India, the Narasimham Committee had given certain guidelines and that is, at least, by March, 1974, all the banks in India, should reach the BIS norms for capital adequacy to the March, 1992 level viz. 8 per cent so that, at least a part of the risk coverage is improved. Earlier we had a restriction. For more than Rs.500 crores, it was not allowed, but this Bill wants the Government of India to increase it upto Rs.1500 crores in order to cover the risk. The investment on this should be again utilised back for the purpose of bonds. Ultimately, the Government will not have any outflow of money. This is basically the main problem. But, when we talk of banking, we would always like to say a few words about the system that is operating here and everyone know what had happened during the last few months in our banking system. Here, the things have gone out of control, maybe due to various reasons. We always feel that the vacancies of the posts of Chairmen should be filled up immediately. Today, many posts of Chairmen of the Banks are lying vacant. I am sure, the hon. Finance Minister will take immediate action to see that banking system does not suffer particularly in their day to-day operations. Whatever may be the cause, we are running it with lot of risks. You also take the examples of number of Directors in the various Boards of the Banks. Some of my colleagues have also mentioned about this sometime back. These posts should be filled up on the basis of a person's capability and ability so that they should be able to guide the banks properly. They should not guide the banks on political basis. If you take into

account all those things, you will be able to improve the banking system and you can also utilise the funds for developmental purposes.

Under the present system, whatever may be the type of operations, I would say that the financial institutions are also part and parcel of it. As I had mentioned earlier, they used to make some sort of a coordinated effort for distribution of loans. Now-a-days what happens is this. Once they are sanctioned loans, the leading financial institution give a stepmotherly treatment to the other banks or institutions. So, with the result, the leading financial institutions take maximum advantage. So, instead of having more such institutions, let us have only one such institution which can take the responsibility of doing it, otherwise, whoever had taken the whole loan, let them take the responsibility. If it is done, you need not go from pillar to post. In order to eliminate all these things, we are now going to introduce a single window service. That should be there so that, the institutions can help properly and also the industries can do their jobs quickly.

In fact, our Finance Minister, the other day had mentioned about the delays in our banks regarding operation. There are people who come from the Gulf. If they want to transfer their funds into the Indian banks, it takes a lot of time as compared to other foreign banks. So, we should have excellent service in order to see that we are able to compete with the foreign banks also. For that, we need some expertise. The people should have the capacity to handle and compete with the foreign banks. Unless we have such thinking, we will not be able to really develop the banking system in this country.

I hope, once the basic systems are improved; the guidelines are strictly implemented; and the informations are given faster

[Sh. Bolla Bulli Ramaiah]

to the higher authorities so that they can take the corrective measures at an appropriate time, instead of following the various sold systems then it would go a long way in giving a good service to the people. That is why I had also suggested that in every place, you should have a computer system. This will only help us - both the financial institutions, the banks and the Reserve Bank - in having a control on the banking system. The Reserve Bank has to take more important part in this. It is because, recently, there is a stock scam. There may be other things also. We are not able to identify by whom should we hold responsible. I do not know whether we should hold the Reserve Bank responsible or somebody else. Somehow or the other, proper responsibility should be fixed. If it is fixed and implemented, I think, it will help a lot. There is no accountability. This is very important. I am sure the hon. Finance Minister will take not of all these things. By following the guidelines, he will be able to do a very good service, as early as possible. We should also have an expertise in this field. It is not only the deposits, interest rates and the advance rates which require expertise, but wherever, they participate whether it is financial institutions or banks, they should be able to monitor the projects and the rules which they are following.

You see that before it gets any indication of sickness, they should be able to tell them proper guidelines and tell them how it should be rectified or how it should be corrected or it will require some merger or amalgamation.

I hope some of these measures are very important in the larger interest of the country; and the banking system requires development; and productivity of any nation depends upon all these things. I humbly request the Finance Minister to take all these guidelines.

THE MINISTER OF FINANCE (SHRI MANMOHAN SINGH): I am grateful to all the hon. Members who have taken part in this debate. This Bill has a very limited objective. It is by way of an enabling provision so that the Central Government may be able to contribute more funds for enhancing the paidup capital of the Nationalised Banks. It is not a Bill which envisages any change in policy. As I mentioned in my introductory statement, it is not for the first time that the paidup capital of the Nationalised Banks has been increased.

[*Translation*]

SHRI DAU DAYAL JOSHI (Kota): Mr. Chairman, Sir, there is no quorum in the House.

MR. CHAIRMAN: The bell is being rung. Now the quorum is complete. The hon. Minister may continue his speech.

[*English*]

SHRI MANMOHAN SINGH: This is not for the first time that the paidup capital of the Nationalised Banks has been increased; twice before this capital was increased; it was increased to Rs. 100 crores in 1985; it was further increased to Rs. 500 crores in 1988. Therefore, to argue that this is being done at the behest of the IMF or some outside agency is I think wide off the mark. Also some fear has been expressed that this is the way of backdoor privatisation. I can assure this House that this is certainly not the case because Section 3(III) of the Banking Companies (Acquisition and Transfer of Undertakings) Act reads as follows:

"The entire capital of each corresponding new bank shall stand vested in and allotted to the Central Government."

Until and unless this sub-section is amended there can, therefore, be no ques-

tion of allowing private parties, members of the public to hold equity of Nationalised Banks. There is therefore, no basis for the apprehension that the proposed amendment is a backdoor device of privatization. At the same time, I would like to submit that there ought to be a widespread debate in the country because if we seek greater transparency, if we seek a full and adequate provision for bad and doubtful debt, if we want our banking system to be internationally competitive, then we need to inject into the banking system over the next four to five years to raise at least Rs. 10,000 crores. Therefore, I think, there should be a country wide debate including in this House as to how we are going to argument the capital of the banking system, which is necessary.

I submit to this august House that unless we augment the capital of the Indian banking system, the health of the banking system will be eroded. The debate turned out to be a debate on the functioning of the banking system. Several hon. Members have referred to various aspects of the banking system, the manner in which the working of the banking system can be improved upon.

Let me say that I share the concern of the hon. Members that the working of the Indian banking system, particularly the nationalised component of it does require urgent improvement. Customer services are not what they ought to be; also in several areas, there is scope for improvement.

Several hon. Members have referred to our commitment in the area of social banking. As hon. Members know, already 40 per cent of total bank credit is to be given for priority sector. 18 per cent of bank credit is meant of lending directly to agriculture. A minimum of 10 percent bank credit is earmarked for being lent to the weaker sections.

I submit, therefore, that the guidelines

due take adequate account of the social orientation of our banking system, which was one of the basic objectives of bank nationalisation. But at the same time, it is necessary to think that in a situation in which a large part of bank resources are invested in low-yielding government securities, further 40 per cent of bank credit is invested in concessional lending. Then the question does arise, how will the banks remain socially profitable. Banks' primary priority is not to maximize their profits, but I submit to this House that unless banks do make adequate profits, their capacity to serve the social and economic interest of this country will be severely jeopardized. It will be a sad day for the Indian banking system, if banking system was to be considered as yet another instrument of the grant economy. There is scope for cross subsidies in the banking system and those cross subsidies are built into structure of the banking system.

But I do submit to this House that if the Government or the House in its wisdom thinks that there is need for further subsidies of credit, I think that ought to be properly a charge on the Budget. I think the banking system today is not in a position to bear that extra burden.

With these remarks, I would submit to this House that since the purpose of this Bill is limited, this Bill should be passed unanimously.

MR. CHAIRMAN: I now put Amendment No. 1 moved by Shri Girdhari Lal Bhargava, to the vote of the House.

Amendment No. 1 was put and negatived.

MR. CHAIRMAN: Amendment No. 2 - Shri Dau Dayal Joshi.

[Translation]

SHRI DAU DAYAL JOSHI: Mr. Chairman, Sir, I will conclude in one or two minutes.

[English]

MR. CHAIRMAN: Are you withdrawing the amendment?

[Translation]

SHRI DAU DAYAL JOSHI: I am not withdrawing the amendment. I said in the beginning that I am not withdrawing it. I would like to say that as far as the intention of the hon. Finance Minister is concerned, that is clearly visible. But he has presented the Bill with limited objects while there are a number of shortcomings in the banking system. The way the hallowness of the banking industry has come to force these days, keeping that in mind I would like to submit that if he really wants to improve the banking system, he should bring a comprehensive Bill. I have said so for the purpose of eliciting public opinion. The report of the Narsimham committee is with the Government. There was one recommendation in the report of Narsimham Committee on whose basis the Government is implementing. How many recommendations have been implemented by the Government and how many are going to be implemented. There were agitations all over India against the recommendations of the Narsimham Committee. People met the hon. Minister in delegations opposing the recommendations of the Narshimham Committee. I would like to submit that if his intentions are really clear, then he should bring a comprehensive Bill. Yesterday the Army Service Conditions Bill was passed with 100 amendments. A similar Comprehensive Bill on banking system should be brought. At present corruption is rampant under banking system. The Narsimham Committee had recommended that

there should be least political and administrative interference. But unfortunately political and administrative interference is too much today which we are seeing in day to day affairs. Yesterday the Chairman of the Syndicate Bank was forced to retire and today also one officer has been forcibly retired. Keeping in view the situation created by the bank officers in the country I would like to say that if the Government really wants to improve the banking system, then it should bring a comprehensive Bill on the basis of recommendations made by the Narsimham Committee or on the basis of some other committee, which may be constituted for the purpose.

In the end I would like to submit that the Government has a deposit of Rs. 250 lakh with it under the banking system whose purpose is to provide employment to the people and to check price-rise. Both the objectives of the Government are not being fulfilled in India. My submission is that when the Government has 18 percent excess amount with it, it may absorb large number of people in banking industry. Low paid employees are on the verge of unemployment. There is not adequate staff in the small branches and the banks are running on single man basis while large number of administrative officers are posted in offices. The Government is not providing relief to the people where it can.

I emphatically submit that my amendment for eliciting public opinion be adopted and a comprehensive Bill brought forward.

[English]

MR. CHAIRMAN: I now put Amendment No. 2 moved by Shri Dau Dayal Joshi to the vote of the House.

181 *Banking Companies (Acquisition and Transfer of Undertakings) Amendment Bill* Amendment No.2 was put and negatived.

SRAVANA 28, 1914 (SAKA)

National Highway 182 Amendment Bill

17.59 hrs.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Banking Companies (Acquisition and Transfer for Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The House will now take up clause by clause consideration of the Bill.

MR. CHAIRMAN: The question:

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were adopted to the Bill

MR. CHAIRMAN: The question is:

"That clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clauses 1, the Enacting Formula and the long Title were added to the Bill.

THE MINISTER OF FINANCE (SHRI MANMOHAN SINGH): I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted

NATIONAL HIGHWAYS (AMENDMENT) BILL*

[English]

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): I beg to move—

" That the Bill further to amend the National Highways Act, 1956, be taken into consideration."

Sir, with your permission I would like to say a few words while moving the National Highways (Amendment) Bill for consideration and approval.

The activities of the National Highways and other matters connected therewith are governed by the National Highways Act, 1956 (Act 48 of 1956). The total length of the National Highways in the country at present is 33,689 kilometres. though the National Highways network constitute of only two percent of the total road length in the country, they carry over 40 percent of the total traffic.

18.00 hrs.

In view of the constraints of budgetary resources and growing requirements of the Highway Sector, there is need to augment resources through mobilization of extra budgetary resources for proper development and upkeep of National Highway system. In this connection, levy of fees for use of notified sections of National Highways would facilitate such augmentation of the resources. The proposal enabling the Government of India to levy fee requires amendment of Sections 7 and 9 of the National Highways Act, 1956.

** Published in the Gazette of India, Extraordinary, Part, II, section 2, dated 19.8.1992

** Moved with the recommendation of the President.

[Sh. Jagdish Tytler]

The principle of levying fees is not new as there already exists a provision under Section 7 of the National Highways Act for levy of fees at such rates as may be laid down by Rules made in this behalf for services or benefits rendered in relations to the use of ferries, temporary bridges, tunnels and permanent bridges costing more than Rs. 100 lakhs which were opened to traffic on or after 1.4.1976. This provision is applicable for such bridges till the entire cost of construction and maintenance etc. is recovered. The amount so recovered is ploughed back for the development of National Highway system in the country. The proposed amendment to Section 7 of the Act will enable the Government to levy fees on notified sections of National Highways; the manner and the period for levy of fees will be determined on a case to case basis to be provided under the Rules. The levy of fees on notified sections of roads will enable Government to provide improved or better facilities on the National Highway system. I may also like to inform the honourable House that such levy of fees is in vogue in a number of developed and developing countries.

Section 9 of National Highways Act provides for the framing of rules on matters specified therein. Since the levy of fee on certain selected stretches of National Highways is not covered under the existing provisions, it is necessary to amend Section 9 to provide for framing of rules relating to the rates at which fees for services rendered in relation to the use of National Highways may be levied and the manner in which such fees shall be collected under Section 7 of National Highways Act. It is proposed to amend Sections 7 and 9 accordingly.

Now I commend the Bill to the House.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the National Highways Act, 1956, be taken into consideration."

There are some amendments.

Shri Rajendra Agnihotri - not present.

Shri Rasa Singh Rawat.

PROF. RASA SINGH RAWAT (Ajmer):
I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th October, 1992." (2)

MR. CHAIRMAN: Shri Girdhari Lal Bhargava - not present

Shri Dau Dayal Joshi.

[Translation]

SHRI DAU DAYAL JOSHI: Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 6th November 1992" (4)

[English]

MR. CHAIRMAN: Shri Anna Joshi - not present.

Amendment No.6 - Shri Girdhari Lal Bhargava - not present.

Shri Kashiram Rana.

THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS
AND MINISTER OF STATE IN THE MINIS-
TRY OF SCIENCE AND TECHNOLOGY
(DEPARTMENT OF ELECTRONICS AND

DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGALAM): Sir, I would like to interrupt for a minute.

I have a request that after this Bill is passed, Half-an-Hour discussion may be taken up. If we can complete this Bill before 7.30 p.m., then instead of going into the other list of business, I request the House to take up Half-an-Hour discussion. Otherwise, we will take Half-an-Hour discussion at 7.30 p.m.

MR. CHAIRMAN Shri Kashiram Rana.

[Translation]

SHRI KASHIRAM RANA (Surat): Mr. Chairman, Sir, I am sorry to say that I do not support the Amending Bill brought by the hon. Minister to amend the National Highways Act. Presenting the Bill the hon. Minister has said that the length of the national highways have increased considerably today. The main reason for the present day circumstances is that the priorities were not fixed and if they were fixed, then there has been negligence in them. I would like to present some statistics here. The Government spent a sum of Rs. 1481 crore in the Seventh Five Year Plan. While the hon. Minister demanded a sum of Rs. 7850 crore for the development, construction and maintenance of the national highways, a sum of Rs. 2465 crore has been allotted for the purpose. I do not want to confine myself to the Eight Five Year Plan alone. The attention that should have been paid by Government since 1947 to the development of national highways, has not been paid. So, I would like to say that as much priority should have been given to the transportation as we give to agriculture and industry and good arrangement should have been made. Our country is marching ahead towards industrialisation, so it is quite necessary that there should be good national highways for the facility of transportation. But attention was

not paid to it. I would like to tell the hon. Minister that our objective and aim of developing national highways will not be fulfilled merely by bringing a Bill. Therefore, we will have to fix priority for it if we have to expand transportation, and improve the condition of national highways and increase their length. 135 proposals have been received from all States of the country for the Eighth Five year Plan and a proposal for nearly a length of 47556 kms. has also been received for which an expenditure of Rs. 13,349 crore is estimated to be spent while only a sum of Rs. 2467 crore has been allocated for that. It seems that if this way of allocating funds continues, then we will not be able to utilize national highways which we want to utilize for the development of the country. We have to fix priorities for construction of National Highways. We have to pay more attention to it for providing transport facilities and growing industrialisation, in our Five Year Plans.

Mr. Chairman, Sir, secondly, I would like to say that the intentions of the Government in bringing forward this Bill are not good. The Government is going to entrust all responsibilities to the private sector. It seemed that there would be some changes in respect of economic policies in the Bill. A big change is going to take place in the country. The present Bill is an example of the trend of privatization taking place in the country. I would like to say that this Bill has been brought forward here just to give impetus to privatization. The country and its National Highways should be developed. Since we failed to make development and arrange resourced in a proper way we are entrusting it to the private sector. I want to relate the future problem that would crop up after passing of this Bill. It was the same Government when the All India Trucks Association went on strike some days ago. They had made a demand for abolition of Octroi. The Ministers of the same Government had given an assurance to withdraw Octroi from the Union Territory. Therefore, I would like to say

[Sh. Kashiram Rana]

that the Government is shirking its responsibility by inviting the private sector. It shows that the Government is not discharging its responsibility for public welfare and industrial development. It will create difficulties. Management of the highways will be divided. There will be tunnels and bridges on the National Highways. Difference agencies will look after their protection. It will create a situation like demand for abolition of Octroi tax and holding strike for the same by truck operators.

Sir, different Octroi posts will be installed in the private sector. With that a situation like abolition of Octroi tax would be created. Therefore, I cannot support it. The main reason is that the Government has not given required priority for the development of national highways. The Government does not intend to discharge its responsibility. It would cause numerous difficulties for the people towards which I would like to draw your attention.

Sir, With the passing of this Bill more and more people will fall victims of corruption. It will belie Government's claim to eliminate corruption. The private sector will collect more toll tax. They will do excess and deteriorate the law and order situation. It will create more corruption. I would like to tell the hon. Minister that the intentions of the Government for bringing forward this Bill are not good because the Government or the hon. Minister has not assessed its onslaughts.

Sir, today the condition of National Highways is very bad. I have told you earlier that many State Governments have demanded construction of National Highways. The Government does not consider them for years for want of funds. That is how National Highways are not developed. As per the figures, today there are National Highways on 33,612 km stretch of roads out of which

6400 kms. are single lane. Accidents occur due to these single lanes. Mostly accidents occur due to bad condition of these single lanes. The Ahmedabad-Bombay National Highway No.8 is an example of it. It is highly congested and heavy traffic runs on it. No National Highway is as congested as it. A heavy traffic runs on it. I am distressed to say that the Government has never considered to convert it into two or four lanes. Recently, the Government had decided to convert the Ahmedabad-Baroda-National Highway, a distance of 120 kms. into four lanes. Sir, the construction work of four laning of the express way, a distance of 120 kms has not been completed even after four years. I received the reply just now. Last week when I asked about it, I was told that there had been a delay for want of funds. They were examining it. Sir, what I mean to say is that the Government has not so far paid any attention to the region where there is a heavy traffic congestion. I would like to make a demand that the proposed express highway from Ahmedabad to Baroda should be extended upto Bombay. But the Government has never made any effort to meet the demand.

Sir, the Government is entrusting Highways to private sectors. The State Governments construct a number of bridges. In Gujarat also toll tax is collected for plying vehicles on bridges which cost more than Rs. 25 lakhs.

MR. CHAIRMAN: There is a list of five members of your party.

SHRI KASHIRAM RANA: Sir, I will conclude within five minutes. Through you, I would like to tell the hon. Minister that this Bill has been brought forwards for the purpose of mobilising resources for National Highways. It seems that the Government is trying to shirk its responsibility by entrusting the Highways to the private sector. Sir, I am not talking of major Highways. I am talking of

congestion. Several years have been spent for the construction of a junction there. I have been asking for it for last three years but no department paid any attention to it. There is a big congestion on the National Highway from 284 to 287 kms. Many agitations have been launched there and several people have died. Even then the Government is not paying attention to it. Today many accidents occur due to lack of proper development of National Highways. Hundreds of people die there. We must develop National Highways. Entrusting all responsibilities to private sector will create a disastrous situation. I have its experience. It would have been good had there been competition. But steadily moving towards privatization will give rise to corruptions and cause excesses. It will create hardship for the people. With these words I oppose the Bill presented by the hon. Minister. I thank you for giving me time to speak.

[English]

MR. CHAIRMAN: Now, Shri Anantrao Deshmukh may speak. I would request the hon. Member to complete in five minutes. There are nine Members to speak from his party.

SHRI ANANTRAO DESHMUKH (Washim): Mr. Chairman, Sir, I will try to be very brief. I will not take more than six or seven minutes.

MR. CHAIRMAN: Then, I should have asked you to speak for four minutes.

(Interruptions)

SHRI ANANTRAO DESHMUKH: Mr. Chairman, Sir, while extending my support to this Bill, there are two points on which I want to seek a clarification.

At the outset of his speech, hon. Member has said something about giving the

work to private sector. I see nowhere in this Bill where it has been envisaged that the hon. Minister proposes to give this work to the private sector., it has got a very limited scope. The Government wants to levy certain taxes on a section of National Highways which will be notified later. This is the only scope this Bill has got. There is another thing which the hon. Member has said and that is about this particular section...

[Translation]

SHRI KASHIRAM RANA: Sir, this is the statement in which it has been written that all the highways would be given to private sector.

[English]

SHRI ANANTRAO DESHMUKH: Sir, he is taking my time now. Let me speak.

Therefore, I do not feel that whatever the hon. Member has said stands any stead as far as the consideration of this Bill is concerned.

Sir, as you know, the State Government has also to take up a lot of road works. Therefore, every year they also have to find new avenues to fund their own projects as far as roads are concerned. Every year this problem is becoming very difficult for the State Governments because they do not have any revenues, that is why they have to depend on the Central Government as far as the Central part is concerned. Here I would like to make one suggestion to the hon. Minister. All of us know that you want to augment the resources as far as maintenance and the new works of the National roadways are concerned; we are with you. As far as the Eighth Plan is concerned, you have given priority to the Transport sector; that is why you are making all the provisions which are all right. But as I have said earlier, the States are also finding lot of problems. So, my suggestion is that whatever revenue

[Sh. Anantrao Deshmukh]

you would collect by charging certain section of National Highways in that particular State, this revenue should form part of the Central Road Fund (CRF) and this Central Road Fund allocated to that State should be used for the betterment of National Highways of that State. This is my one suggestion, Sir, where I would like to have a commitment from the hon. Minister.

My second suggestion, is, we have adopted a Resolution in this very House on 13th May 1988 wherein we have resolved that 5 percent of the amount accrued by the sale of petrol and diesel, the basic price of these two commodities in their respective States, would form part of the Capital Road Fund and this fund would be given to that particular State as far as the new projects are concerned of the new roads are concerned. Now, Sir, I am sure this problem practically all other states are having because I will just give you an example of the State of Maharashtra. You have written a letter to the State of Maharashtra in 1988 that 'because of the new Resolution which we have adopted, every year the Government of Maharashtra is going to get Rs 40 crores for taking up new roads, the amount occurred in the Central Road Fund.' Time and again the State Government has approached the Central Government that this amount should be released. Since this Resolution was adopted in 1988, four years have elapsed - 1989, 1990, 1991 and 1992 - and I am sure that with the rate of Rs.40 crores per year, the outstanding amount, with the Central government of the State Government would be somewhere about Rs. 100 crores to Rs. 120 crores. Time and again this State Government has approached the Central Government for taking up the new works under the CRF, but every time the Central Government has not responded positively to this request. If you go through this Resolution, you will realise that it has

been specifically mentioned that the balance to the credit of Central Road Fund or any allocation thereof shall not lapse at the end of the financial year. That means, this amount has not elapsed though for years have elapsed. So, the amount accrued in the form of the Central Road Fund must be about Rs. 100 crores. This may be the case with all other States. Therefore, my suggestion to the hon. Minister is, now taking all these aspects into consideration, as I have said earlier, all the State governments are finding it very difficult every year to finance the road projects which they have undertaken. As such you have identified the transport as the priority sector in the Eighth Plan; therefore, stress must be given that the amount accrued in the Central Road Fund should be disbursed to these States in the same financial year in which the amount was approved. This is my one suggestion.

The second suggestion which I would like to give to the hon. Minister is that in many instances we have seen as far as the National Highways are concerned that one has to climb the hill and again come down. There is going to be a lot of wastage as far as petrol is concerned, there is going to be a lot of wastage as far as energy is concerned. If you are going to levy these taxes, if these taxes are going to be utilised for making a tunnel, even if you charge any levy on it, I do not think any State Government would have any objection. I will just give you an example — National Highway No. i.e., from Pune to Satara.

• So, while saying all these things, I would like to know from the hon. Minister as to which are the roads he has identified and the sections of the National Highways he has identified wherein he is going to put this new scheme like the placement of toll plazas and other things, which he has envisaged in this Bill. If he could let us know the notified areas, we can tell something about that also.

Therefore, while extending my full support to this Bill, I would like to have a positive assurance from the hon. Minister that the amount accrued in a State on the section of the National Highways will be used for the betterment and maintenance of the national Highways in that particular State only.

[Translation]

SHRI SUBRATA MUKHERJEE (Rai-ganj): Mr. Chairman, Sir, there is a great need of expansion of the network of national high ways for the social and economic development of the country but proper attention has not been paid to these national highways. There were 34 thousand buses and 85 thousand trucks during 1950-51 in my region. during the year 1990-91 one crore, 86 lakh and 90 thousand buses were plying and the number of trucks is even more. There is a need for a expanding the national highways in the same proportion or there should be a development of the national highways but attention has not been paid to them. It was very important to pay attention to that but proper attention was not paid.

Mr. Chairman, Sir, the construction of link roads for connecting one State with the other is a state subject and the State Governments do not have adequate funds for the maintenance of these roads. There is no such system through which the State governments might get funds for this purpose. The Central Government has not taken the responsibility for construction and maintenance of the national highways, even those has been left on State Governments. The State Governments have also to undertake the work of constructing link roads connecting one State with the other and they have also to do the maintenance work of those roads. The Central Government pays no attention to the maintenance of these roads. The State Governments however, do the maintenance work of national highways but

they do not get the required funds from the Central Government.

Sir, in this regard I would like to cite an example of West Bengal itself. The Central Government has given 400 lakh rupees less than what has been spent on the maintenance work of the national highways during the years 1990-91 and 1991-92.. Similarly, there was a need of 3026 lakh rupees in the State for 1992-93, but only an assurance of 9000 lakh has been given till date. I would, therefore, like to submit that the fund that is allocated to the State Governments is not adequate to meet their requirements. I would therefore, submit that sufficient funds should be provided to each State.

Sir, the issues relating to national highways would be raised on contract basis. It creates doubt on their intention. I would like to submit that it is important to clear it. The hon Minister must pay attention to it and must try to clear it.

I would like to mention that the expenditure thus incurred on it will ultimately have to be borne by the public. although the amount would directly be taken from the bus and truck owners, those owners will ultimately extract money from the general public. In this way it is an indirect tax being levied on the public. It is not proper. I would like to submit that when the burden has to be borne ultimately by the public, why then it should be charged from them indirectly. it should therefore be made a direct tax. People should be taxed directly. The Government is increasing indirect taxes instead of direct taxes. It is putting a additional pressure on the public in a new way It should not be so.

There is a proposal of toll tax in it. A provision has been made in it for collection of toll-tax on a particular part of a national high way. It is improper. There should be a uniform toll tax everywhere.

[Sh. Subrata Mukherjee]

It has also been laid down in your proposal that toll tax may be increased if more than 35 lakh rupees has been spent on the bridges that have been constructed as on April 1976 or after that I think that this is not proper, because it will never be proper to levy toll tax and collect it in commensurate with the expenditure on the construction of bridges.

Upto recently every State was collecting toll tax through its own Octroi system. The Government opposed it. Now the Government has given a new form to it and has brought now a proposal to levy toll tax on national highways. It is something surprising. Collection of toll tax on national highways and State highways should be done by State Governments, and the responsibility of maintaining them should rest on State Governments. Only then there can be a proper toll tax collection.

I would like to submit that there should be a revision of the provision of toll tax and the responsibility of collecting toll tax should be given to the State Governments.

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga): Thank you, Mr. Chairman, Sir, since I am the lone person to speak from my party, I hope I would get more time. I rise to speak against this Bill, but I am not against the intention of the hon. Minister or of the Government. I agree with them on issues on many issues put forward by the three speakers but I do disagree with them on some issues.

The hon. Minister has referred just now to 33 thousand kilometre long roads but as a matter of fact there are not even 33 kilometre long roads worth pride.

Mr. Chairman, if the condition of Indian highways is seen, you will feel ashamed.

There is not even a single highway on which you can travel upto 5 kilometres comfortably. The condition of highways is not likely to be improved soon. Highways are not according to their basic concept. No attention has so far been paid to that. That is the reason for their poor condition.

An. hon. Member has said just now that the number of fatal road accidents on highways cannot easily be estimated. A number of vehicles pass through highways. There is not a single highway on which travel can be performed continuously for 1 or 2 hours with the speed of 70-80 km. per hour. If you take the average speed on all the roads, it comes not more than 35 to 40 km. per hour. I would like to say that the more the energy loss per hour, the more loss of the country in terms of rupees. India is thus suffering a loss of hundreds of crores of rupees per day. If we provide good highways in India, we will be able to better the position of balance of payment to a great extent. I hold that if the speed on highways in India is raised equal to that of the world, it may help save petrol consumption by two and a half times. There is no medical facility on highways to meet any eventualities. There is not even facility of First Aid to take the persons to a hospital from the place of accident. Nor is there any arrangement of police along highways to provide safety to those who are travelling during night. Even if there is any such arrangement of police, they would be inside the offices but not along the highways. You may take the case of any highway. I have seen there is no arrangement of good rest-house anywhere. There is no arrangement of good refreshment anywhere. I would like to submit that these conditions should be improved and I think, if good highways are made available in India, there is, then, no reason for the Indians to feel hesitant in contributing money. At least the standard of highways are raised to such a level that vehicles might run on it at the speed of 80, 90 or say 100 k.m. per hour. I would like to

submit that the Government should bring forward such a Bill in which there should be a provision for renovating all the highways so that we may present before the World that India too has such highways. I do not think that any country of the world having the concept of highways would be ready to accept the existing high-ways of India as highways. I would like to forward a proposal to the hon. Minister, it is about the linking of the four metropolises with new highways under a new alignment. For example, Delhi to Calcutta, Calcutta to Madras, Madras to Bombay may be linked under some new alignment giving it a form of highway. This highway will now pass through any populated area. Traffic should be allowed to run on it according to the condition of traffic science of the world. There must be a facility of First-Aid as it is so in other countries or the world, there should also be a facility of police assistance. On such a highway with those facilities the vehicle owners would be saving two and a half times more money they are spending now and in that situation they would be ready to pay any amount of tax that would be levied. The Government can handover this project to some N.R.I. It can be given to any foreign agency either. This work can be given to any big Indian company or some other company. I claim that with the help of the income from these highways, the maintenance of the other 33000 km. highways will be easily done.

The hon. Minister should bring such a Bill in which there is a provision of linking at least the four major cities, viz., Delhi to Calcutta, Calcutta to Madras, Madras to Bombay and Bombay to Delhi. This highway should be constructed in such a way that the world may recognise it as a real highway. We are ready to support any efforts taken by the Government in this regard. We are also ready to support it if the Government proposes to levy tax on such a highway. I am myself a civil engineer. I can say on the basis of my own experience that the present highways

are totally worthless. They stand nowhere if assessed from the angle of highway concept. I would, therefore, oppose the Bill.

The money collected from such sources will not be utilised properly. Therefore if the Government brings such a Bill as can give us some facility, then we will support it. I would like to submit to the hon. Minister to withdraw this Bill and bring a comprehensive Bill so that you can give something to the nation, therefore, such petty things will not serve the purpose. Today a major part of the country's diesel and petrol is wasted..

[English]

Wear and tear to the vehicles.

[Translation]

People are being killed. We can save all these things by providing facilities. Therefore, I would like to submit to the Government to withdraw this Bill and bring a comprehensive Highways Bill and all of us will support it in the House. I will wait for it.

[English]

SHRI GOPI NATH GAJAPATHI (Bengaluru): Mr Chairman, Sir, the prime object of amending the national Highways Act would be to allow promoters of roads and bridges to levy toll on users of these facilities for earning profits. The amendment Bill will help the private sector also promote such toll projects.

Indeed, Road Transport plays a key role in socio-economic development. Most suitable for short and medium distance, it offers a number of advantages such as flexibility, reliability, speed and door-to-door service. It complements other modes of transport. Road Transport forms indispensable elements of the National Transportation System. Over the years, share of Road Transport in overall

[Sh. Gopi Nath Gajapathi]

traffic handling has been continuously increasing. There has been a substantial shift from rail to road. Capacity constraints on railways and advantages of road transport, combined with expansion of road network, have contributed to the increase in the number of motor vehicles in the country. From just 34,000 buses in 1950-51, it has touched 1,66,93,000 in 1989-90. In the corresponding period, the number of trucks increased from 82,000 to 11,97,000. Eighth Plan envisages an Annual Growth of seven per cent for trucks and eight per cent for buses.

India has one of the largest Road Networks in the world. The country's total road length was 18,43,420 Kms. in 1987-88. Seventh Plan laid emphasis on a coordinated and balanced development of Road Network in the country under: One, Primary Roads comprising National Highways; two, Secondary and Feeder Road System covering State Highways and Major District Roads; three, Rural Roads including village and other District Roads. Substantial outlays were proposed for Road Development in the Rural and Tribal Areas.

Government is responsible for National Highways System. In 1947, approximately 2,500 Kms. of missing roadlinks and the thousands of culverts and bridges, which did not exist, were required to be constructed to have an integrated and continuous network. There was an increase in missing road links with the addition of new roads to the National Highway System in later years. Upto 31st March, 1990, road links including diversions constructed, totalled 4610 Kms., improvement of low-grade section completed were 23,075 Kms., widening and strengthening Single Lane Section to Double Lane Carriageway was done in 25,195 Kms. and also 469 major bridges constructed.

Present National Highways System includes a total road length of 33,612 kilometres. An expenditure of Rs. 1481.70 crores had been incurred in the Seventh Plan on development of National Highways. Though the National Highways constitute only two per cent of the total road length, they carry nearly one-third of road traffic. World Bank is to provide loans worth twenty crore US dollars for the development of National Highways in six States, namely, Gujarat, Haryana, Tamil Nadu, Uttar Pradesh and West Bengal. Asian Development Bank is to provide loans worth 13.8 cores US dollars for development of National Highways in three States namely, Andhra Pradesh, Haryana, Uttar Pradesh and for State roads, in three States, namely, Andhra Pradesh, Karnataka and Tamil Nadu.

State Highways and District Rural Roads are the responsibility of State Governments and are maintained by various agencies in States and Union Territories. Roads are being developed in rural areas under Minimum Needs Programmed, the objective of it being to link all villages with a population of 1,500 and above 50 per cent of villages with a population of 1,000 to 1,500 with all-weather roads. Government also assists in development of certain selected roads in States.

Border Roads Development Board was set up in March, 1960, for accelerating economic development and straightening defence preparedness through rapid and coordinated improvement of road communication in North and North-Eastern border areas. Development activities now encompass Rajasthan, Jammu and Kashmir, Himachal Pradesh, Uttar Pradesh, Sikkim, Assam, Meghalaya, Nagaland, Tripura, Manipur, Mizoram, Arunachal Pradesh, Bihar, Andaman and Nicobar Islands and also Bhutan.

Regarding the present status of National Highways in India, about 300 kilo-

metres of national highways in six States will be widened and turned into four-lane stretches under Rs. 900 crores loan from the World Bank. The States to be covered are Orissa, West Bengal, Madhya Pradesh, Maharashtra, Haryana and Punjab. Giving this welcome information recently to the Parliamentary Consultative Committee attached to his Ministry, the Surface Transport Minister, hon. Shri Jagdish Tytler has said the project would include reconstruction of six bridges in the Ganjam district of Orissa that have been damaged by floods. Time and again, I have raised this matter in the august House and the needs to expedite the reconstruction to the damages six bridges in Ganjam District, which is prone to floods regularly every year. The damages to the bridges are increasing day by day, owing to delayed reconstruction.

The Cuttack-Bhubaneswar portion of National Highway Number 5 will be converted into a four-lane stretch at a cost of Rs. 126 crores. This particular work will also include construction of a major bridge across the Mahanadi. The stretch of National Highway Number 5 between Ichhapur and Palasa also needs to be resurfaced urgently, as it is in an atrocious condition. Further, there are too many railway crossings between the above mentioned stretch causing serious obstruction in the free flow of vehicular traffic.

The Government of Orissa State to which I belong has proposed the following development of National Highways during the 8th Plan period. It has estimated an expenditure of Rs. 398.4 crores in road works and Rs. 53 crores in bridge works. As against these estimates, meagre funds released during the last four years from 1989 to 1992 are Rs. 12.9, 10.5, 13.8 and 12.7 crores respectively. I, therefore, take this opportunity to appeal to the Government of India to be

more liberal in the sanction of funds to the under-developed State like Orissa, in future.

Regarding the latest innovations in roadways the area in and around Los Angeles in the U.S. State of California is not just famous for the glitz of Hollywood; It also labours under traffic-clogged highways and almost unparalleled air pollution arising from the volume of vehicles.

This situation is, however, set to end within the next three years or so, with the introduction of anew innovations, the so-called "smart roads".

Behind the seemingly nonsense of the phrase, lies a new concept to direct the flow of traffic. It is already being tried out on an eight-kilometre long stretch of road near Los Angeles.

If this turns out to be a success, it could be installed by the end of the century on greatly congested motorway stretches across California and on the other heavily burdened traffic interchanged in the United States.

In addition, the transportation department in Sacramento, the State Capital believes the project points the way towards solving the problems of other States, as well as in Europe.

The system, known as inductive radio or INRAD, was developed by scientists at the Caltran organisation and the State University in San Luis Obispo in Southern California.

INRAD is made up of four elements: sensors which are connected to the road surface, a communications system passing data to a computer complete with monitor in the vehicle and a control centre.

MR. CHAIRMAN: Please conclude now.

SHRIGOPINATHGAJAPATHI: I would only appeal to our hon. dynamic Minister to consider these latest innovations and make a humble beginning of introducing these innovative systems in our own country.

In conclusion, it is to be hoped that considering the importance played by Roads-Transport System in our socio-economic development, the Government of India will give its maximum attention to this vital sector. I lend my whole-hearted support to this important national Highways (Amendment) Bill 1992, moved by our dynamic hon. Union Minister of Surface Transport, Shri Jagdish Tytler.

SHRI LOKANATH CHOUDHURY (Jagatsinghpur): Mr. Chairman, Sir, this Bill seeks only to amend the Section 7, to notify sections of the road from which they will collect levy.

Sir, the Minister in his introduction has not thrown sufficient light on what will be the amount of resources that would be available by this levy, and if this Act is implemented how much amount will be coming and how it will augment our resources to be used for renovating national highways and for having more national highways. So there is nothing concrete in the Minister's speech. The Minister only wants to augment the resources.

As we know, according to Section 7 of the National Highway Act, now it is taxed. When a new business or anything comes up, the Government levies tax. But here, they are going further. It means, they will identify certain areas, even in the old roads where they will impose levy. What will be the criteria for selecting such roads? That is not here. And the hon. Minister has not thrown light on it. The Minister only wants to take sanction from us, take authority from us to levy tax on it. So, there is a doubt. And the very doubt of purpose comes from there. It would have been better if the hon. Minister could have

put it clearly, how much resources will be mobilised by levying tax on this road, and what types of national highways - there are different types of national highways - will be there. Other wise this will lead to partiality and that may create headache even if the Bill is passed.

My second point is about the importance for the road transport. It will no doubt grow further. He has stated 40 per cent growth of the traffic. I will say that within the coming five or six years if more roads are not constructed it will be very difficult to keep up the impetus or the pace of our development. I would simply say that during these years this sector has been neglected.

It will not be irrelevant to say that after passing a unanimous Resolution here in this House the Central Government has not released the Central Road Funds to the States. You can easily imagine the plight of the States. There was a commitment in this regard. But the States are not getting it. Therefore the condition of State roads are still worse and the cost of transportation also goes up due to so many factors. The petrol consumption also goes up. You know how much petrol is being over-used and how much of the tyres is damaged because of the bad condition of the roads. This is also adding to the transportation cost.

With all this existing phenomenon, the addition of this tax for which there will be check gates will only add to the burden. The Minister is well aware from his experience as to how the check gates are playing a havoc in this country. This is one of the reasons for the recent truck operators' strike.

18.57 hrs.

[SHRI PETER G. MARBANIANG *in the Chair*]

Taking all these experiences into con-

sideration why not the Government consider plying of vehicles in the National Highway at a particular point to collect the tax? The tax may vary according to the condition of the roads. That will be a rational way of collecting tax.

Only to give it to others you say that certain areas will be selected. It will also have an implication and it will affect the national economy. While trying to augment the resources the total national scene should not be overlooked. So this sectional approach is also bad and perhaps it is this sectional approach in our previous planning which has created such a crisis here. It is because we have not taken everything into consideration. I thought that the Minister would throw more light so that the House will be aware as to what is the amount of resources available to him and what is his planning. Is there any planning at all? If there is no planning and calculation, then why does he bring such a Bill in this House? I think the Bill should be based on certain calculation and assessment. But this lacks that. The Minister's speech should have thrown more light on that.

My next point is that this is a sector neglected. Shortly we are going to have our 8th Plan. In the 8th Plan the infrastructure should be there and it should be expanded also. There is a plan to hand over certain infrastructural areas to the private sector. Are you really going to hand it over to the private sector - either the old roads or the new ones that will be constructed?

19.00 hrs

So, allowing the private sector to look after the new roads, I think, has some meaning, in the present national context. But, giving the old sector to the private companies for improvement or something like that will be only in the interest of private companies and vested interests. So, that should

also be differentiated. There are certain States - it has already been pointed out - whose views are neglected. If you take kilometer-wise figures, - as has been pointed out - in the State like Orissa, the coverage of national highway is very small. So, also, when there is no railways, that fact should also be taken into consideration while constructing the national highways. The areas covered by the railways should not get the priority for new national highways. The areas that are not covered by the railways should get the priority. There are other defects in the national highways.

Take the case of the National Highway No. 2 which runs from Guwahati to Amritsar. There is no straight way; it goes in the ghat way and that costs more. Plans should be there to make it straight. Similarly, take the case of Sikkim where there is 'one-way' national highway, even in the border area. In the border areas, there is no railways also. So, these roads should be doubled; it is in the national interest. So, this whole transport and highways sector has been neglected and the Government must create resources. I will urge upon the Central Government to release immediately the road funds. If the road fund is not released, many States will not be able to maintain the roads. That has become an urgent one. I know as to why it is being neglected, if not looked into; and why the money collected which belongs to the national road fund - is being kept by the Finance Department. It is something very strange and in 1988, an unanimous resolution was passed.

SHRIJAGDISH TYTLER: It is not being collected.

SHRILOKANATH CHOUDHURY: They are collecting the money; and the money is with the Finance Department.

SHRI JAGDISH TYTLER: They have not charged.

SHRILOKANATH CHOUDHURY: I will say that passing this Bill will not solve the problem. The Government should be more specific and the Government should allot more funds for the national highways. The quality of service should be improved and other difficulties in the national highways should be removed. While selecting the sections, it should be considered as to how it will affect the economy of different sections. If that factor is not looked into, there will be serious problems.

So, with these reservations I end my speech.

[*Translation*]

SHRIMATI SUMITRA MAHAJAN (Indore): Mr. Chairman, Sir, transportation is of great importance from the point of development of the entire country. The highways or the roads are of vital importance in the economic, cultural, political, social and other types of development of the country, therefore it should be looked at, from this point of view. The roads, in a way, connects the whole of the country. The roads are the basis of the national unity and the integrity, about which our colleagues often talk loudly. Through this Bill the facilities, which we are providing, are being provided to the whole of the country.

We are providing this facility keeping in view the development of the entire country, but the Bill presented for this purpose looks like a course-wise dinner in which separate charges will be taken for dal, chatni and pepper. The Bill is something like this. Through this Bill one thing is clear that it provides for the construction of bridges and tunnels, this is the additional facility and the taxes are charged for this additional facility but today a proposal has come that you can charge tax separately for a particular part. It means that the Government wants to strengthen itself by collecting additional taxes

but how will this additional load be managed. To collect tax for that particular part of the road, check-posts and bye lanes will be constructed, for which a provision of rupees 40 lakh has been made. How will the classification of this additional expenditure be made as to how and from where the tax is to be collected? You are going to hand over the construction work of a part of the road to someone. We object to it, since you have already divided the country and now you will divide the road as well. If you divide the road into parts, then there will be check-posts to collect tax everywhere, everywhere there will be the traffic jams. So, what are you giving in the name of the facility? What have you given till date, please think over it?

Mr. Chairman, Sir, since the time is short, I will talk about my own State. Madhya Pradesh is a State that connects the entire country. It is situated in the heart of the country and surrounded by borders of seven States. On the whole, the people of the entire country have to pass through Madhya Pradesh, if they want to go to any place in the country. In this way, they pass through Madhya Pradesh but even then what facilities we have been able to provide to Madhya Pradesh? A major part of Madhya Pradesh is backward and dominated by tribals. This State is rich in minerals, coal and natural resources but we have not been able to provide roads to this State. We have been able to sanction only two national highways during the last 20 years but they have not been constructed as yet. The average of the roads in this State is surprisingly low. The average of the roads in the whole of the country is 3 km. on every 100 kms. but in Madhya Pradesh it is only 7 km. It is the ill luck of Madhya Pradesh that nothing has been done during the last 40 years despite its 5 or 6 Ministers holding office at the Centre for the developments of roads. Many schemes of Madhya Pradesh are lying pending with the Centre, but nothing has been done so far. There have been several

Chief Ministers of Madhya Pradesh, many of whom have also been Ministers at the Centre, but they could not place their points here emphatically. The result is that only two national highways have been sanctioned to this State during the last 20 years. Later on the 'Daku Unmoolan Yojana' (Dacoit Elimination Scheme) was initiated in 1984. The dacoit elimination scheme is not for Madhya Pradesh alone. The State has a common boundary with Andhra Pradesh, Maharashtra and Bihar. The scheme was launched on a large scale. As many as 14 roads had to be constructed in the first phase and 61 roads in the second phase in Madhya Pradesh. It was decided that both the Centre and the State would share the cost on 50:50 basis. However, this is also not justified because the State has a common boundary with seven States and most of the country's traffic passes through Madhya Pradesh. Despite such a large volume of traffic a proposal for the construction of just 10 roads for an estimated expenditure of Rs. 65 crore was sent to the centre in 1987. On repeated raising the matter by the Chief Minister and P.W.D. Minister of the State funds were sanctioned. This issue is never raised by the representatives of the State in the Union Cabinet. The State Government is criticised on petty issues but nothing is being done for the betterment of the State. Despite loud protests by the Chief Minister of the State just Rs. 19 crore were sanctioned for the scheme of Rs. 65 crore. Mr. Chairman Sir, it is a matter to be pondered over that when additional taxes are being levied, what additional benefits are being given. Most of the traffic in Madhya Pradesh is of Coal only. Though the Chief Minister of Madhya Pradesh, Shri Patwa, repeatedly took up all this with the centre yet the representatives of the State sitting on the other side did not pay any attention. Shri Patwa about apprised the centre of his views issue of royalty on coal and other minerals on a number of occasions and also requested the Centre to raise royalty on minerals, because 27 roads

in the State are affected by coal traffic. This issue is not the concern of Madhya Pradesh and the State Governments alone. Issue of national highways is also not the concern of Madhya Pradesh alone but of all the States as the roads link the States. One national highway links the State with Bihar. There are roads everywhere. Shri Rajiv Gandhi's name is repeatedly mentioned. Late Shri Rajiv Gandhi during one of this election campaigns in Mandsaur had announced the construction of Mahu-Ajmer national highway via Neemuch and Ratlam. If Shri Rajiv Gandhi is really respected by you people, at least, translate his last wish into reality. In fact, Madhya Pradesh has been neglected for quite a long time.

Mr. Chairman, Sir, the State has demanded 8 national highways. As I submitted earlier, Madhya Pradesh is an important State and many scheme of the State are pending with the Centre. While constructing national highways it should be taken care that there are constructed outside the city limits. Earlier, it was there. But now with the expansion of cities there roads pass through them. I had been repeatedly raising the issue of Indore city, my constituency, through which the Indore Dewas bypass passes. This bypass was to be converted into four lanes. This national highway No.3 passes through the city and fatal accidents take place on it almost daily. Similar is the situation with the Jabalpur bypass and the national highway, a proposal of which has been pending here since 1987, but no one has raised it even once. Since I was elected to the House, in repeated meetings in this regard, I had been told that this scheme comes under the World Bank. Surveys are being conducted time and again but accidents are taking place even now without any check.

Therefore, when a proposal is made here to raise the tax rates, the Government should also think about benefits. People

[Shrimati Sumitra Mahajan]

[English]

want two square meals a day. But the Government wants to deprive them of the same also through this Bill. People must have the paying capacity. So the Government should think about providing amenities while bringing forward proposals to raise additional taxes.

In addition, I would like to know whether we have ever pondered over reducing expenditure. Many a bridge are only constructed on paper only. During construction of the roads residential houses of the engineers incharge are also constructed out of the sanctioned funds. The House is going to discuss the cultural policy, but the people scheduled to speak cannot put forth their views forcefully. The people desirous of speaking should be clean hearted. The tempo of discussion is a separate issue. That is why the House must ponder over the ways and means to reduce expenditure and bring reforms. Generally the value of tenders is made higher by 1 1/2 to 2 times that actual cost and the officials take their percentage. Will the House ponder over reducing the expenditure and putting checks on payment of percentages. I oppose the amendment brought before the House because it will give rise to corruption as we are not able to reduce expenditure by any means. The road network is to be widened from the collection of levies from common man who will use the roads. The Government wants to arm itself with more powers. I am also apprehensive that these powers would be delegated to others and taxes would be levied for various fractions of highways also. This thing I totally oppose.

I oppose the National Highway (Amendment) Bill under discussion in the House. The Government should not expect anything from the people when it is not in a position to provide facilities to them.

SHRI G.M.C. BALAYOGI (Amalapuram): Thank you for giving me an opportunity to speak on the National Highways (Amendment) Bill. In this connection, I would like to bring to the notice of the hon. Minister certain aspects with regard to accidents on national highways. Though the Government is collecting a lot of taxes on national highways, it is not paying proper attention to control the accidents. Every year, by way of insurance claims, they are paying crores of rupees to those who are involved in accidents on the national highways. To control the accidents on the national highways, I would like to give a suggestion to the hon. Minister. Long back, the Government of Andhra Pradesh has proposed a scheme for the construction of more rest-house....

MR. CHAIRMAN: Please come to the point. Speak on the amendment proposed.

SHRI G.M.C. BALAYOGI: Yes Sir. But the control of accidents on the national highways is also a very important aspect. The Government should take necessary steps to control the accidents. The purpose behind the introduction of this Bill is to invite private persons to construct some national highways, bridges and tunnels and also for levying taxes on the national highways. It automatically increases the freight charges and also the prices of diesel and petroleum. This also affects the prices of all the essential commodities as they are being transported by trucks. So, I request the hon. Minister to take proper steps in this regard so that the prices of these commodities do not increase.

In this context I would like to bring it to the notice of the hon. Minister that the Government of Andhra Pradesh has sent a number of proposals to the Central Govern-

ment. The length of National Highways in Andhra Pradesh is only 2587 Kms. As per the norms of Government of India the length of National Highways in Andhra Pradesh has to be 5540 Kms. Proposal for the upgradation of 22 State Roads, as National Highways to a length of 6410 Kms. were sent by the State Government from time to time. Approval is awaited in respect of all these 22 proposals.

With regard to Central Road Fund Schemes, the Government of India, Ministry of Surface Transport, in their letter dated 3.1.89 informed that as per the revised resolution of Parliament passed on 13.5.88, a sum of Rs. 20.76 crores is likely to annually accrue to Andhra Pradesh State under Central Road Fund and requested the Government of Andhra Pradesh to draw up a list of works to be included under this programme for a period of six years, that is from 1989-90 to 1994-95. As per the guidelines communicated by the Government of India, Ministry of Surface Transport, 24 proposals to a tune of Rs. 290.95 crores, were sent to Government of India for release of funds under Central Road Fund.

Government of India have sanctioned only four proposals to a tune of Rs. 7.81 crores. The remaining 20 proposals to a tune of Rs. 283.14 crores are still to be approved by the Government of India.

So, I request the hon. Minister that the proposal regarding upgradation of 22 State Roads, as National Highways, and the other proposal for release of fund under Central Road Fund should be cleared by the Government of India immediately.

Andhra Pradesh is a coastal State. Government of India has proposed to upgrade the State road from Tada to Ichapuram as the National Highway. Tada is in Tamil Nadu and Ichapuram is on Orissa-Andhra Pradesh border. One-third of the

road has been completed and one-fourth is yet to be completed. If this road is developed it will serve the development of the entire coastal States of India, as it covers almost four States. This will also help the fishermen in a great way. They can sell fish and other products to other States. So, I request the hon. Minister to kindly look into this matter and clear this Ichapuram to Tada road as early as possible.

There is one more proposal from the Government of Andhra Pradesh. There is an inter-State road in Andhra Pradesh, connecting Pondicherry State, that is from Kakina to Yanam via Tallarevu. It is proposed to involve only Rs. 3.6 crores. This proposal is pending with the Central Government for a long time. I request the hon. Minister to clear this project.

Lastly, I would like to say that there is no national highway in my constituency, Amalapuram. The population, particularly in my district, is about 50 lakh. More than half of the countries of the world have less population than that of my district. We have been asking the Central Government for the clearance of two projects, that is Yedarlanka - Yanam and a bridge on Gautami, Mukteswaram-Kotipalli. You may kindly look into the matter. I request the hon. Minister to take proper action in this regard.

Thank you, Sir.

[*Translation*]

SHRI TEJSINGHRAO BHONSLE (Ramtek): Mr. Chairman, Sir, I rise to support the National Highways Amendment Bill. It is a much delayed Bill moved by the Government. The present proposal was not brought to the fore at the time of first amendment made under the section Seven, because it was stipulated that under the provisions of this Section no tax or recovery should be charged through toll tax. Conse-

[Sh. Tejsingh Rao Bhonsle]

quently, the condition of the national highways continued to deteriorated throughout the country. When our hon. Members make foreign vast to the country like Japan, America or say, any other countries, they must have observed that there is a visit difference between the highways of those countries and to that of ours. The highways of our country are the highways only for the name sake. Some of the hon. Members have pointed out here that on these highways, it is difficult to drive even at the speed of 50 kilometer per hour. At times, there are accidents in such conditions resulting into deaths of many persons. Thus it was felt deligatory to make certain provisions to avoid such events.

A sum of Rs. 1400 crore was spent on it during the Seventh Five Year Plan. There is something yet to be done even in the present Eighth Five Year Plan in this regard, but I think that it will make hardly any difference in the situation, because it is a very big project. When the national highways came into existence at that time there used to be less loading on trucks, but on the contrary, trucks are over-loaded now a days that is why the national highways are now getting damaged regularly. They need repairing. The Government has to manage the funds for it. There is a problem in this case that those who do not utilise these roads, cannot be taxed and no other tax can be charged by the Government. You should realise the amount from those vehicle owners whose vehicles cause damage to the roads. The money thus collected may be utilised for repairing the roads, for improving the conditions of the bridges and for the maintenance of all those things.

I have seen many accidents taking place

at bathing ghats. Accident took place due to the absence of walls on those ghats. Many persons were drowned and died and at times even the buses full of passengers fell into water and not even a single persons survived. I have myself witnessed such events on many places. At the moment, I would like to thank the hon. Minister who has devised a new source of income and the money accrued from the above income would be utilised for the repairing of these roads and also for constructing new roads. (*Interruptions*)*

[*English*]

MR. CHAIRMAN: It will not go one record.

[*Translation*]

SHRI TEJSINGHRAHO BONSLE: Shri Fatmi, who was speaking just now, had fully supported the Bill. But he really failed to understand what he was speaking because he had to oppose the Bill so in the end he had stated that he opposed the Bill. It is not fair. Sister Mahajan jee too holds the similar opinion.

The national highways are spread throughout the country. There are four such national highways in Maharashtra.

[*English*]

MR. CHAIRMAN: You kindly stop here because we have to start Half-An-Hour Discussion. You can continue tomorrow.

* Not recorded.

19.30 hrs

HALF-AN-HOUR DISCUSSION
(Fires in Coalfield)

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Chairman, Sir, with reference to the question put by me on the 8th July, I would like to raise discussion. As the hon. Minister, while replying to my original questions at that time did not make proper reply and did not touch some of the points raised by me. His reply was, as a matter of fact, incomplete or distorted facts were presented by him. That is why the demand for half an hour discussion was made. I would like to submit that the hon. Minister would clarify the whole position while making his statement about the subject which was left incomplete by him.

My original question was related to the issue of rehabilitating about 25000 displaced persons and the same issue is still pending. Well, a reference about the loss of rupees one crore was made, but no reference has been made as to when this loss was occurred and to what extent. The hon. Minister did also inform that the coal worth Rs. 3 crore and 7 lakh has already turned into ashes and in spite of continuous efforts, there has been no control on the fire that is breaking inside the mines. Some efforts, were, however, made to gain control on the fire and at some places the Government succeeded in this job. The Government has, however, not fully succeeded in its efforts and the people are, therefore, in a State of gloom as I have also pointed out in the beginning. While replying to the original question the hon. Minister told that nearly 13,350 houses are in danger zone due to fire and they need to be shifted somewhere else. It has been informed that 2550 families have been shifted from the danger zone. Now, I would like to know whether there is any time bound scheme to

shift the rest of the families to a safer place. I would also like an assurance from the Government whether it would be able to gain a total control on fire breaking in different mines, particularly in Jharia Coal field.

There are at least, 70 places which are on fire for the last so many years and you have not been able to control the fire till now then how you are going to control it in the next two years. I would like to know about your detailed plan in this regard. I would like to draw the hon. Minister's attention towards a statement given by him, while answering a question. He had stated that a team of World bank visited Jharia coal fields in order to know about the measures to control the fire. A U.S. team also visited this place. Even the scientists and the technologists have also visited Jharia coalfields. A discussion was also held with the United nations Development Programme and we are going to get necessary funds from them also for this purpose. I would like to know as to what have you done so far in this regard?

This is the annual report of Ministry of coal for 1991-92 regarding different coal companies and their subsidiaries:

[English]

"The Ministry has under its administrative control the Coal India Limited, a Public Sector Undertaking, with its 7 subsidiary companies, viz.

- (i) Bharat Coking Coal Limited, Dhanbad (Bihar).
- (ii) Central Coalfields Limited, Ranchi (Bihar).
- (iii) Eastern Coalfields Limited, Santoria (West Bengal).
- (iv) Northern Coalfields Limited, Bilaspur (M.P)

[Dr. Laxminarain Pandeya]

(Interruptions)

- (v) South Eastern Coalfields Limited, Nagpur (Maharashtra).
- (vi) Western Coalfields Limited, Nagpur (Maharashtra).
- (vii) Central Mine Planning and Design Institute Limited, Ranchi (Bihar).

[Translation]

[Translation]

I have just now referred to the Jharia Coal fields and now alongwith it I would like to make mention about South Eastern coal field Limited, Bilaspur, Madhya Pradesh because the fire problem is also there and the Government has no plan to control the fire problem in the South Eastern Coal fields, Bilaspur. Forest Act is Central Act but it is not possible to take any measure under this Act. I would like to draw your attention towards a report published in Jansatta, "Due to lack of farsightedness of officers and employees of the Coal fields and also due to ineffectiveness of the Forest Act, the coal of good quality worth 1200 crores of Rupees is turning into ashes due to fire in the collieries at Chirmari." You did mention about Jharia only during the course of your reply but you did not mention anything about South Eastern Coals field Limited for which I am referring to. It should not be treated as an ordinary point where a sum of Rs. 1200 crores is involved.

[English]

MR. CHAIRMAN: Please conclude.

DR. LAXMINARAYAN PANDEYA: I have taken only five minutes.

(Interruptions)

MR. CHAIRMAN: Four more Members are there.

DR. LAXMINARAYAN PANDEYA: Sir, the fire is blazing underground and the smoke is coming out because of rain water which penetrates the crust of the soil. Since the new Forest Act was enforced in 1980, there are many hurdles in the transfer of forest land. There is a provision of the punishment of imprisonment for the staff and officers who do not implement the Act. That is why the Madhya Pradesh Government is not able to give the land to the Department of coal and the coal is burnt to ashes underground. I want that if the Government has taken any action in this regard, it should inform the House, because an area of 200 hectares in the sarjuga near Baikunthpur in Madhya Pradesh from where I hail is affected by it. Madhya Pradesh is also a leading coal producing area along with West Bengal and Maharashtra. It is next to Bihar in coal production.

Now I would like to draw your attention for a while to other questions also. There is neither well-planned effort on the part of the Government to prevent the adverse affect on health caused by fire nor there is any proper management for it. As a result, it is not known whether there is any suitable preventive measure, plan or any management by the Government in this regard. Safety measures are also being taken in this regard, I would like to quote from a news item which appeared in the daily "Statesman" on 21st June:

[English]

"Apart from causing a huge loss of prime cooking coal, the fires pose serious health hazards to local inhabitants through emissions of steam, smoke and noxious gases. About 17.32 sq. km. of the Jharia Coal Field area."

[*Translation*]

I would like to know from the hon. Minister in particular what has been done in this connection. What type of the latest devices or measures are going to be adopted, in the light of the dialogue between the Government and the United Nations Development Programme, regarding Raniganj and Jharia Coal-fields, because new technique has been developed for extinguishing fire in the mines. Now what action does the Government contemplate to take regarding that technique? Is the Government going to adopt such type of technique? Moreover, what is the action plan of the Government regarding its commitment that it will take action on it by 1994? Here coal is being burnt to ashes and the Government is importing coking coal from foreign countries.

Sir, I would conclude by pointing out one thing more. The Coal Board has been abolished and there is no arrangement to discuss the coal-producing areas in one forum.

[*English*]

"Coal Board was abolished after the nationalisation of the coal industry in the early 1970s and thereafter the single line responsibility for conversion of coal, prevention of fires, competing of fires got dissipated to the coal companies and gradually to the companies, divisions and areas."

[*Translation*]

Therefore, I want to know the arrangements made by the Governments made by the Government in this regard. Today we are not getting sufficient coal from the big coal-mines in Madhya Pradesh. Will the hon. Minister point out the action being taken in this connection and the action taken on other coal-mines? Will he reply to the other questions also especially regarding rehabilitation of thousands of displaced

families. Will they get some benefit and relief. Otherwise, if no suitable solution is evolved and the fire in the mines continue and there is no improvement in the situation, more families might be displaced. We will suffer loss of crores of rupees. Would the hon. Minister like to point out his package for solving this problem.

[*English*]

MR. CHAIRMAN: How long will you take to reply?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRIP.A. SANGMA): Fifteen minutes.

MR. CHAIRMAN: Now, you have five minutes, amongst four of you, to ask questions. Shrimati Malini Bhattacharya.

SHRIMATI MALINI BHATTACHARAYA (Jadavpur): The first question that I want to ask is regarding the progress in controlling the fires. Seventy fires have been raging in Jharia Coalfields since a long time before the nationalisation of coalmines. In 1972 there was nationalisation. Now it is 1992. In these 20 years with 22 schemes and with a total sanctioned amount of Rs. 114.57 crores, the BCCL has been only able to control or extinguish five fires. In three sites protective measures have been completed and in another 13 sites the fire has been contained. That means that in only 21 places some progress has been made, out of 70. Ans in the rest, nothing has been done. So, does it stand to reason that in one-third you have taken measures and two-thirds remain? You will need another 40 years to completely extinguish all these fires! That is the first question I want to ask.

Then, it is not just a question of Jharia. The question of Bilaspur has been raised by Dr. Laxminarayan Pandeya I would like to point out that in Raniganj as well the problem

[Smt. Malini Bhattacharya]

is there. Six hundred hectares are damaged by fire in Raniganj as well. In all these adjoining coalfields what kind of measures are being taken? While the hon. Minister is answering the questions on Jharia, I think these questions also could be answered.

Then, the hon. Minister has stated that about 2550 families have been shifted so far and even now 13,350 families remain. I would like to know, why is it that in the course of all these 20 years, while these people have been living in these endangered conditions, why has there been so much tardiness in shifting the families? This shifting of families does not require any new technology. So, this could have been done in 20 years but in 20 days!

The third question is that in these areas where there is fire atmospheric pollution is being caused by the gases released by the fire. So, this widespread atmospheric pollution has to be combated and we want to know what measures are being taken for it. It has been said that these fires were caused by unscientific mining in the past. I would like to know, to what extent, these unscientific modes of mining have been completely done away with today, and how far mining has become scientific and safe.

And finally, there is another question, namely, it has been said that in search of a suitable technology a team of four mining engineers was deputed to visit the United States and you are also consulting the World Bank. There are certain Mines Safety Research Institutes and also several research institutes there. Does the Government mean to say that the measures which have been taken so far to control the fires are not adequate, that today more measures are being contemplated?

To what extent the indigenous meas-

ures which have been used in the past have been successful? To what extent have they failed? This is another question that I would like to ask.

SHRI BASUDEB ACHARIA (Bankura): Sir, the question was of a general type. But what the Minister has stated in his statement is only about Jharia Coalfield. Sir, you know that the underground fire in Jharia Coalfield is more than the other subsidiaries of BCCL. There is underground fire in Raniganj Coalfield..(Interruptions)

MR. CHAIRMAN: Please put your questions.

SHRI BASUDEB ACHARIA: I am preparing the ground for putting the questions. I am coming to the questions.

Raniganj Coalfield is one of the oldest coalfields in our country. And because of unscientific mining prior to nationalisation and slaughter mining, unscientific mining after nationalisation also, proper steps have not been taken although a number of Committees like Bakshi Committee, Chari Committee, Banerjee Committee, recommended that proper scientific steps have to be taken to control fire. The Committees were appointed and submitted their reports. Even after that, for so many years, the Government have not taken any action except in one thirds of the coal mining areas of Jharia coalfield.

There was a proposal to shift Raniganj town to an alternative site and this proposal was sent to the Government of India. May I know from the Minister as to what steps the Government have taken to implement the recommendations of the various Committees in regard to controlling the fire? Subsidence is also related with fire. I had visited a number of coal mines in the Eastern Coalfield. And even just behind the head-quarter of BCCL in Sancturia itself, I had

seen the smoke emitting from the ground. So, fire is also there in the underground.

There was a proposal to set up a Stabilisation Committee. The proposal such as 'Operation Subsidence' was made by the Government of West Bengal. Fire and subsidence are to be tackled on war footing. That was the proposal made by the Government of West Bengal. May I know the hon. Minister what steps the Government is contemplating on the proposal of the West Bengal Government to have a Stabilisation Committee? The Committee has to be constituted with the representatives from various organisations representatives from the State Governments, representatives from the subsidiaries and some other organisations. May I know from the Minister what steps the Government proposes to take in this regard?

Then, there is a Research and Development Organisation under Coal India and that is CMPDIL. The CMPDIL has developed a mechanism to tackle this fire and subsidence. This has been implemented also one or two mines in eastern coal fields. May I know from the hon. Minister whether the Government is contemplating to implement the mechanism which has been developed by CMPDIL in Jharia coal fields, in eastern coal fields particularly in Raniganj coal mining area and in Chirimiri coal mining area?

The World Bank has also submitted a report in regard to controlling the fire in Jharia coal fields. May I know what is there in that report and what the World Bank has suggested to control the fire in Jharia coal fields?

When I asked a supplementary the other day, the hon. Minister did not reply to that question because that question did not pertain to the original question. I asked about the Mukunda project. (*Interruptions*). Rs. 20 crores was spent on that project. The project was to be taken up by controlling fire. (*Interruptions*) May I know from the hon.

Minister why this amount was spent; whether that project has been abandoned and before the project was taken up whether this was visualized or not?

I would request the hon. Minister to reply to all these questions particularly the proposals submitted by the Government of West Bengal to contain the fire in Raniganj coal fields.

[*Translation*]

SHRI SANOTSH KUMAR GANGWAR (Bareilly): Mr. Chairman, Sir, I would like to point out a few things. The basic question was related to coal production in the entire country but the reply was given regarding Jharia Coal-field only. I would like to know from the hon. Minister the condition of other coal mines besides the Jharia Coal-field in the country. The hon. Minister has pointed out that during the last 20 years the Government has been able to extinguish fire in 50 mines out of 70 mines. It is not known how much time will be required to extinguish fire in Jharia alone. He said that there are 13 thousand families which have to be rehabilitated in Jharia immediately. I presume that this number will be more. No doubt the Government is deeply concerned about it but I would like to know about the progress made in this regard to the development of the new technique and the suggestions which have been received from Defence Research and Development Organisation and expert teams from abroad. Will this process be prolonged in this manner? What is the total number of coal-mines in the country where fire is raging and has the Government any time-bound programme to check the fire within a stipulated time?

While concluding I would like to ask from the hon. Minister about the steps being taken to rehabilitate and provide other facilities to those families which have been displaced?

19.53 hrs

BUSINESS ADVISORY COMMITTEE

Twenty-first Report

[English]

MR. CHAIRMAN: Before we come back to the subject, Shri Saifuddin Choudhury will present the Report of the Business Advisory Committee.

SHRI SAIFUDDIN CHOUDHURY (Katwa): Sir, I beg to present the Twenty-first Report of the Business Advisory Committee.

MR. CHAIRMAN: Now we come back to the subject. Shri Haradhan Roy.

19.54 hrs

HALF-AN-HOUR DISCUSSION

Fires in Coalfields

[Translation]

*SHRI HARADHAN ROY (Asansol): Mr. Chairman, Sir, fires in the coal mines of Raniganj, Jharia, East West Bokharo (18289 hectare land) are continuing 43 monzas and 4 towns in Raniganji have been declared unsafe and more than 10 to 12 lakhs people live in that area. There is a proposal from West Bengal Government for the formation of a Statutory Body and introduction of a Bill in Parliament. This Bill should seek to form the proposed Statutory Authority. It should be the obligation of Department of Coal to provide necessary finance and the said Statutory Body shall have the sole responsibility to Plan and Design all aspects of the project and for restoration of environment

and ecological balance to pre-mining days. The Statute shall also provide for rehabilitation of all affected or displaced persons as per the provisions Rehabilitation package accepted for Sonepur Bazar Package. Since the Government has not come out with any plan of action, the task of their rehabilitation is to be included into the provision of the Bill.

The scheme of rehabilitation is there in Sonepur Bazar Package. This should be passed as an Act so that the displaced people are rehabilitated. Further provision for environmental measures and subsidence control should be included in the VIIIth Five Year Plan. CMPDI a unit of the Apex Body of West Bengal has submitted a report that Rs. 806 crores are needed for Raniganj Coal Field only for stabilization and rehabilitation.

Out of 850 hectare land in Raniganj town 90 hectares are affected by fire and subsidence. Rs. 806 crores were to be sanctioned. But only 54 lakhs have been spent so far since 1990. If this is the pace of progress then the fires in the vast area cannot be extinguished even in 100 years resulting in the destruction of huge reserves of coal. I can provide the estimate of loss of coal in Bihar itself. After the controlling of fire huge reserves of coal were saved.

Now I would like to know explicitly from the Hon'ble Minister what measures the Government are going to take for the subsidence controlling of fire and atmospheric pollution, whether the Government intends to introduce a Bill and pass an Act for this purpose. My suggestion is that there should be an authority for planning, implementing and overseeing environmental and subsidence control measures.

Financial input may be collected through cess or provided by the Central Government through its agencies like CIL, ECL etc. There is no reason why the constitution of the

* Translation of the speech originally delivered in Bengali

proposed Authority would be delayed. This is in brief I want to submit.

20.00 hrs

[English]

MR. CHAIRMAN: We will continue to sit till the reply by the hon. Minister. I hope the House agrees to this. The hon. Minister may reply now.

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRIP.A. SANGMA): Mr. Chairman, Sir, I am grateful to Dr. Pandeya for having brought this issue before the House. The underground fire in coal fields has been a national concern. We treat it as a national disaster. It is because the coal reserves in Jharia area are of cooking coal. It will take some time for our country to achieve self-sufficiency in the requirement of cooking coal in our country.

Sir, the hon. Minister of Steel is sitting beside me. (*Interruptions*)

If we take into account the new exchange rate, we have to import the cooking coal to the tune of 4 to 5 million tonnes. It comes to Rs. 750 crores. Therefore, in order to make the production of cooking coal self-sufficient in our country, it is very important that the underground fire in Jharia is controlled.

The fire was detected in 1916. It is almost 80 years now that the underground fire is going on in Jharia area. It spreads over an area of 17.32 square kilometers. It is a vast area. Now the Government of India had applied a technology called 'thermal energy' and they take photographs with the camera fitted to the place. They take photographs of the underground fire. I had myself gone with them. They are very interesting photographs. We had discovered that there are 70 active

fires in Jharia area. The number of mines are about 14. So far we have estimated that 37 million tonnes of coal has already been burnt. It is because the fire has been there for the past 80 years. It is going on. The value of the coal which has already been damaged comes to Rs. 1,000 crores.

We have tried all sorts of indigenous technology to control that fire. I am not very familiar with the technology. I can only read out whatever technology that has been adopted. They are:

- (i) Trench cutting and its filling with non-combustible matty;
- (ii) Water circulation under pressure and cementation;
- "(iii) Digging out completely and isolation; and
- (iv) Inert gas infusion with a view to keep oxygen out."

We have tried this sort of indigenous technologies, but as Prof. Bhattacharya has rightly pointed out, in spite of this money of Rs. 114 crores earmarked, and launching 22 projects, we have been able to extinguish fire from 5 places, we have been able to take protective measures only in three places and we have contained the fire in 13 places. Of course, the fire controlled is in about six places - in five places fire is extinguished completely and one is in the process of being controlled. This is not much, this achievement is not much, I quite agree and I agree with Prof. Bhattacharya that it has not been done completely. But we have made a serious attempt to contain that fire and extinguish that fire. Now, as a result of all the steps that we have taken, the figure which is given to me says that in six places where we have extinguished the fire completely, we have been able to save 85 million tonnes of coal at an estimated value of Rs. 2,125

[Sh. P.A. Sangma]

crores - I mean, where fire has been controlled, it is not extinguished- whereas we have extinguished fire completely in five places and our saving has been 95 million tonnes and the value is Rs. 2,256 crores. Therefore, it is not correct to say that we have done nothing.

SHRI ANIL BASU (Arambagh): How much expenditure you have incurred?

SHRI P.A. SANGMA: Rs. 70 crores. An expenditure of Rs. 70 crores has been incurred out of Rs. 114 crores originally sanctioned.

SHRI SYED MASUDAL HOSSAIN (Murshidabad): What about Raniganj?

SHRI P.A. SANGMA: Raniganj...(*Interruptions*)

Why are you bringing in the question of Raniganju here? Why are you mentioning it?

(*Interruptions*)

But the fact remains that today we have an estimated reserve of 1,864 million tonnes of coking coal. It is a huge deposit and if we are able to control that fire and we are able mine it, then the country can perhaps in the near future become self-sufficient and the value of these 1864 million tonnes of coal is Rs. 45,000 crores. Therefore, from a national angle it is very important that we control this fire. Sir, there are two aspects of it. It is not the mere extinguishing of the fire or controlling the fire that is going to help us. Perhaps with the indigenous technology we may be able to extinguish the fire, but then that does not automatically mean that we will be able to mine that reserve because from the time of extinguishing and from the time you are able to mine it, the minimum period is 10

years to 15 years to even 25 years because the coal reserve has to cool down. In spite of the extinguishing of the fire the heat continues and as long as the heat continues, you cannot mine it. Therefore, our technology did not work because in our technology if we extinguish the fire, we have to close that mine and keep it for 15 years to 20 years to 25 years. After that only we will have to open it an mine it. Therefore, what is required is that two technologies are required, I mean, the technology we require should be of that nature where it will not only extinguish the fire, but it will also extinguish the heat so that mining becomes possible, say, within a couple of years or two or three years or so. That is the reason why we have been searching for an appropriate technology. That answers the question which Madam Bhattacharya has raised, whether it is necessary for us to go abroad and find point out the technology. Yes, it was necessary because of this problem.

SHRIMATI MALINI BHATTACHARYA: What is the harm in making it for ten years or 15 years?

SHRI P.A. SANGMA: Madam, you know, as I said, Rs. 750 crores of coking coal import every year is a huge bill for us. We would like to go in for mining was as far as possible.

SHRI BASUDEB ACHARIA (Bankura): You can mine in other areas where we have abundant reserves of coking coal...(*Interruptions*).

SHRI P.A. SANGMA: The other reserves of cooking coal are available in the North Eastern region. It is difficult to bring it to other areas till the transport bottleneck is overcome. The metre gauge line between Guwahati and Dibrugarh which was constructed in 1982 is being converted into broad gauge only this year. Unless this railway line is converted into broad gauge,

we cannot exploit the cooking coal reserves of North Eastern States, which are found in abundance in Meghalaya, Nagaland and Arunachal Pradesh. So, we are taking it up that also.

As soon as I took over the charge, I thought we must give a special thrust to control this fire. I have consulted many experts on this issue and I was informed that in some parts of the United States of America, they also have a fire of this nature, even though not exactly like the one we have here. In fact, the scientists all over the world have told that the underground fires in India are peculiar. It is not there anywhere in the world. We were told that the United States has some technology for it and we must go for it. We have immediately got in touch with the United States Embassy here and they were very kind and responsive, as a result of which, we have sent four engineers to United States of America in the month of November, 1991. They spent two weeks there and they came back on 25th of November, 1991. They had submitted a very detailed report to the Ministry and the first thing that we did was in BCCL, we had established a separate department exclusively to deal with underground fires. Earlier, there was no authority designated specifically to look after it. We have involved all these four engineers who had to the United States of America and they will be the responsible people to implement this project. So, a separate department had been established.

Now, they have come back with four types of technologies which can be applied in India and these four technologies are:

- 1) Use of hydro monitors for quenching the fire followed by excavation of heated debris and coal;
- 2) Drilling under high temperature conditions;

- 3) Infusion of foams through bore-holes; and
- 4) Use of expanded cement-slurry mix for sealing of the cracks and stabilising the area.

These are the four technologies which have been offered by the United States of America and we are told that either all of these technologies or one or two technologies depending on the nature of underground fire will be applicable and useful or effective in India.

Then comes the question of money, because it involves a huge expenditure to control this fire and therefore, we have been looking for external funding. We had approached the World Bank. We have also approached the Ministry of External Affairs to help us to go to UNDP and as the position stands today, a team of World Bank experts had visited India, they had gone to the underground fire areas, made an extensive study of the situation and they have now given us a proposal which they say that it has to be done in two stages. The first thing that has to be done is a diagnostic study and the World Bank has promised that they will be able to fund for the diagnostic study. They have estimated the cost of the diagnostic study at 15.4 million dollars which is again a very huge amount. They said they will be able to give 90 per cent of the money as a long term loan and the remaining 10 per cent has to be given by the Government of India for which we are ready. That is only for diagnostic study. After having done the diagnostic study, the actual implementation of the Project will start.

SHRI BASUDEB ACHARIA: Is the diagnostic study being done?

SHRIP.A. SANGMA: I am speaking the truth. If you do not agree, I cannot help it. But I am telling you what we are doing.

After diagnostic study, the actual implementation will start. Where will the money come from? There again the sources are we request the World Bank. We continue to try. And as I said, we will also try UNDP etc.

Many hon. Members have pointed out that underground fire means causing lot of damage to environment. It pollutes water and air and much smoke comes out and it is an environmental hazard. Today the whole world is so much concerned about the protection of environment and fighting the things which are against the policy of environment. There are multi-national agencies who are willing to fund as long as the project helps to keep the environment. Therefore, we are hopeful. I am not able to definitely say whether we will be able to get the money. But I am quite hopeful.

I want to assure the House that whether we get the external funding or not, this is a problem which Government of India is prepared to take up, even at our own cost and we will not like money to stand in the way of controlling this fire because in the long-term national interest, this has to be done and we are quite aware of our responsibilities.

SHRIMATI MALINI BHATTACHARYA: Is there any time-frame?

SHRI P.A. SANGMA: After the diagnostic study is done by the World Bank, we will be able to indicate how much time it will require. It will be very difficult for me because it is an opinion of the experts which will be more valid. I am of the opinion that it may not be possible to tell the time-frame. But our intention is to do it as early as possible.

SHRI BASUDEB ACHARIA: How you

came to the conclusion that you would be able to extinguish the fire by 1994-95?

SHRI P.A. SANGMA: I have not said so. I am saying I cannot say the time-frame.

Then a few points. Dr. Laxminarayan Pandeya spoke about Chirimiri and Shri Haradhan Roy Babu or somebody has also mentioned about that. I could not have detailed information about Chirimiri. But what I recollect is that Chirimiri problem is not problem of underground fire. It is an open cast fire and we have not been able to control the fire because the area does not belong to us and it was under the control of the Department of Forests and Environment. We have taken up with the Ministry of Environment and Forests to hand over that land to us. Then we will be able to control the fire. I do not think it is difficult. It is an open cast fire. I am informed just now that the Ministry of Environment and Forests have agreed to hand over that area to us and, therefore, we can now start the process of extinguishing that fire in Chirimiri area.

SHRI ANIL BASU: What about Raniganj area?

SHRI P.A. SANGMA: Raniganj problem is not a very much of an underground fire. I think Raniganj problem is a problem of subsidence. Fire is also there but not much but mainly it is a subsidence problem. Well, this problem has been going on as to who should do that. The Government of India has always been saying that "We will try to fund it. But Government of West Bengal should execute the Project." Bengal Government says "No. We do not have the expertise to do it. You do it by yourself." So, this dialogue was going on with the Government of West Bengal for a long time. I have written quite a number of letters to the Chief Minister and recently ——— I do not remember the day-very recently, I had a meeting with Chief Minister of West Bengal

at New Delhi. I am happy to inform the hon. Members from West Bengal that we have resolved the issue and we have now decided that the problem of subsidence in Raniganj will now be looked into and the project executed by the Asansol- Durgapur Development Authority. The Asansol-Durgapur Development Authority will have a separate wing exclusively meant to implement this project. That Wing will be helped by the experts from the ECL and CMPDI. The technology, the technical know-how and the technical assistance which is required will be given by the Coal India and the agency for execution is going to be the Asansol-Durgapur Development Authority. I think the House has already been informed on many occasions that a sum of Rs. 5 crores is still lying with the Ministry of Coal. So, we can start the work. I am grateful to the West Bengal Government and particularly to the Chief Minister who has kindly agreed to our suggestion. I am sure that I will be visiting Raniganj very soon. (*Interruptions*)

AN. HON. MEMBER: But this has not been reflected here by Shri Basudeb Acharia and the others. (*Interruptions*)

SHRI P.A. SANGMA: Shri Basudeb Acharia is very happy about it. Unfortunately, what their Chief Minister does, they do not know about it. That is why they asked the question today. Otherwise, it was not necessary to raise this question.

Shri Basudeb Acharia has raised about the Mukunda Project. Here again, I do not

have the details. I think you are very right in saying that the Mukunda Project is not making progress because there are six underground fires there and unless and until the fires are extinguished first, our collaborators are not able to start this project. I do not remember exactly whether it is Poland or the USSR. You say it is Poland. I am told that it is the USSR. I will have to check it up. Whoever it may be, they are not agreeable to start this project unless and until we have extinguished those six underground fires in the Mukunda area. We are taking steps.

SHRI BASUDEB ACHARIA: Already, Rs. 20 crores has been spent.

SHRI P.A. SANGMA: I think that is the most important point that has been raised. Other points are all general in nature. I have also mentioned about the UNDP, which Dr. Pandeya has raised. This is the information available with me. I can assure the House that we will do everything possible to see that the fire is successfully fought.

Sir, I thank all the Members for giving good suggestions and good information.

MR. CHAIRMAN: Now, the House stands adjourned to meet again tomorrow, Thursday, the 20th August, 1992 at 11 A.M.

20.23 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 20, 1992/Sravana 29, 1914 (Saka)