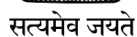


Tuesday, June 14, 1994
Jyaistha 24, 1916 (Saka)

**Tenth Session
(Tenth Lok Sabha)**



**LOK SABHA SECRETARIAT
NEW DELHI**

Price: Rs., 50,00

Corrigenda to Lok Sabha Debates
(English Version)

Thesday, June 14, 1994/Jyaistha 24, 1916(Saka)

<u>Col./Line</u>	<u>For</u>	<u>Read</u>
14/2 and 99/13 (from below)	SHRI VIJAY KUMAR YADAV	SHRI VIJOY KUMAR YADAV
15/12 (from below)	rates of	rates to
180/5 (From below)	233	223
258/7 (from below)	I went	I want
263/17 (from below)	of	and
297/19	withdrawing	withdrawn
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302/12 (from below)	boher	bother
345/7	SHRI LAK K. ANJANI	SHRI LAL K. ANJANI
348/4	SHRI SARAVAN KUMAR PATEL	SHRI SHRAVAN KUMAR PATEL

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LOK SABHA DEBATES

LOK SABHA

Tuesday, June 14, 1994/
Jyaistha 24, 1916 (Saka)

The Lok Sabha met at
Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

[English]

Prices of Essential Commodities

*21. SHRI P. C. THOMAS:
SHRI ARJUN CHARAN
SETHI:

Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether due to escalation and heavy fluctuation in prices of essential commodities, the Government are experiencing great difficulties in the distribution of rice, sugar, edible oils and kerosene through the Public Distribution System;

(b) whether import of these items is still taking place;

(c) if so, the details thereof; and

(d) the steps taken to make available these items to the public at reasonable rates?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED) (a) to (d). A *Statement* is laid on the Table of the House.

STATEMENT

(a) The supply position of essential commodities like rice, wheat, edible oils and kerosene under the Public Distribution System (PDS) is comfortable and the Government is not experiencing difficulty in this regard. Regarding sugar, the *ad hoc* increase of 5% made in 1991 has been withdrawn because of shortage in supplies.

(b) and (c). With a view to enhancing the availability of these commodities, only the most required quantities are imported. During 1993-94, 42,000 Metric Tonnes of palmolein was imported for distribution under the PDS. Around 3.95 million tonnes of kerosene had been imported during 1993-94. During April 1993 to February 1994, 75,524 tonnes of rice were imported. The sugar imports have just commenced under the Open General Licence (OGL).

(d) The Government has been keeping a close watch on the supply, demand and prices of essential

commodities on a day to day basis. Efforts are being made to augment the production of these items in the country and also to supplement the overall availability of these commodities through imports. Transport bottlenecks in the speedy movement of these commodities are being attended to on a priority basis. The PDS is being strengthened and streamlined to reach its benefits even to the remote, far flung, hilly and inaccessible areas. The essential commodities of mass consumption are being supplied through the cooperative outlets of Super Bazar, Kendriya Bhandar, retail/mobile outlets of State Civil Supplies Corporations. The State Governments have been alerted to take stern action against hoarders, black-marketeers and those indulging in unfair trade practices.

[English]

SHRI P. C. THOMAS: Sir, I am happy that the answer says that the supply position of essential commodities like rice, wheat, edible oils and kerosene under the present Public Distribution System is quite comfortable. I congratulate the Minister for that and I think that the government will be able to succeed further in this.

But I find that in the case of sugar—as we had a long discussion yesterday—the position is not as comfortable for the people as is stated in the answer. Especially, in some portions as stated in the answer itself there has been an *ad hoc* five per cent cut with regard to sugar for all States generally. That is the answer which has been given by the Minister. But to my knowledge, as far as Kerala is concerned — I do not know whether any other State is also facing the same difficulty — the cut is not five per cent, but it is more than five per cent. Will

the Minister be pleased to say whether it is true, and if so whether there are any reasons for that; if there are proper reasons, and whether those reasons can be rectified and ample sugar be given to Kerala so that Kerala also will be becoming sweeter?

THE MINISTER OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION (SHRI A.K. ANTONY): Regarding sugar yesterday there was a detailed discussion as the hon. Member mentioned just now. There is actual shortage in the production of sugar. As a result, the Government took a decision to affect a five per cent reduction in the distribution of sugar through the PDS. From 1991 onwards the government had affected an *ad hoc* increase of five per cent. That five per cent has been reduced.

Regarding Kerala there is a peculiar situation. For all the States in addition to the normal allotment the Government of India gives a particular quantity as special allotment for festival season. Kerala's special allotment for festival season was 3,600 metric tonnes of sugar. But in addition to that, Kerala took advance of 5,000 metric tonnes of sugar for festival season last December. That 5,000 tonnes, the Government of India adjusted this year from March onwards in four instalments of 1,250 metric tonnes each. Now from July onwards Kerala will again get its normal quota of 11,953 tonnes of sugar. Thus from July onwards again Kerala's normal quota will be restored.

SHRI P.C. THOMAS: With regard to edible oil, the answer says that about 42,000 tonnes of metric tonnes of palmolein was imported last year and I find from the statistics and the other records that about 1.5 lakh tonnes of

palmolein is going to be imported next year.

I have also some information that STC has been asked to import 1.5 lakh tonnes of palmolein. Now, there is a peculiar situation with regard to edible oil. Coconut, as we all know, is a product, which gives a very good oil. And coconut-oil is being used all over India. The Price of coconut and for that matter the price of coconut-oil has come down heavily, and the farmers are facing grave difficulties not only in the traditional areas, where coconut is grown, but also in the new areas like Karnatka and Tamila Nadu, where coconut is being grown in large quantities now. So, I was trying to suggest and to plead to the Government whether the import of edible oil could be reduced and the domestic use of coconut-oil which is more available in India now, is increased. The farmers are facing grave difficulties because of crash in the price of coconut and coconut-oil.

Will the Government be pleased to take steps to see that more coconut-oil is made available through public distribution system and the domestic use is increased in this regard? Also, I would like to ask the Government why there is increased import of palmolein by 1.5 lakh tonnes as we have enough edible oil, like coconut-oil, in the country?

SHRI A. K. ANTONY: I can understand the anxiety of the hon. Member about the price of coconut-oil. But I would like to say one thing. The Government has not taken any decision to import coconut-oil. The Government has taken a decision to import palmolein, which is not a new thing. There was a time, in 1987-88, when we used to import 18 lakh tonnes of palmolein. Last year, we have imported only 42,000 tonnes. That means, the Government is importing only

the minimum required quantity of palmolein because we have to safeguard the interests of the consumers also. Always from June onwards, in India there is a tendency of price rise of oil. So, just to meet the demands from the consumers during this period, the Government must have sufficient stock of palmolein. Otherwise, the consumers will have to totally depend on the private traders. That situation is always exploited by the private traders. That is why, the Government is trying to import palmolein. We have taken a decision to import upto 1.58 lakh tonnes through STC. The decision is to import upto 1.58 lakh tonnes. The actual import through STC, so far, is 24,000 tonnes of palmolein. They will import more. It depends on the domestic situation. So, whatever it may be, the Government will prevent all attempts by any quarters to increase the price of edible oil steeply.

SHRI ARJUN CHARAN SETHI: Mr. Speaker, Sir, I would like to know from the hon. Minister, whether it is a fact that the allotment of these essential commodities is being done as per the 1981 census. The State Governments have demanded time and again that the allotment should be made as per the census of 1991. I want to know whether the Government will take a decision to make the allotment of these essential commodities as per the 1991 census.

Moreover, I want to know whether this five per cent cut, which the hon. Member has stated, is being done. This cut will adversely affect the interests of the States as well as the consumers. If so, what steps the Government has taken to neutralise this cut so that the people in the far flung areas can get sugar as well as other essential commodities?

SHRI A.K. ANTONY: As regards the allotment of wheat and rice, we have

taken a liberal view. Whenever we are getting requests from the State Governments for the increase in allotment of wheat and rice, we are trying to accommodate the request of the State Government to the maximum extent.

Regarding kerosene also, in September, 1993, there was an increase of three per cent. From June 1994 onwards also, Petroleum Ministry has effected another increase of three per cent in kerosene.

As regards the allotment of sugar, the population base that we have taken is 1986 and not 1981. Everybody knows that there is a shortage of sugar. That is why the Government was compelled to reduce the allotment of sugar. We have given *ad hoc* increase of sugar to the State Government from 1991 onwards, over and above the regular allotment of sugar to PDS. The Government has taken a decision at the highest level, at the Prime Minister's level, that there would not be any reduction in PDS sugar.

SHRI SHARD DIGHE: Mr. Speaker, Sir, in reply to part (b) and (c), the hon. Minister has said that with a view to enhancing the availability of these commodities, only the most required quantities are imported. As far as the import is concerned, two or three Ministries are always involved — Finance Ministry, Commerce Ministry, Food Ministry, and the Civil Supplies Ministry. I would, therefore, like to know whether there is any Cabinet Committee which ultimately monitors the desirability of importing and the way in which it should be imported, or not. If there is no such Committee, would the Government consider to establish such machinery by which these things can be coordinated?

SHRI A.K. ANTONY: There is already a Cabinet Committee on Prices, headed by the Finance Minister, in which the Ministers of Agriculture, Commerce, Food, Civil Supplies and all the other concerned Ministries are involved. So, already there is a mechanism for monitoring this.

DR. JAYANTA RONGPI: Sir, considering what the hon. Minister has claimed in part (c) of his answer, the far flung areas and the inaccessible areas, especially the hill areas, are still deprived of the services of the Public Distribution System. Especially in the North-East, my personal experience is that mobile outlets, about which the hon. Minister has mentioned, are almost non-existing. If you talk to the authorities, they will say that the van or the truck allotted for this PDS has been requisitioned by the law and order authorities. The godowns are non-existing or non-functioning. Especially I would like to mention about the two hill districts of Assam. In the entire hill region, there is not a single godown functioning. So, the PDS has to leave the essential items for far flung areas, especially for the plain areas. There are some other bottlenecks also. Since these are the problems, will the Ministry constitute a Special Cell to know the present status of PDS in the hill areas and the difficult terrain areas, to provide essential food items, especially to the tribal people and the people living in inaccessible areas?

SHRI A. K. ANTONY: Sir, the Government is paying special attention to the North-East region. I appreciate the sentiments expressed by the Member. North-East is always having lot of problems because of the logistical location of the North-Eastern States. For the first time this year, before the monsoon itself, we have been able to stock the record quantity of foodgrains for

the North-Eastern States. Now the problem is that even though we have been able to procure and store record quantity of foodgrains for the North-States, because of the logistical problems, we do not have enough godowns in all the far flung areas of the North-Eastern States. This is the real difficulty. Government of India is now going to take up a special programme for having more godowns in the North-Eastern States.

DR. JAYANTA RONGPI: Will a special Cell be constituted to provide essential food items to the people?

SHRI A.K. ANTONY: Sir, already there is a special coordinating machinery of the concerned Ministries in the Government of India to look after the interests of the North Eastern States. Normally, before the monsoon there used to be a complaint from the North East that there is not enough stock this year, for the first time, there is a record food stock for the North East and all the North Eastern States have also realised that now there is a problem of distribution. for that we need more godowns and we have taken a decision to have more godowns in the North East. So, we will take special care of that problem.

PROF. UMMAREDDY VENKATESWARLU: Mr. Speaker, Sir, I am happy that the hon. Minister has just now, in his reply, said that there is an increase of quota by three per cent.

MR. SPEAKER: There are many who want to ask the question. You come directly to the question.

PROF. UMMAREDDY VENKATESWARLU: Yes, Sir. In 1993, there was an increase of three per cent and in 1994

also there is another three per cent increase with regard to the supply of kerosene. In Andhra Pradesh, a drastic cut has been announced now with regard to kerosene and it has been tagged on to the LPG consumers. It seems that the norms are changed now that if there is an LPG consumer, kerosene will not be supplied to him and it will be cut down. I want to know whether there are any changes in the norms with regard to the kerosene consumers under the Public Distribution System. If it is so, what are the changes in the norms with regard to the identification of these kerosene consumers?

SHRI A. K. ANTONY: Sir, the question which the hon. Member has raised is handled by the Ministry of Petroleum. They are thinking of excluding persons who are having the LPG connection. I do not know whether they have taken a final decision on that. But even if the persons who are having two LPG cylinders are excluded, there is no question of reducing the State quota. Regarding allotment to any particular State, the quota is not reduced. It is increased.

PROF. UMMAREDDY VENKATESWARLU: Sir, the consumer is denied kerosene simply because he has an LPG connection.

[Translation]

SHRI NITISH KUMAR: Mr. Speaker, Sir, in regard to part (b) and (c) of my question the hon. Minister has stated:

[English]

"With a view to enhancing the availability of these commodities,

only the most required quantities are imported."

He further said:

"During April, 1993 to February, 1994, 75524 tonnes of rice was imported."

[Translation]

The Government has given this reply and in reply to another question, the Minister of Food has stated:

[English]

"Minimum stock of foodgrains, wheat and rice including buffer and operational stock is there."

In that, he says about the stock position as follows:

"Stock position of foodgrains in the Central pool as on 1st July, 1993, 1st October, 1993, 1st January, 1994 and 1st April, 1994 has been higher than the minimum stock to be maintained as for buffer stocking norms as indicated ever. It was 8.34 per cent, 25.84 per cent, 42.79 per cent and 41.75 per cent more than the buffer stocking norms for these dates respectively.

[Translation]

In this connection, I would like to know from the hon. Minister that when the position of buffer stock is upto the mark and we have sufficient foodgrains stock which is more than our requirement, then what is the justification for importing 75,524 tonnes of rice. Whether the Government is making rehearsal to comply the provision of GATT agreement

under minimum market access? The Minister should put the light over the justification for this import.

[English]

SHRI A.K. ANTONY: Sir, I would like to assure the House that as far as rice import is concerned, it is completely stopped and there is no question of importing rice now, because we have enough stock. Regarding Vietnam rice, in 1992 the Government of India had entered into a contract with Vietnam to import 2,15,000 tonnes of rice. Out of that, 1,42,000 tonnes of rice has reached India. Out of that 1,42,000 tonnes, 70,000 tonnes is by way of repayment of interests for the commodities we have given to Vietnam as loan and we have imported only 70,000 tonnes directly. That import took place in 1992 and that rice came only last year. Last year, there was no fresh import and this year also there is no fresh import. There will not be any import because all our godowns are full. Now, we have 24.5 million tonnes of foodgrains in our godowns. So, there is no question of importing rice or wheat.

SHRI INDER JIT: Mr. Speaker, in reply to a question put by Shri Sharad Dighe just now, the hon. Minister was pleased to state that there is a Cabinet Committee which goes into the question of imports of essential commodities and so on. I would like to know whether the question of import of sugar in large quantity was considered by this committee and if it was considered, how come the concerned Minister was totally unaware of a decision taken behind his back by the bureaucrats?

Therefore, I would like to know, how is this committee functioning? And how do you explain the confusion whether sugar

should be imported by the Food Corporation of India or the STC or MMTC?

SHRI A.K. ANTONY: Already there was a detailed discussion regarding this particular aspect. The Cabinet Committee on Prices deals with general terms about the import of all the essential commodities including sugar. The other details are dealt with by the various administrative Ministries. For that, there was a detailed discussion yesterday.

[Translation]

SHRI PHOOL CHAND VERMA: Mr. Speaker, Sir, in reply to part (b) of my question the hon. Minister has stated. That 52 thousand metric tonnes of palmolein was imported during 1993-94 under the category of edible oil. I would like to know from the hon. Minister, whether he is aware of the fact that the price of the edible oil has been doubled after its import as previously it was available at Rs. 20-22 per kilogram whereas the present rate is Rs. 40-45 per kilogram. In view of this what action is proposed to be taken by the Government to check the price rise.

[English]

SHRI A.K. ANTONY: The Government will take all the possible action to arrest the price rise and increase in the edible oil prices. If needed, we will import more. It depends on the requirements. If we find that in spite of our import, still prices are running high, we will try to import more and try to reduce the price.

(Interruptions)

MR. SPEAKER: Please sit down. It is not to be replied.

[Translation]

SHRI VIJAY KUMAR YADAV: Mr. Speaker, Sir, the hon. Minister has stated in his reply that a close watch is being kept on the supply and demand of the essential commodities on a day to day monitoring. Many essential commodities are not available in the market and prices of essential commodities are still increasing. The present monitoring system has proved a failure. Whether in view of this, the Government proposes to adopt some other effective method to ensure proper monitoring and supply of commodities at reasonable prices to the people.

[English]

SHRI A.K. ANTONY: The Central Government is monitoring the prices of essential commodities with the cooperation of the State Governments. Whenever we find the possibility of shortfall, first we try to increase the availability of essential commodities through import. To import alone is not the solution. Even then, there will be hoarding. To prevent hoarding, the State Governments should also take punitive action. You cannot say, it is all the responsibility of the Central Government. It is the joint operation. Unless the State Government also shows the political will, we will not be able to prevent diversion, hoarding and other things.

From our point of view, the Central Government will take all the possible available options to increase domestic availability of essential commodities. About the other operational part, the State Government also should come forward. We have requested the State Chief Ministers that they should also, in this atmosphere of scarcity of essential

commodities, act promptly. Whenever they find there is hoarding, blackmarketing or diversion of PDS articles, they should take strong action against those people who are indulging such kind of malpractices.

[Translation]

SHRI RABI RAY: Mr. Speaker, Sir, it is a basic question, it mentions that;

[English]

Supply position of essential commodities like rice, wheat, edible oil, maize etc., etc., is comfortable.

[Translation]

The hon. Minister has stated that supply position is comfortable. Whether the hon. Minister is aware that State of Orissa is called the classical example of poverty, where rice was available at Rs. 2 per kilo in 1990, which increased to Rs. 4 and 22 paise in 1992-93 and is being sold at Rs. 5 and 22 paise per kilo at present. Lakhs of people in Orissa cannot afford to buy rice. Despite all this, the Government gives a statement that supply system is functioning well. On the contrary, the Government does not fulfil its duty of providing rice at subsidised rates of lakhs of Adivasis and handicapped persons. What the Government wants to say in this regard?

[English]

SHRI A.K. ANTONY: We have given additional quantities of rice this year to Orissa and we have also given additional quantities of kerosene to Orissa.

SHRI RABI RAY: I am referring to price.

SHRI A.K. ANTONY: Price is uniform throughout the country. But as a special case, we have given more allocation to Orissa this year twice. If you want more, we can give more rice to Orissa.

SHRI RABI RAY: I am referring to price.

SHRI ANKUSHRAO RAOSAHEB TOPE: AT the moment, sugar is in great demand because of less production. PDS is open for both the rich and the poor. Because of that, people are not getting sugar under PDS. I want to know whether Government is thinking that PDS should be restricted only for the poor and the rich who can afford to purchase from the open market should be excluded from the PDS.

SHRI A.K. ANTONY: This is a basic question. I cannot answer the question right now.

[Translation]

SHRI RATI LAL VERMA: The people living in villages in Gujarat do not get Sugar, edible oils and Kerosene Oil under P.D.S. As a result the Government of Gujarat has demanded increase in quota. Whether Government proposes to increase its quota?

[English]

SHRI A.K. ANTONY: Regarding sugar, at the moment we are not in a position to increase sugar quota at any stage. This year also, we have effected a limited quantity of increase of kerosene oil to all the States. That is applicable to Gujarat also.

[Translation]

[English]

Industrial Pollution

+

*23. SHRI LALL BABU RAI
SHRI RAJENDRA KUMAR
SHARMA

Will the Minister of ENVIRONMENT
AND FORESTS be pleased to state:

(a) whether some large and medium units under the 17 categories of industries have been or are being closed down for their failure to fulfil the pollution norms upto december 31, 1993;

(b) if so, the number of such industries which are required to be closed down, category-wise and State-wise;

(c) whether the Supreme Court has given any judgement to check the pollution being caused by industries;

(d) if so, the details thereof; and

(e) whether the Government are considering any proposal to extend the date fixed for the industries failing to fulfil these norms within the stipulated date?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): (a) and (b). Yes, Sir. There were 48 units which did not take any steps to instal the requisite pollution control facilities upto December 31, 1993. Some of them are being closed down by the State Pollution Control Boards.

(c) and (d). Yes, Sir. The Hon'ble Supreme Court had on different dates ordered the closure of more than 500 industrial units in the Taj Trapezium Zone and in the Ganga Basin.

(e) There is no proposal to grant any further extension of time for compliance of the norms beyond what has already been granted.

Two *Statements*, one relating to (a) & (b) and another to (c) & (d) are laid on the Table of the House.

STATEMENT I

(a) and (b). There were 48 units which did not take any steps to instal the requisite pollution control facilities upto December 31, 1993. The State-wise and category-wise number of such units is given below:

State	No. of Units	Category	No. of units
Andhra Pradesh	24	Thermal Power	06
Jammu & Kashmir	01	Distillery	11
Maharashtra	06	Dyes	01
Madhya Pradesh	03	Leather	05

State	No. of Units	Category	No. of units
Orissa	07	Pharmaceuticals	03
Rajasthan	01	Sugar	14
Uttar Pradesh	06	Cement	04
		Fertiliser	01
		Pulp & Paper	02
		Iron & Steel	01

The Capital Pollution Control Board has issued directions on 27.01.1994 to all the State Pollution Control Boards and Pollution Control Committees of the Union Territories to examine the bonafides of these units and give them the minimum time required for completion of the installation of pollution control facilities on a case to case basis, not exceeding a maximum of six months. They were also directed to initiate immediate legal action against the identified wilful defaulters, who have not taken any steps to instal the requisite pollution control facilities. The legal action can include closure of the unit, prosecution under Environment (Protection) Act, 1986, Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981; cancellation of consent granted under the Air Act and Water Act etc., and the State Pollution Control Boards were given the choice to follow any of these legal options as they deemed fit for each unit.

STATEMENT II

(c) and (d). Yes, Sir. There are two public interest petitions filed by Shri M.C. Mehta, pending in the Hon'ble Supreme

Court, viz. WP No. 13381/84 relating to the pollution in the Taj Trapezium Zone and WP No. 3727/85 relating to the pollution caused by industries in the Ganga basin. The State Pollution Control Boards (SPCBs) of UP, Bihar and West Bengal have been directed to file affidavits showing the status of industries which had set up pollution control devices. Orders were then issued by the Supreme Court to close down the units which had not set up the effluent treatment plants (ETPs). Once ETPs were set up by these industries, the closure orders were temporarily suspended by the Court enabling SPCBs to check the efficacy of these ETPs. Upon satisfaction by the reports of SPCBs the Court finally revoked closure orders in respect of such units, but no such revocation of closure orders have been passed in respect of units continuing to default.

[Translation]

SHRI LALL BABU RAI: The State Pollution Control Board does not follow the pollution norms laid down by the Central Pollution Control Board, as a result of which the schemes formulated to

check the pollution have been proved unsuccessful. Even the Supreme Court had to intervene in this matter. In regard to part (a) and (b) of my written question I would like to know from the Government the number of units closed down for not fulfilling the norms and the number of units still in operation? In addition to this, I would also like to know the steps proposed to be taken by the Government for extending the date fixed for the industries failing to fulfil the required criteria.

SHRI KAMAL NATH: The hon. Member is right that there are some shortcomings in the State Pollution Control Board. That is why people had to go to the court. The hon. Member had asked about the number of units which have been closed down. As on 10.5.94 the number of such units was 78 and those which are complying are around 50.

SHRI LALL BABU RAI: Mr. Speaker, Sir, as per the statement of the hon. Minister, he has stated that till 31st December 1993, 48 units had not taken any action to install pollution control facilities. Whereas the Supreme Court had issued orders for the closure of more than 500 such units, the Government has not complied with the orders of the apex court. I would like to know from the hon. Minister, whether the Government has made any review of the performance of State Pollution Control Board and if so, the number of officers found guilty and the action taken against them?

SHRI KAMAL NATH: Mr. Speaker, Sir, no such inquiry is carried out in regard to functioning of State Pollution Boards but from time to time a meeting of State Pollution Control Boards is conducted in Delhi in which attention is drawn towards their shortcomings and whatever assistance they require that is also debated upon.

SHRI RAJENDRA KUMAR SHARMA: Mr. Speaker, Sir, today everybody is aware of the fact that our 70 percent rivers carry contaminated water and the hon. Minister himself has admitted that the performance in the field of pollution control is not satisfactory, whereas the Supreme Court has given 'crystal clear instruction in this regard. This is for the information of the Minister. This situation does not prevail in Rampur alone, same is the condition of canals and rivers in Nainital too. Leave the human beings aside even the animals are craving for water. Keeping the words of hon. Minister in view that no proper arrangements have been made in this regard, I would like to know from the hon. Minister the manner in which State Pollution Control Boards and Central Pollution Control Board propose to control all these things and how they will function to attain their objects and how they would be able to control it in near future.

SHRI KAMAL NATH: Mr. Speaker, Sir, the delegation of the State Pollution Control Boards has carried out its responsibilities under the Air and Water Act. Hon. Member had drawn my attention towards all these points and an enquiry was also conducted in this regard. It is true that a number of rivers are highly polluted but to make them pollution free. I had made a announcement on 5th December and on the basis of that very announcement a national action plan is going to be implemented throughout the country. I am sure that all such rivers as are the most polluted, will be cleaned and this problem will automatically be solved.

[English]

SHRI M. R. KADAMBUR JANARTHANAN: Mr. Speaker, Sir, through you, I want to know from the hon. Minister whether he is aware that some chemical fertilizer factories, in the name of

effluent treatment plant, let their contaminated water nearby the vacant land of the factories and call it as a bird sanctuary. The contaminated water stinks and pollutes the whole area. This attracts some birds like the stork etc. which come and stand in that water. This contaminated water causes a great pollution problem in the whole area. Will the Government take action on such industrial polluting units? They falsely name the contaminated water area as a bird sanctuary.

SHRI KAMAL NATH: As I said, these powers have been delegated to the State Pollution Control Boards. If the hon. Member brings to our notice any specific case, we will be happy to enquire into the matter and take appropriate action.

[Translation]

SHRI BRISHIN PATEL: Mr. Speaker, Sir, hon. Minister has conceded the fact that State Pollution Control Board has not been performing well as a result of which the Supreme Court had to intervene in this matter.

Through you, I would like to know from the hon. Minister whether it is not a sign of its inefficiency that hundreds of vehicles are plying on Delhi roads, brazenly flouting pollution control laws under the very nose of Central Pollution Control Board and no action is taken against those.

SHRI KAMAL NATH: Mr. Speaker, Sir, it is correct that 60-65 percent pollution in Delhi is caused by vehicles but the solution to curb pollution is not banning vehicles on roads but to rectify the technical draw-back. To check this growing pollution, there is need to introduce unleaded petrol. It is being discussed with the Petroleum Ministry and

whenever they will be able to obtain unleaded petrol, the requirement of emission standards of vehicles fixed in 1986 will be fulfilled.

SHRI MOHAN S. DELKAR: Mr. Speaker, Sir, the Chairman and Members of State Pollution Control Boards are public representatives only but the Chairman of all the Boards in Dadra and Nagar Haveli and Daman and Diu Union Territories, are bureaucrats and there is not a single member who is a public representative and that is why whatever facilities are required for their functioning are not being provided. I would like to know from the hon. Minister as to whether orders would be issued to ensure that the Public representative may be made Chairmen of these Boards.

SHRI KAMAL NATH: There is scope for a representation from the Public but the number is limited only to 2 or 3 members. So far as appointment of the Chairmen and other members is concerned, it is based on technical qualifications. Moreover there are no such Pollution Control Boards in the Union Territories under this Act.

[English]

SHRI K.P. REDDAIAH YADAV: Is it a fact that the hon. Minister has received a representation from half a dozen Members of Parliament from Andhra Pradesh about a world renowned lake by name Kulleru with an extent to 2.2 lakh acres is being polluted with the effluents, molasses and distillery water from the KCP Limited at Vuyyuru in Krishna District? I would like to know whether the hon. Minister has given assurance in writing that by December 1993 the pollution will be stopped and the action will be taken. So far no action has been taken. If such an assurance is given and if

it is not implemented, what is Govt's credibility what is the fate of the farmers of that area who are doing aquaculture fish farming etc. Will the hon. Minister immediately look into the matter and take action against the factory management?

SHRI KAMAL NATH: As I said, the central intervention in this is only called for when the State Pollution Control Boards are not acting. The State Pollution Control Boards have a responsibility and for the Central Ministry to intervene in this matter is not sometimes very appropriate. Hon. Member has referred to the date of 31st December, 1993. It is correct that industry was required to comply with the standards by 31st December, 1993. If this particular unit has not complied with it, we have not directed this unit in particular. But in general we have directed the State Pollution Control Boards to take appropriate action against these units which means, prosecution and or closure.

However, if the hon. Member does bring to my notice, just as he has brought to my notice that this particular unit is not complying, I shall be happy to look into the matter.

[Translation]

SHRI CHHEDI PASWAN: Mr. Speaker, Sir, the hon. Minister has stated in his reply that 60 to 65 per cent pollution in Delhi is caused due to vehicles plying on the roads but it does not mean that the movement of vehicles is to be banned. But 300—400 industries and factories in Agra were ordered to be closed down on the ground that pollution caused by these factories had become a great danger to the beauty of the Taj Mahal and resulting in displacement of the workers working in the said factories. Through you, I would like to know from the hon. Minister as to

what action is proposed to be taken by the Government to check pollution in Agra and make it pollution free instead of displacing the workers working in the factories and industries?

SHRI PHOOL CHAND VERMA: What are you doing about the political pollution in Delhi?

SHRI KAMAL NATH: Only you can solve that problem. So far as the comparison by Shri Paswanji in regard to pollution in Delhi and Agra is concerned, I have already said that we need unleaded petrol in Delhi so that vehicles could be equipped with catalytic convertor but so far as Agra is concerned, the Supreme Court had issued an order to close down around 300 industries situated in Taj Trapezium because these failed to meet the fixed standards. Around 250 out of the said 300 units have got the required equipments installed and have given its proof to the Supreme Court and as a result, these units have been revived. But we have considered its long-term solution. For providing them the right technology we have talked to the Petroleum Ministry so that they may get petroleum gas to run the furnaces of their factories or use electricity. We have also talked to the Uttar Pradesh Government with a view to convert the present furnaces into electric furnaces in order to reduce the pollution load in the area surrounding the Taj.

SHRIMATI BHAVNA CHIKHLIA: Mr. Speaker, Sir, though I am a member of Consultative Committee of the Ministry of Environment and Forests but we can discuss on this matter also and I would like to ask the hon. Minister, through you, that we have mentioned it several times that many countries of the world have banned the production of certain chemicals because these were causing pollution but these chemicals are still

being produced in our country. There are several such factories. One such factory is in our area Junagarh which is producing these chemicals. I have mentioned it several times but our State Pollution Control Board does not listen to the Central Pollution Control Board. I would like to ask the hon. Minister as to what action is being taken by the Government to close down the said factory because it is producing those chemicals which have been banned in the other countries and these chemicals are causing pollution and the whole world is concerned about pollution.

SHRI KAMAL NATH: What the hon. Member has said is correct that there are certain chemicals whose production is banned abroad, though there is no ban on their utilization, these chemicals are being produced in our country. The manufacturing facilities of the chemicals, whose production is banned though their utilization is not, is being shifted to our country. We are trying to make some rules in this regard with a view to control it.

SHRIMATI BHAVNA CHIKHLIA: No, their production should be banned here also.

SHRI KAMAL NATH: Some people maintain that these should close down but the others feel that many people get employment from it. But even then if there are some chemicals which are hazardous or toxic and which pose danger, then, they will not be accorded approval. The hon. Member has mentioned an industry and I would like to say that it is true that an investigation was conducted. If the need be, we will again investigate the matter.

SHRIMATI BHAVNA CHIKHLIA: This factory has been functioning like that

for the last three years and it is still going on. The 15 adjoining villages are worst affected and the villagers are greatly inconvenienced by the pollution caused from it. The people are facing a problem of polluted water there. I would like to know whether the hon. Minister will take any action and issue orders to close the factory. *(Interruptions)*. Is the problem of polluted water biggest there?

SHRI KAMAL NATH: The matter will be looked into again and, if the need be...

SHRIMATI BHAVNA CHIKHLIA: Sir, how do you define the 'need'? It has been going on for years together.

[English]

MR. SPEAKER: Not like this, please. This cannot be a continuous question from one Member. Even the good thing should come to an end.

[Translation]

SHRI KAMAL NATH: If the need be, action will be taken thereon.

SHRI RAM PRASAD SINGH: Mr. Speaker, Sir, through you, I would like to know from the hon. Minister that since you are closing down many industries and are displacing people from Agra in view of the pollution, what proposals do you have to rehabilitate those rendered unemployed? Sir, my other question is, whether the Government is developing some new technique or getting any research conducted with a view to check pollution?

SHRI KAMAL NATH: Mr. Speaker, Sir, no policy has been formulated in our

Ministry to rehabilitate or provide employment to those workers who are displaced due to closing down of these industries, but I would like to say that it is the responsibility of the State Government and I am sure that the State Government will perform its duty.

SHRI SURAJ MANDAL: Mr. Speaker, Sir, on one hand the hon. Minister is ordering the closure of industries in view of pollution which results in unemployment. But, on the other hand, there is a brewery in my constituency in Bihar and Supreme Court had ordered its closure because its strong smell had caused a disease which was destroying the foetus of the pregnant women. That is why, it was closed down but, then, after sometime, for reasons unknown, it was revived again. I demand from the hon. Minister to order its closure since the people of that area are also demanding that and....

MR. SPEAKER: Look, do you want to ask the question ?

SHRI SURAJ MANDAL: Mr. Speaker, Sir, I am asking a question only that washeries in coal areas also spread pollution. I had written to the hon. Minister also about washeries and coal loading plants and Piparwar Project being run in collaboration with Australia, causes a lot of pollution and diseases and had asked into what action is being taken to check pollution caused by the Central Coal Washery ?

SHRI KAMAL NATH: Mr. Speaker, Sir, so far as the question of distillery is concerned, it had been closed down by the order of the Supreme Court. The Supreme Court had ruled that this factory would remain closed until they installed pollution control equipment. I do not have a specific information in this regard. But if

it has been reopened even after the order of the Supreme Court to close it down, then, it is possible that they might have installed pollution control equipment. I would see as to what can be done in this regard.

About the coal washery, which the hon. Member has brought to my notice, I would consult the concerned coal company in this regard.

SHRI ANNA JOSHI: Mr. Speaker, Sir, 6 units have been closed down in Maharashtra due to pollution. But the water of rivers in Maharashtra, especially in sugar industry belt, is still very polluted. Keeping in view the demand being made by the public, the closure of 6 units seems less; it should be increased. There is a city named Ichalkarni near Kolhapur which is called the Manchester of Maharashtra, the sugar industries there have caused so much pollution that a boy who was bitten by a snake survived and the snake died because the boy had drunk that contaminated water. It is not a joke. It has really happened, the local people have told me. Through you, I would like to ask the hon. Minister whether the Government is proposing to ask the State Pollution Control Board to take some measures to check the pollution in the rivers of Maharashtra caused mainly by the sugar industries?

SHRI KAMAL NATH: If the hon. Member furnishes all the details in this regard, I would talk to the Pollution Control Board.

[English]

U.G.C. Committee

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*24. DR. K.D. JESWANI:
SHRI GURUDAS KAMAT:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether an Empowered Committee constituted by the University Grants Commission to examine the various issues like location of regional offices, requirement of infrastructural facilities and operational framework has submitted its report;

(b) if so, the details there; and

(c) the action taken by the Government thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE (KUMARI SELJA): (a) to (c). A *Statement* is laid on the Table of the House.

STATEMENT

(a) to (c). According to the information furnished by UGC, an Empowered Committee was constituted by the Commission under the Chairmanship of Chairman, UGC to examine the scheme for setting up and working of regional offices of UGC. The Committee finalised its Report in February, 1994. The main recommendations made by the Empowered Committee in this regard are as follows:

1. 4 regional offices of UGC may be set up and these should be located at State Headquarters keeping in view the better infrastructural facilities offered by the States.
2. The work relating to processing of proposals in respect of the following schemes, sanction and release of funds therefor

may be transferred to the regional offices:

- (a) Development of colleges (UG/PG).
 - (b) College Development Council.
 - (c) COSIP & COHSSIP
 - (d) Minor Research Projects (colleges).
 - (e) Autonomous Colleges (conferment of autonomy to a college may be decided in the main office).
 - (f) Seminar, Symposia for colleges.
 - (g) Monitoring & evaluation of the implementation of UGC schemes at the regional level.
3. The regional offices should be provided with modern technology inputs for computerised working and officer-oriented approach.
 4. Each regional office should have one post each of Joint Secretary, Education Officer, Accounts Officer, Office Assistant, UDC, LDC, Private Secretary to the Joint Secretary, Peon and two posts of Computer Operators.
 5. Each regional office should be provided with two computers with Printer PC/AT, two Air conditioners, one Zerox Machine, one Fax Machine, two Typewriters, three Telephone Lines.

The Empowered Committee authorised the Chairman, UGC and the Secretary, Education to decide the places where regional offices could be set up. UGC has now informed that it has been decided to set up 5 regional offices of the University Grants Commission. The UGC has sought land/building from the State Governments concerned for the respective Regional Office.

DR. K. D. JESWANI: Mr. Speaker, Sir, it was a time-old demand from the various States and Universities to establish their regional offices at the headquarters of the States. The Empowered Committee had suggested about four such regional offices. I am glad that ultimately they have decided five regional offices. Four months have passed by now.

I would like to know from the hon. Minister whether there is any demand from the State of Gujarat to establish one such regional office in the State of Gujarat. What are you going to do about the rest of the regional offices to be opened in the other States?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): Sir, as the hon. Member has just said, the Empowered Committee has recommended four. The whole matter was examined by the Administrative Staff College at Hyderabad. They said that a minimum of four should be opened. In the light of the requirement, five have been decided to be opened in all the zones of the country — east, central, south, west and north. Therefore, at this moment of time, I do not think a separate zone can be established in Gujarat. Maharashtra, where it is being established at Pune, will cover Gujarat and Goa.

DR. K.D. JESWANI: Sir, the system of covering the deficit for determining the

non-plan assistance has been providing difficult because of its implications for raising the internal resources by institutions of the State Universities. Does the Government have any plans to provide development and maintenance grants to the institutions of higher education?

And what are the plans suggested for raising the internal resources by the institutions like that?

SHRI ARJUN SINGH: Sir, this matter has been dealt with in our budget for this year. I am sure, the hon. Member was present when the detailed discussion was held in this House. The broad features of the fund-raising for the institutions are that they should try to expand their own income from consultancy and some other ways by which they can charge, like, the graded fees from foreign students.

So far as the available resources with the department or the UGC are concerned, I think, this year, there has been a raise in the UGC's funding programme. But it would not be improved much till the end of this Eighth Plan. I am sure in the Ninth Plan, there will be substantial increase in the funds available with the UGC. Then, these requirements will be met to a large extent.

MR. SPEAKER: Let all Professors ask the question. Prof. Ansari.

DR. MUMTAZ ANSARI: Mr. Speaker, Sir, I remember that long back, this policy has been formulated by UGC. Again, this policy has been formulated or suggested or recommendation has been made by the Empowered Committee of UGC headed by the Chairman of the UGC that autonomous colleges will be

established. Uptill now, not even a single autonomous college has been established in any corner of the country. Again, this proposal has been put forward. So, I would like to know from the hon. Minister the criteria for the establishment of such autonomous colleges.

MR. SPEAKER: No please. That is not a relevant question. This is about the University Grants Commission.

DR. MUMTAZ ANSARI: Whatever it be, it is their recommendation...

MR. SPEAKER: I am going to disallow it. Please come to the question.

DR. MUMTAZ ANSARI: Secondly, five Regional Offices of the UGC are going to be established. What will be the criteria for the establishment of such regional offices? I want to know whether backwardness in respect of literacy will be taken into consideration and whether the most backward States like Orissa and Bihar will get preference and priority in respect of the establishment of such Regional Offices or not.

SHRI ARJUN SINGH: These offices will be opened on the basis of many considerations because it is more or less functional, the functions being carried on by the UGC at Delhi. Now, those functions will be dispersed. It is not as if this will give any special benefit to any State where the office will be established. It is only because of the conveniences available to the State. That will be the criteria on the basis of which the location of these five Regional Offices will be decided.

DR. KARTIKESWAR PATRA: I want to know categorically from the hon. Minister whether in the Report of the

Empowered Committee submitted in February 1994, they have given any recommendation regarding the places examined for which proposals were put forth by the State Government concerned or from people's representatives. I have written a letter...

MR. SPEAKER: It should not be a question of 45 minutes!

DR. KARTIKESWAR PATRA: I have written a letter earlier to the Ministry and to the UGC also regarding an agreement to establish one Regional Office of the UGC on the border of West Bengal, Bihar and Orissa. I have also indicated the place where accommodation is available for its establishment. What steps have been taken by the Government and by the UGC for considering this demand?

SHRI ARJUN SINGH: Sir, the hon. Member is within his right to make a suggestion which he considers to be very proper. But you will kindly agree with me that the UGC has to decide on these matters, taking many things into consideration. I think we should leave it to the wisdom of the Chairman of the UGC. That is what the Empowered Committee has also done. They have not suggested any place. They have only stated that the UGC should decide and naturally, a decision will be taken very soon.

[Translation]

SHRIMATI GIRIJA DEVI: Mr. Speaker, Sir, a submission had been made to open more regional offices of U.G.C. in view of the lack of facilities for higher education and the distance between Delhi and other States. You have opened the said offices in five places and not four. We are thankful for

that. But the place, which gave birth to great people like Banbhhatt, Panini etc. is always neglected. Today that place has gone down to a low position in the field of education. Due to that reason only, as one of the hon. Members has demanded, regional offices should be opened on the border of Orissa, Bihar and West Bengal. But instead of according approval to this idea, you are neglecting it. I want to know why?

SHRI ARJUN SINGH: Mr. Speaker, Sir, it is a matter of pride for our country that not only the place mentioned by the hon. Member but every part of our country has given birth to great writers, artists etc. of whom we are proud of. That is why, it is not possible to decide the location of opening U.G.C. offices on that basis. So far as the field of education is concerned, I totally agree with the hon. Member that special measures should be taken. The Government is ready to provide all kinds of help.

PROF. RASA SINGH RAWAT: Mr. Speaker, Sir, through you, I would like to say that the decision of the University Grants Commission to establish five regional offices is important from the point of view of expansion and decentralization of U.G.C. work. Is the Government taking any measure with a view to make the University Grants Commission more efficient and effective and make it more viable? Is the Government taking any measure to ensure that its decisions, curricula etc. are duly implemented in the concerned Universities of the States?

SHRI ARJUN SINGH: Mr. Speaker, Sir, during the last 2-3 years, the UGC has taken some important decisions and tried to bring about a qualitative improvement. I say that any suggestions, which promise a qualitative improvement in the functioning of UGC, will definitely be considered irrespective of the University that gives the suggestion.

WRITTEN ANSWERS TO QUESTIONS

[English]

Vocational Course for GIC

*22. SHRI ASHOK ANANDRAO DESHMUKH: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether a vocational course for General Insurance Corporation was started by CBSE for the students of 10 plus 2;

(b) if so, the details and objectives thereof;

(c) whether there was some job guarantee for those students who qualify this course after apprenticeship;

(d) if so, the details thereof indicating a number of students appeared, passed and given jobs in G.I.C. against the total vacancies created in G.I.C. since the introduction of the said course;

(e) whether the Government propose to delink the above mentioned course from the job guarantee;

(f) if so, the justification and the reaction of Government in this regard; and

(g) the steps proposed to be taken by the Government to protect the interest of the students studying in G.I.C. vocational course?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): (a) and (b). Yes, Sir. The Central Board of Secondary Education, in

collaboration with General Insurance Corporation, had started a vocational course in GIC in the academic year 1988-89 to encourage vocational education, in pursuance of the National Policy on Education.

(c) and (d). In the initial phase those

students who passed with higher percentage were eligible for apprenticeship and subsequent absorption as Assistants.

The details of students who appeared, passed the course and were given jobs in the G.I.C against the total vacancies are given below:

Year	No. of students appeared	No. of students passing with required percentage given jobs	Total recruitment vacancies in the clerical cadre
1990	480	416	3053
1991	485	440	1790
1992	630	534	1336

(e) to (g). The scheme was reviewed in 1993-94 by GIC and CBSE in view of various problems faced by the GIC. Under the revised Scheme, 25% of total vacancies declared by GIC will be earmarked for the passouts of GIC course provided they qualify in the pre-recruitment test conducted by GIC and fulfil other pre-requisites e.g. interview and medical test.

The revised scheme has come into effect from the academic session 1993-94 for those students who enter Class XI and will pass out in March 1995. The passouts of GIC course till March 1994 are covered under the old scheme.

UN Commission on Sustainable Development

*25. SHRI BOLLA BULLI
RAMAIAH:
SHRI SUDHIR GIRI:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether India participated at the 10: day meeting of the UN Commission on Sustainable Development held in May 1994 in New York;

(b) if so, the main points discussed in the meeting and the outcome thereof;

(c) the number of countries participated therein; and

(d) the view-point emphasised upon by India and the points on which India differed from the North move?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH):
(a) Yes, Sir. A delegation led by the Minister of State for Environment and Forests participated in the 2nd Substantia! Session of the UN Commission on Sustainable Development held in New York over 16th to 27th May, 1994.

(b) During this session, the Commission reviewed progress achieved in the transfer of financial resources and the transfer of technologies considered necessary for the implementation of Agenda 21 and other commitments made at the United Nations Conference on Environment and Development of June, 1992. The Commission also reviewed progress on the programmes identified in the Chapters of Agenda 21 relating to health, human settlements, freshwater, toxic chemicals and hazardous wastes.

(c) Representatives of the 53 countries which are currently members of the commission as well as of countries designated as observers, UN institutions, Non-governmental Organisations, etc. participated in the meeting. The list of member countries is given in the enclosed *Statement*.

(d) India, along with other developing countries, stressed the fact that sustainable development would not be possible in the absence of new, adequate and additional financial resources to enable developing countries implement Agenda 21 programmes. The concept of common but differentiated responsibilities which was outlined at the United Nations Conference on Environment and Development was also stressed.

STATEMENT

Commission on Sustainable Development

(53 members; three-year term)

Membership in 1954	Term expires on 31 December
Algeria	1994
Antigua and Barbuda	1995

Membership in 1954	Term expires on 31 December
Australia	1994
Austria	1994
Barbados	1996
Belarus	1996
Belgium	1995
Belgium	1995
Benin	1994
Bolivia	1995
Brazil	1994
Bulgaria	1996
Burkina Faso	1995
Canada	1996
Chile	1995
China	1995
Colombia	1994
Cuba	1994
Czech Republic	1994
Egypt	1994
France	1994
Gabon	1995
Germany	1995
Guinea	1996
Hungary	1994
Iceland	1995
India	1996
Indonesia	1995
Italy	1996
Japan	1996
Malawi	1995
Malaysia	1996

Membership in 1954	Term expires on 31 December
Mexico	1996
Morocco	1996
Namibia	1995
Netherlands	1995
Nigeria	1994
Norway	1994
Pakistan	1995
Philippines	1994
Poland	1995
Republic of Korea	1995
Russian Federation	1995
Singapore	1994
Sri Lanka	1994
Tunisia	1995
Turkey	1995
Uganda	1996
United Kingdom of Great Britain and Northern Ireland	1996
United Republic of Tanzania	1996
United States of America	1996
Uruguay	1995
Vanuatu	1994
Venezuela	1996

Train Accidents

*26. MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI: Will the Minister of RAILWAYS be pleased to state:

(a) the number of train accidents and derailments during 1994 till date in each zone;

(b) the main causes of these accidents;

(c) the number of persons killed and injured and the total loss suffered by the Railways, zone-wise;

(d) the amount of compensation paid to the victims; and

(e) the concrete measures proposed to be taken to check the increasing trend of accidents and derailments?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) to (e). The details of consequential train accidents, derailments, number of persons killed and injured therein, and the cost of damage to railway property zone-wise, from January to May, 1994 and the broad causes of these accidents are as under:

Railway	Total No. of accidents including derailments	Total No. of derail- ments	No. of casualties		Cost of damage to railway property (Rs. in lakhs)
			Killed	Injured	
Central	16	12	18	54	82.93
Eastern	19	14	6	10	61.00

Railway	Total No. of accidents including derailments	Total No. of derail- ments	No. of casualties		Cost of damage to railway property (Rs. in lakhs)
			Killed	Injured	
Northern	27	13	23	17	234.77
North Eastern	13	6	29	18	6.90
Northeast Frontier	23	22	3	56	2.21
Southern	18	13	4	5	47.53
South Central	22	16	49	27	41.37
South Eastern	45	41	1	18	1735.40
Western	26	21	18	64	134.56
	209	158	151	269	2346.67

The main causes of these accidents are broadly classified as under:

(1) Failure of Railway staff	116
(2) Failure of persons other than Railway staff	25
(3) Equipment failure (Mechanical, track and electrical)	32
(4) Combination of factors	4
(5) Incidental	3
(6) Cause could not be established conclusively	4
(7) Under investigation	25
Total	209

In these accidents, no compensation has yet been paid to the victims. However, an amount of Rs.3,51,000/- has been paid as ex gratia to the dependents of deceased and to the injured persons.

Though the trend of accidents has been constantly on the decline for the last 9 years, intensive safety measures are continuously undertaken to prevent all types of accidents including derailments. As mishaps at unmanned and manned level crossings are on the increase which involve heavy casualties and are caused due to negligence of the road users, wide spread publicity campaigns through audio-visual means have been launched targetting the travelling public and road users to negotiate unmanned and manned level crossings with due care and precaution. The involvement of village panchayats is also being organised in this

area. The provision of whistle boards, speed breakers and road signs at the approaches of unmanned level crossings and improving the visibility of road users and train drivers is getting continuous attention of railways.

As the railway staff failure continues to be the single largest factor in causing accidents, staff in running and operational categories are being given intensive training on a sustained basis. An out-of-course non-scheduled screening of drivers and station staff has recently been conducted. Two high level safety teams have been constituted in Railway Board to conduct on the spot inspections of field installations and operating practices to enhance safety consciousness at the grass root level.

With a view to providing more technical aids for prevention of accidents, such as Auxiliary Warning System, Axle Counters, Route Relay Interlocking and Track Circuiting are being extended. Ultrasonic testing of rails and axles is conducted to identify fractures. The renewal and rehabilitation of overaged assets like track, bridges and rolling stock is done on a planned and sustained manner. The day-to-day inspections of track and examination of coaches, wagons and locomotives have been intensified with a close monitoring by the railways.

Khajuraho Temple

*27. SHRI R. SURENDER REDDY: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government are aware that a lot of damage has been done to the world-famous temple at Khajuraho in Madhya Pradesh due to overflying of aircraft by the pilots of the Indian Airlines Corporation;

(b) if so, the details thereof;

(c) whether despite assurances from the Civil Aviation authorities to the Archaeological Survey of India at Bhopal in this regard, the overflying of aircraft still continues;

(d) if so, the reasons therefor; and

(e) the steps taken or proposed to be taken to save the temple from further damage?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): (a) No damage has so far been noticed to the temples at Khajuraho due to overflying of aircrafts by the pilots of the Indian Airlines.

(b) Does not arise.

(c) and (d) Yes, Sir. The matter has again been brought to the notice of concerned authorities to ensure that the instructions already issued to Indian Airlines pilots are strictly adhered to.

(e) It is proposed to constitute a committee of experts to study the intensity of vibration, its effect on the temples and remedial measures.

Admission in Professional Colleges

*28. SHRI C. P. MUDALA GIRIYAPPA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have approved the draft guidelines regarding the admissions in professional colleges;

(b) whether the All India Council for Technical Education and University

Grants Commission have issued regulations in this regard;

(c) if so, the details thereof; and

(d) the steps proposed to be taken by the Government to ensure that admissions in higher and technical education take place purely on merit basis?

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): (a) to (d). For Technical Education, the All India Council for Technical Education regulations under the AICTE Act have been issued on 20.5.1994. The State Governments have been directed to implement the regulations from the academic year 1994-95. The University Grants Commission regulations under the UGC Act are expected to be issued shortly.

The system of admissions under these regulations would be based on merit only.

Import of Sugar

*29. DR. MUMTAZ ANSARI:
SHRI RAM VILAS
PASWAN:

Will the Minister of FOOD be pleased to state:

(a) whether attention of the Government has been drawn to the newsitem appearing in Indian Express dated May 21, 1994 regarding cancellation of tender for import of sugar by the Food Corporation of India;

(b) whether F.C.I. had floated any tender for import of sugar;

(c) if so, the reasons for its cancellation;

(d) whether F.C.I. is going to import sugar in the near future; and

(e) the names of the other agencies/corporations through which the fresh deal has been made in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) Yes, Sir.

(b) Yes, Sir.

(c) The matter was reconsidered later. It was noted that STC would enter into contracting any STC/MMTC had plans for early purchase of sugar on a substantial scale. To avoid multiplicity of public agencies bidding in the international market, FCI's tender was cancelled.

(d) At present, there is no proposal to allow FCI to import sugar under O.G.L.

(e) The State Trading Corporation of India (STC) and Minerals & Metals Trading Corporation of India Limited (MMTC) are engaged in the business of import of sugar under O.G.L.

Forest (Conservation) Act, 1980

*30. SHRI MAHESH KANODIA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether some State Governments have been representing to delegate them the powers under the Forest (Conservation) Act, 1980;

(b) if so, the decision taken in view of such representations and the Sarkaria

Commission recommendations in this respect;

(c) if not, the time by which the decision is likely to be taken on these recommendations; and

(d) the steps taken to ensure that development projects are not unduly held up because of the procedural delays under the said Act?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH):
(a) Yes, Sir

(b) and (c). After detailed deliberations on this issue in various fora, the Forest (Conservation) Rules, 1981 have been suitably amended on 21.5.92 and revised consolidated guidelines have been issued on 25.10.92 to decentralise and expedite examination of proposals under the Forest (Conservation) Act, 1980. Final decision on the recommendations of Sarkaria Commission has not been taken as these are being examined by Inter State Council.

(d) In order to expedite examination of proposals revised consolidated guidelines have been issued which *inter-alia* include delegations of powers to Regional Chief Conservator of Forests to finally decide proposals involving diversion of forest land upto 5 ha. excluding proposals in respect of regularisation of encroachments and mining and initial examination of all proposals involving diversion of forest land upto 20 ha.

Taj Mahal

*31. SHRI BHAGWAN SHANKAR RAWAT: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether recently the Supreme Court has ordered to constitute an expert committee to investigate into exact causes of effect of environmental pollution on Taj Mahal and to suggest measures to control it;

(b) whether the expert committee has been constituted;

(c) if so, the constitution of the committee;

(d) whether the committee has submitted any report so far in this regard;

(e) if so, the details of its findings; and

(f) the action taken by the Government thereon?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH):
(a) to (c). The Hon'ble Supreme Court of India in Writ Petition No. 13381/84 - M.C. Mehta Vs. Union of India and others in its Order dated 29.4.1994 has directed Ministry of Environment and Forests to constitute an Expert Authority to undertake the survey of the Taj Trapezium Environmental Area and make a report regarding the source of pollution in the trapezium and the measures to be adopted to control the same. In compliance of the Hon'ble Court's orders, Ministry of Environment and Forests has constituted an Expert Committee on 18.05.1994 under the chairmanship of Dr. S. Varadarajan, Former Director General, Council of Scientific and Industrial Research and the other members of the Committee are:

1. Director General, Indian Meteorological Department, Mousam Bhawan, New Delhi.

2. Dr. Jagatpathi Joshi, Retired
Director General Archeological
Survey of India, New Delhi.

SHRI RAMESH
CHENNITHALA:

Will the Minister of RAILWAYS be
pleased to state:

3. Dr. B.B. Sundaresan, Former
Director, National Environmental
Engineering Research Institute,
(NEERI), and Former Vice
Chancellor, University of Madras,
Madras.

(a) whether the Government have
ordered for wagons since April this year to
the wagon-building industries;

4. Shri Kalyan Kumar Baksi, Additional
Secretary, Ministry of Environment
and Forests, New Delhi.

(b) if so, the details thereof,
unitwise;

5. Shri R. Anandakumar, Additional
Director, Ministry of Environment
and Forests — Member Secretary

(c) if not, the likely effect of non-
release of wagon orders, on the
production, employment and salaries and
wages of the employees in the Public
Sector; and

(d) the steps being taken to remedy
the situation?

(d) No, Sir.

THE MINISTER OF RAILWAYS
(SHRI C. K. JAFFER SHARIEF): (a) Yes,
Sir.

(e) and (f). Do not arise.

Wagon Orders

*32 PROF. SUSANTA
CHAKRABORTY:

(b) A *Statement* is enclosed.

(c) and (d). Do not arise.

STATEMENT

Unit	No. ordered(FWs)
Public Sector:	
1. Bharat Wagon Engg. Ltd./Muzaffarpur	462.5
2. Bharat Wagon Engg. Ltd./Mokameh	575
3. Braithwaite/Calcutta	1220
4. Burn/Burnpur	1155
5. Burn/Howrah	937.5
6. Jessop/Calcutta	210
Sub-Total	4560

Unit	No. ordered(FWs)
Private Sector:	
7. Cimmco/Bharatpur	687.5
8. Hindustan General Industries/Nangloi	317.5
9. Modern Industries/Sahibabad	340
10. Hindustan Development Corpn./Calcutta	650
11. Texmaco/Calcutta	1045
Sub Total	3040
Grand Total	7600

Foodgrains Stock

the minimum buffer and operational stock requirement; and

*33. SHRI NITISH KUMAR:
SHRI MOHAN SINGH
(DEORIA):

(c) if so, whether the Union Government contemplate to ease the export controls on rice and wheat as a result thereof?

Will the Minister of FOOD be pleased to state:

(a) the stock position of food grains both buffer and operational, during 1993 and 1994 till date;

(b) whether the percentage of the stock position of foodgrains is higher than

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) The minimum stocks of foodgrains (wheat & rice), including buffer and operational stocks, to be maintained by the public agencies and the actual stocks in the Central Pool during 1993 and 1994 are given below :

(In Million Tonnes)

As on	Buffer Norm			Actual stock in Central Pool					
				1993			1994		
	Rice	Wheat	Total	Rice	Wheat	Total	Rice	Wheat	Total
1	2	3	4	5	6	7	8	9	10
1st Jan.	7.70	7.70	15.40	8.46	3.29	11.75	11.17	10.82	21.99

1	2	3	4	5	6	7	8	9	10
1st April	10.80	3.70	14.50	9.93	2.74	12.67	13.55	6.99	20.54
1st July	9.20	13.10	22.30	9.27	14.89	24.16	-	-	-
1st Oct.	6.00	10.60	16.60	7.22	13.67	20.89	-	-	-

(b) Yes, Sir. The stock position of foodgrains in the Central Pool as on 1.7.1993, 1.10.1993, 1.1.1994 and 1.4.1994 has been higher than the minimum stocks to be maintained as per buffer stocking norms as indicated above. It was 8.34, 25.84, 42.79 and 41.75 per cent more than the buffer stocking norms for these dates respectively.

(c) Presently, exports of Basmati rice are allowed freely, while exports of superfine non-Basmati rice are permitted with a Minimum Export Price of US\$ 200 PMT. While export of wheat products is allowed freely, a quantitative ceiling of 3 lakh tonnes has been released for exports of Durum wheat with an MEP of US\$ 160 PMT.

[Translation]

Agricultural Land

*34. DR. MAHADEEPAK SINGH
SHAKYA:
SHRI GUMAN MAL
LODHA:

Will the Minister of AGRICULTURE be pleased to state:

(a) whether the agricultural land in the country is 17.30 crore hectares whereas at present farming is done only on 14.20 crore hectares of land;

(b) whether the Government have formulated a time bound scheme for removing the gap between total agricultural land and actual land area on which farming is being done;

(c) if so, the details thereof; and

(d) the annual expenditure proposed to be incurred by the Government during the remaining years of the Eighth Five Year Plan to increase the land area on which actual farming is being done?

THE MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): (a) As per Land Use Statistics for 1990-91 (latest available), the total cultivable area in the country was estimated at 184.35 million hectares whereas total cultivated area (Net Sown Area + Current Fallow) in the country was estimated at 156.04 million hectares.

(b) The Government is implementing programmes for reclamation of land and development of waste land to bring additional area under cultivation.

(c) and (d). It is proposed to treat an area of 8.7 lakh hectares under a centrally sponsored scheme, namely, Reclamation of Alkali Soils during the Eighth Five Year Plan at an estimated cost of Rs.883 crores of which Central Government

share is Rs. 150 crore. Besides, Department of Wasteland Development would also be treating some wastelands to put them under sustainable use in order to increase Bio-mass production specially fuel, wood and fodder for which no target has been fixed for the Eighth Five Year Plan as yet.

[English]

Passenger Amenities

*35. SHRI RAJNATH SONKAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) whether customers satisfaction by increasing amenities to passengers has been one of the thrust areas under the Eighth Plan period;

(b) if so, whether the thrust to improve/increase amenities to passengers has made any headway;

(c) if so, the details thereof;

(d) if not, the reasons therefor;

(e) the total amount spent on passenger amenities during 1993-94 and the amount earmarked for 1994-95; and

(f) the reasons for less outlay of funds towards passengers amenities during 1994-95?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) and (b). Yes, Sir.

(c) An Action Plan to remove all deficiencies in respect of basic passenger amenities at various stations as existing on 1.4.1991 has been taken up and

works in this regard are targetted for completion by 31.3.1995.

Apart from the basic amenities provided at each station, additional amenities, wherever warranted by the requirement of traffic have been/are being provided. Railways have now also been instructed to select stations for extensive attention so as to bring about a visible improvement in the amenities provided.

Facilities in the trains are also being progressively improved upon to ensure a more comfortable travel.

(d) Does not arise.

(e) and (f). For 1994-95, the allocation under the Plan Head "Passenger and Other Railway Users Amenities" is Rs. 60 crore which is the same as the original Budget Allocation for the year 1993-94. However, due to the increased momentum of works during 1993-94, funds totalling Rs. 63.5 crores were provided in the Revised Estimates for 1993-94. Provisional Estimates of expenditure indicate that the full amount has been spent.

Railway Exports

*36. DR. K.V.R. CHOWDARY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government have set up a Committee to expedite the exports, particularly of metre gauge exports;

(b) if so, the details thereof;

(c) whether any proposal for leasing locomotives to Bangladesh is under consideration of Government;

(d) whether Rail India Technical and Economic Services (RITES) has signed a contract with Vietnam Railways for export of air conditioned and ordinary sleeper coaches; and

(e) if so, the details thereof?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) and (b) A Committee headed by Chairman, Railway Board has been set up to promote export of both new as well as second hand rolling stock.

(c) Yes, Sir. There is a proposal for leasing of 5 diesel locomotives to Bangladesh. M/s. Rail India Technical and Economic Services Ltd., has been nominated to negotiate the matter with the Bangladesh Railways.

(d) and (e). M/s. Rail India Technical and Economic Services Ltd. have signed a contract with Vietnam Railways for supply of 15 coaches (10 MG A/c Sleeper and 5 ordinary sleeper coaches) to be manufactured by Integral Coach Factory, Madras.

Palmolein Oil

*37. SHRI M.V.V.S. MURTHY
SHRI D. VENKATESWARA
RAO:

Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Union Government have urged the State Trading Corporation to import another 1.5 lakh tonnes of palmolein oil at a concessional duty of 20 per cent;

(b) if so, whether this was in addition to the quantity which remained unutilised during 1993-94;

(c) whether the Government have decided to supply this quantity through PDS;

(d) whether the NDDB has also been allowed such type of import; and

(e) if so, the extent to which the import of palmolein has helped in meeting the demands of the consumers in the country?

THE MINISTER OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION (SHRI A.K. ANTONY): (a) to (c). The State Trading Corporation has been requested to import 1.58 lakh MT palmolein during the current financial year 1994-95 at concessional import duty of 20 per cent for supply to States/UTs under the Public Distribution System. This stock is inclusive of the balance quantity of palmolein that was not imported during 1993-94.

(d) NDDB has been permitted on account of import of 50,000 MT of palmolein at 20% import duty.

(e) Import of palmolein is resorted to for meeting shortages arising out of gap between demand and supply of edible oils in the country and ensure availability of edible oils at reasonable prices to the consumers through the Public Distribution System.

Forest Cover

*38. SHRI PHOOL CHAND
VERMA:

SHRI TEJ NARAYAN
SINGH:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the details of land under forests, as per the latest report of the Forest Survey of India, State-wise;

(b) whether the area under forests is in accordance with the required norms;

(c) the comparison of the last three reports of the Forest Survey of India on forest cover;

(d) the reasons for the decrease, if any; and

(e) the steps taken/proposed to be taken to increase the area under forests?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH):

(a) The details of land under forests cover as per State of Forest Report 1990 of the

Forest Survey of India have been given in the *Statement I* enclosed.

(b) National Forest Policy, 1988 stipulates that a minimum one third of area of the country should be under forest cover. The present forest cover of the country is 19.5% of total geographical area.

(c) As per State of Forest Reports 1989, 1991 and 1993, the total forest cover of the country are 6,40,134 sq.kms., 6,39,182 sq.kms. and 6,40,107 sq.kms. respectively.

(d) The State of Forest Report 1993 of Forest Survey of India indicates increase in the forest cover of the country by 925 sq. kms. over the previous assessment.

(e) The steps taken to increase the area under forest cover is given in the enclosed *Statement II*.

Statement I

		<i>Sq. Km.</i>			
Sl. No.	State/UTs	Dense Forest (crown Density) above 40%	Open forest (Crown density 10 % to 40%)	Man grove	Total Forest covered area
1	2	3	4	5	6
1.	Andhra Pradesh	25,008	21,870	378	47,256
2.	Arunachal Pradesh	54,510	14,151	-	68,661
3.	Assam	15,998	8,510	-	24,508
4.	Bihar	13,172	13,415	-	26,587
5.	Goa	995	249	3	1,247
6.	Gujarat	6,301	5,324	419	12,044
7.	Haryana	329	184	-	513
8.	Himachal Pradesh	9,565	2,937	-	12,502
9.	Jammu & Kashmir	10,953	9,490	-	20,443

Sl. No.	State/UTs	Dense Forest (crown Density) above 40%	Open forest (Crown density 10 % to 40%	Man grove	Total Forest covered area
1	2	3	4	5	6
10.	Karnataka	24,852	7,491	-	30,344
11.	Kerala	8,421	1,915	-	10,336
12.	Madhya Pradesh	95,537	39,859	-	135,396
13.	Maharashtra	25,680	18,024	155	43,859
14.	Manipur	5,307	12,314	-	17,621
15.	Meghalaya	3,305	12,464	-	15,769
16.	Mizoram	4,238	14,459	-	18,697
17.	Nagaland	3,487	10,861	-	14,348
18.	Orissa	27,151	19,799	195	47,145
19.	Punjab	481	862	-	1,343
20.	Rajasthan	3,581	9,518	-	13,999
21.	Sikkim	22,395	724	-	3,119
22.	Tamil Nadu	9,422	8,283	21	17,726
23.	Tripura	1,819	3,719	-	5,538
24.	Uttar Pradesh	22,965	10,996	-	33,961
25.	West Bengal	3,362	2,705	2,119	8,185
26.	Andaman & Nicobar	6,567	91	966	7,624
27.	Chandigarh	4	1	-	5
28.	Dadra & Nagar Haveli	1159	47	-	206
29.	Daman & Diu	-	3	-	3
30.	Delhi	12	10	-	22
31.	Lakshadweep	-	-	-	-
32.	Pondicherry	-	-	-	-
Total		3,85,576	2,50,275	4,256	640,107

STATEMENT II

- (i) National Afforestation and Eco-development Board and National Wasteland Development Board provide financial assistance to the States, Union Territories and Non-Governmental Organisations for afforestation.
- (ii) Under a Centrally Sponsored Scheme Association of Scheduled Tribes and Rural Poor for regeneration of degraded forests on usufruct sharing basis, assistance is provided to States/Union Territories.
- (iii) Diversion of forest land for non-forestry purposes is strictly regulated under Forest (Conservation) Act, 1980.
- (iv) People's participation is being encouraged for raising and protecting forests.
- (v) State and Union territories Governments also provide funds for afforestation and protection of forests.
- (vi) During last three years, the area afforested and seedlings distributed under 20 Point Programme are :-

Year	Seedling Distribution (in lakhs)	Area afforested (Public lands including forest lands) (in hectares)
1991-92	14194.81	1015714.10
1992-93	12450.87	1062225.52
1993-94	10976.67*	971944.24 *

*Tentative

Cotton Prices

*39. SHRI M.R. KADAMBUR JANARTHANAN: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the prices of cotton (Kappas) have been increasing considerably since the last six months;

(b) if so, the details thereof and the reasons therefor; and

(c) the steps being taken by the Government to control the prices of cotton?

THE MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): (a) Yes, Sir.

(b) The index number of wholesale prices (1981-82 =100) of raw cotton during the last six months increased by about 71 per cent from 222.0 in

November, 1993 to 380.2 in the third week of May, 1994. The increase in prices is attributed mainly to imbalance between demand and supply of the commodity arising from the apprehended fall in the overall availability of cotton in the country.

(c) In order to control the prices of cotton, the Government took several steps. Amongst them, it allowed the duty-free import of cotton under Open General Licence; re-introduced selective credit control on cotton and kapas; regulated the export of cotton; and impose restrictions on stock limits of cotton for the textile mills, cotton ginning factories, cotton pressing factories and others dealing in cotton.

Sugar Industry

*40. SHRI SULTAN SALAHUDDIN OWAISI: Will the Minister of FOOD be pleased to state:

(a) whether the Union Government have taken any decision for delicensing the sugar industry;

(b) if so, the details thereof;

(c) the number of applications received up to the end of April 1994 for setting up of sugar mills in various States;

(d) the reasons for delay in issuing the licenses; and

(e) the time by when the decision is likely to be taken?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) and (b). The matter regarding licensing policy, including the

option of delicensing of sugar industry, is under the consideration of Government.

(c) to (e). As on 30.4.1994, 882 applications have been received through the Department of Industrial Development for setting up new sugar mills in various States. Due to the devastating fire in Krishi Bhavan in October, 1992, the entire records got burnt, and, therefore, had to be reconstituted. Thereafter, 813 applications have been considered and suitable recommendations sent to the Ministry of Industry. There are 69 applications which are still pending consideration in the Ministry of Food. After the scrutiny of the applications by the Screening Committee, suitable recommendations will be sent to Ministry of Industry for further necessary action.

[Translation]

Education for Neo-Literates

139. SHRI N. J. RATHVA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have received any proposal from the Government of Gujarat to continue education for the neo-literates in the State;

(b) if so, the details thereof;

(c) whether the Government have approved this proposal;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF

EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) to (e). Yes Sir. Government has received proposals for post literacy campaigns for neo-literates in the districts of Bhavnagar, Kheda, Ahmedabad (Rural) and Gandhi Nagar. The Campaigns aim to cover 2.68 lakh neo-literates in Bhavnagar, 1.60 lakhs in Kheda, 2.71 lakhs in Ahmedabad and 52,300 in Gandhi Nagar at a cost of Rs. 108 lakhs. 64 lakhs, 108.49 lakhs and Rs. 14.16 lakhs respectively. The proposals have been approved.

[English]

Area Under Foodgrains and Horticulture Crops

140. SHRI PRAKASH V. PATIL: Will the Minister of AGRICULTURE be pleased to state:

(a) the total area under cultivation of foodgrains and horticulture crops, separately in the country;

(b) the number of farmers engaged in the production of foodgrains and horticulture crops separately;

(c) the estimated increase in budget provisions for 1994-95; and

(d) the measures contemplated by the Government to ensure the welfare of small and marginal farmers?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) The total area under cultivation of foodgrains and horticulture crops (which includes fruits, vegetables, condiments and spices, coconut, drugs, narcotics and other plantation crops) was 128.03 and 12.17 million hectares respectively, as per Land Use Statistics 1990-91 (latest available).

(b) The total number of farmers engaged in the production of foodgrains and horticulture crops is not available. However, according to Agriculture Census 1985-86, the total numbers of cultivators producing all crops is placed at 110.6 million.

(c) The plan allocation for agriculture for 1994-95 has been increased by Rs. 90/- crores over 1993-94.

(d) There is a condition in the implementation of the crop production oriented programmes that as far as possible, the benefit should flow to the small and marginal farmers and 25% of benefit should flow to SC/ST farmers. The establishment of small farmers' Agri-Business Consortium is also expected to promote welfare of small and marginal farmers.

[Translation]

Public Distribution System

141. SHRI N. J. RATHVA: Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Union Government have received complaints from the State Governments regarding the revamped public distribution scheme; and

(b) if so, the details thereof; and

(c) the remedial measures proposed to be taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC

DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) No, Sir.

(b) and (c). Do not arise.

Passenger Facilities on Stations

142. SHRI SATYNARAYAN JATIYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the facilities available at the railway stations of Khachrod, Nagda, Unhel, Tarana Road, Berawanya and

Shujalpur under Ratlam Division of Western Railway are being used in a proper manner; and

(b) if so, the details of facilities available there; and the position of the levelling of the platforms of the above mentioned Railway stations and the time by which the levelling and repairing work is likely to be completed?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) Details are as under:

Station	Seats	Drinking water		Lavatories Urinals	Cover-over- Platforms
		Taps/ Hand Pumps	Water Cooler		
Khachrod	23	9	1	5	135 Sq.M.
Nagda	52	44	4	12	4306 "
Unhel	9	5	-	6	389 "
Tarana Road	18	2	-	8	100 "
Berawanya	6	5	-	5	486 "
Shujalpur	22	9	1	12	335 "

All the above stations are electrified and have been provided with suitable waiting halls and waiting rooms. Water supply arrangements have been augmented by providing suitable water huts and water trolleys also. As regards the platform surface, platform at all these stations are levelled and have been provided with a surfacing suitable for the volume of traffic handled. As a measure of further improvement to platform

surface, work of providing Mastic flooring is in progress at Nagda.

[English]

Synthetic Tracks

143. SHRI SUSHIL CHANDRA VARMA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government of Madhya Pradesh has sent any proposal seeking financial assistance for laying synthetic athletic track and synthetic hockey surfaces;

(b) if so, the details and locations thereof; and

(c) the present stage of such proposal?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS) (SHRI MUKUL WASNIK): (a) Yes, Sir.

(b) and (c). A proposal for laying of 8-lane 400 mts. synthetic track at Sports Complex, T.T. Nagar, Bhopal has been received from Government of Madhya Pradesh. The proposal has been found deficient and State Government has been asked to remove the deficiencies. It will be considered on receipt of information from Government of Madhya Pradesh.

[Translation]

Shifting of Ajmer Railway Station

144. PROF. RASA SINGH RAWAT
Will the Minister of RAILWAYS be pleased to state:

(a) the amount spent on the beautification of various railway stations in Rajasthan and making them model railway stations including expenditure incurred thereon;

(b) whether the Government had earlier decided to shift Ajmer railway

station to the vicinity of Madar railway station in the event of the conversion into broad gauge;

(c) whether any survey of new sites was also conducted in this regard;

(d) if so, the reasons for abandoning that project;

(e) whether the Government have received representation from various organisations for shifting the Ajmer railway station; and

(f) if so, the details thereof and the action taken thereon?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) In 1986, five stations viz. Bikaner, Jodhpur, Bharatpur, Ajmer and Jaipur stations in the State of Rajasthan were selected to be developed as model stations and works in this regard were completed at a cost of Rs. 336.12 lakh.

(b) and (c). No, Sir.

(d) Does not arise.

(e) No, Sir.

(f) Does not arise.

[English]

Thane Railway Station

145. SHRI RAM KAPSE: Will the Minister of RAILWAYS be pleased to state:

(a) whether representations have been received by the Government from various organisations for giving a better

status to Thane Railway Station in the matter of cleanliness and maintenance thereof; and

(b) if so, the action taken by the Government in this regard?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) Adequate amenities have already been provided at this station. These are being strengthened from time to time keeping in view the traffic as also the representations received in this regard. There are 21 safaiwalas to maintain cleanliness and regular upkeep of the station premises. Besides, tender for leasing the station for sole right of advertisement-cum-beautification was invited but there has been no response.

Edible oil through PDS

146. SHRI RAMCHANDRA
VEERAPPA:
SHRI RAMASHRAY
PRASAD SINGH:

Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Union Government have formulated any scheme to provide edible oil and clothes to consumers through public distribution system;

(b) if so, the details thereof; and

(c) the steps taken to provide adequate quantity of Dhara brand edible oil to States?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES,

CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) and (b). At present imported palmolein is allocated to States/UTs for distribution under PDS at lower prices to augment the supply of indigenous oils in the open market. Clothes are not being distributed to consumers under PDS by the Central Government. However, States/UTs are free to include additional items of mass consumption in their PDS package.

(c) During the financial year 1993-94 a total quantity of 57,239 MT of Dhara brand of edible oils was sold in open market by NDDB in different States.

[Translation]

National Sugar Institute

147. SHRI SURENDRA PAL PATHAK: Will the Minister of FOOD be pleased to state:

(a) whether the amount allocated to the National Sugar Institute, Kanpur during 1992-93 has been utilised by the Institute;

(b) if not, the reasons therefor; and

(c) the steps taken or proposed to be taken by the Government for completion of work in time?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) National Sugar Institute, Kanpur fully utilised the amount of Non-Plan budget allocated during 1992-93. However, the utilisation of Plan allocation by the Institute during 1992-93 was about 35%.

(b) The allocation could not be fully utilised mainly because of the delay in completion of projects by the Central Public Works Department.

(c) Regular meetings in which officers of the Ministry of Food, Director, National Sugar Institute, Kanpur and senior officers of the Central Public Works Department would participate, will be held to review the progress of work from time to time and to take steps for their early completion. The progress would continue to be monitored through periodical reports also.

[Translation]

New Trains

148. SHRI SHIVRAJ SINGH CHAUHAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether daily passengers of Bina, Mandibamora, Kurvai, Gulabganj, Ganjwasauda, Vidisha and Sanchi are constantly demanding for introducing some more trains between Bina and Bhopal during peak hours;

(b) if so, reaction of the Government thereto; and

(c) the time by which these trains are likely to be introduced?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) Some representations have been received in this record.

(b) and (c). Examined but not found feasible due to operational and resource constraints.

Branches of Super Bazar

149. SHRI AMAR ROY PRADHAN: Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) the number of branches of Super Bazar opened in NOIDA, Uttar Pradesh as on May 31, 1994; and

(b) the details of the staff, category-wise?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) Super Bazar has reported that they have opened five branches including one medicine outlet.

(b) A *Statement* is enclosed.

STATEMENT

Sl. Location of Outlet
No.

Details of Staff

1. Sector 15-A
Medicine's Outlet

Pharmacist Incharge 1

S. No.	Location of Outlet	Details of Staff
2.	Sector 17	Branch Incharge 1 Sales Asstt. 1 Helper 1 Watchman 1
3.	Sector 20	Branch Incharge 1 Helper 1 Sales Asstts. 2
4.	Sector 22	Branch Incharge 1 Sales Asstt. 1 Helper 1
5.	Sector 15-A	Branch Incharge 1 Jr. Sales Asstt. 2 Helper 1

[Translation]

**Pollution by Hindalko and Anpara
T.P.S.**

150. SHRI RAM NIHOR RAI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Hindalko and Anpara Thermal Power Stations and other factories in Uttar Pradesh are flowing ash and other garbage in the water tanks and rivers due to which creatures, fishes and adivasies are getting affected;

(b) if so, the details thereof; and

(c) the efforts being made by the Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH):
(a) to (c). As per information available,

Hindalko does not dump any solid waste into river Rihand, which is about 13 km. away from the plant. But during rainy season, surface run-off from red mud and spent pot lining area, flows into the river.

As regards the Anpara Thermal Power Station, it has three units of 210 MW each. All the three units are equipped with ESPs. The concentration of particulate matter in the emission varies from 140 to 160 mg/NM³ against the standard of 150 mg/NM³.

About 10,000 tonnes of coal is used for generation of electricity which results in about 3,000 tonnes of fly ash per day. The ash generated is disposed of in temporary ash ponds in the slurry form. The overflow from ash ponds is being discharged into Rihand Reservoir.

There is no report on adverse effect on creatures, fishes or Adivasies due to discharge of overflow from the ash pond of the Anpara Thermal Power Station.

Since a number of complaints has been received in the Ministry of Environment and Forests about the river water getting contaminated by solid wastes generated in the Hindalco, the Government proposes to send a team of experts to make a site inspection for further action.

[English]

Worli-Bandra Link

151. SHRI RAM NAIK: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government of Maharashtra has forwarded the environmental impact assessment report regarding Worli-Bandra Link Road in Mumbai to the Union Government for No Objection Certificate;

(b) if so, the salient features of the report and the date since when it is under consideration of the Government; and

(c) the time bound programme to study the report and accord N.O.C. to the State Government?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS: (SHRI KAMAL NATH):
(a) Yes, Sir.

(b) An Environmental Impact Statement for the project is attached.

The report has been sent to the Government for its consideration on 26th July, 1993.

(c) The proposal was placed before a Committee for appraisal and was considered twice by the same in August and November 1993, and additional information was called for. Such additional information as has now been received from the project authorities would be placed before the Expert Committee recently constituted at its next meeting, to be held shortly, to arrive at a decision in the matter.

STATEMENT

Environmental Impact Statement for the Worli-Bandra link Project

Activity/Area of intervention	Nature of Impact		
	Positive	Negative	
		Adverse	Mild No Impact
Displacement of People/ Rehabilitation		X	
Vegetation			X
Archaeological Monuments			X
Fishing			X
-Deep Sea			
-in the Bay			X

Activity/Area of intervention	Nature of Impact			
	Positive	Negative		
		Adverse	Mild	No Impact
Construction of pillars/approach bunds				
- On fishing				X
- On Siltation	X			
Storm Drainage of the Area				
- Channelisation of Mahim creek	X			
Socio-Cultural Aspects				
- Travel convenience	X			
- Reduced possibility of accidents				
- Reduced smell nuisance	X			
Air Pollution				
- On Mahim Causeway	X		X	
- On New Bridge				
Noise Pollution				
- On Mahim Causeway	X		X	
- On New Bridge				
Aesthetics	X			

Reservation Centre at Bombay

152. SHRI V. S. VIJAYA-RAGHAVAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether attention of the Government has been drawn to the large scale corruption indulged in by the railway reservation staff of the computerised reservation centre at Bombay;

(b) if so, whether any enquiry has been ordered into the allegations; and

(c) if so, the details thereof?

THE MINISTER OF RAILWAYS
(SHRI C.K. JAFFER SHARIEF): (a) Yes,

Sir. A News item was published in Jansatta Delhi Edition dated 27.5.94.

(b) and (c). A Statement is attached.

STATEMENT

Position with regard to the various issues mentioned in the News report is given below:

- (i) *Extraction of money by GRP staff manning queues for providing reservation slips*

A strict watch is being kept at the Booking Counters. The allegation was not substantiated on investigation.

(ii) *Meeting with GM, Central Railway and Western Railway*

This meeting was held by the Uttar Bharat Yuvak Samiti representatives only with G.M., Central Railway on 18.4.94 and not with G.M., Western Railway. In this meeting, the problems were discussed and clarifications were given regarding the extensive arrangements made during Summer season to prevent inconvenience to the travelling public.

(iii) *Case of Window No.38 - Bombay VT Reservation Office*

A Vigilance Inspector called upon the complainant and clarified the position. He was satisfied.

(iv) *Confirmed reservation by Mahanagri Express leaving Bombay VT on 19.4.94 on Ticket No. 37773316.*

The two berths mentioned in the report were released on foreign tourist quota on 18.4.94 for which provision of 6 berths exists. According to records, these two passengers were N.R.Is.

Reservation in Educational Institutions

153. SHRI BHUBANESHWAR PRASAD MEHTA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government are considering the proposal to extend the twenty-seven per cent reservation to OBCs in the educational institutions; and

(b) if so, the details thereof?

THE DEPUTY MINISTER IN THE
MINISTRY OF HUMAN RESOURCE

DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) and (b). The Report of the Backward Classes Commission (Mandal Commission) had recommended reservation of 27% seats in educational institutions for OBCs. The Government has not yet taken decision on this recommendation.

[Translation]

Railway Reservations

154. SHRI RAMASHRAY PRASAD SINGH:
DR. MUMTAZ ANSARI:
SHRI NARAIN SINGH CHAUDHARY:
SHRI TEJ NARAYAN SINGH:

Will the Minister of RAILWAYS be pleased to state:

(a) whether attention of the Government has been drawn towards the news-item captioned, "Railway arakshan main dhandli se coron ka vara nyara" appearing in "Jansatta" Delhi dated May 27, 1994;

(b) if so, the facts thereof; and

(c) the action taken by the Government to check such malpractices in railway reservations?

THE MINISTER OF RAILWAYS
(SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) A *Statement* is enclosed

(c) In recent months, Central and Western Railways have conducted 627

preventive checks in Reservation Offices, taken up 363 employees for irregularities where detected, proceeded against 492 touts, caught 462 transferred tickets and recovered Rs.2,09,585 from such passengers for travelling unauthorisedly.

STATEMENT

Position with regard to the various issues mentioned in the News report is given below:

- (i) *Extraction of money by GRP staff manning queues for providing reservation slips*

A strict watch is being kept at the Booking Counters. The allegation was not substantiated on investigation.

- (ii) *Meeting with GM, Central Railway and Western Railway*

This meeting was held by the Uttar Bharat Yuvak Samiti representatives only with G.M., Central Railway on 18.4.94 and not with G.M., Western Railway. In this meeting, the problems were discussed and clarifications were given regarding the extensive arrangements made during Summer season to prevent inconvenience to the travelling public.

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The two berths mentioned in the report were released on foreign tourist

quota on 18.4.94 for which provision of 6 berths exists. According to records, these two passengers were N.R.Is.

Turbo Chargers

155. SHRIMATI KRISHNENDRA KAUR (DEEPA):
SHRI SATYA DEO SINGH:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government have formulated any scheme to fit 'Turbo Chargers' to Diesel engines under Energy Conservation Campaign;

(b) the amount of fuel likely to be saved in the year 1994-95 as a result thereof; and

(c) the number of engines to be fitted with 'Turbo Chargers' during 1994-95 and the expenditure likely to be incurred thereon?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFER SHARIEF): (a) Most of the existing Diesel locomotives on Indian Railways are already provided with Turbo Chargers. However, with a view to improve the fuel efficiency of diesel locomotives. "Fuel Efficient Kits" have been developed which include improved version of Turbo Chargers.

(b) An improvement of around 6% in fuel efficiency is expected on locomotives fitted with such kits.

(c) Around 100 new BG Diesel Locomotives to be manufactured at Diesel Locomotive Works, Varanasi and 60 BG Diesel Locomotives to be rebuilt at Diesel Component Works, Patiala are planned to be fitted with Fuel Efficient Kits during

1994-95. The incremental cost of the Turbo Charger is approximately Rs. 8 lakhs per locomotive.

Educational Collaboration

156. SHRI BRIJBHUSHAN
SHARAN SINGH:
SHRI SATYA DEO SINGH:

Will the MINISTER OF HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether any agreement has been signed between the University of Bangkok and the University of Delhi for extending cooperation in the field of education;

(b) if so, the details thereof; and

(c) the date from which the agreement would be effective?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) to (c). The University of Delhi has informed that an agreement has been signed by the Vice-Chancellor of the University of Delhi and the Rector of Thammasat University, Bangkok on the 2nd December, 1993 with the following objectives:

- (i) to identify opportunities for exchange of faculty and research staff;
- (ii) to establish programmes that will enable interested and qualified students and university personnel to pursue either short-term or extended programmes of study in each other's institutions and to

facilitate visits by authorised officials from each university for the purpose of studying the other's educational system in order to develop cooperative mechanisms and to expand areas of cooperations;

- (iii) to identify other areas of possible interest and collaboration; and
- (iv) to make faculty and students aware of the academic programmes, resource institutes and educational resources of each other's institutions.

Under the agreement each institution will exempt exchange faculty, staff and students of tuition and other scholastic fees of the other institution.

[English]

Advertisement of Consumer Items

157. SHRI G. DEVARAYA NAIK:
Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether complaints have been received about misleading advertisements of consumer items on electronic media during the past few months;

(b) if so, the details thereof;

(c) whether the complaints after scrutiny and verification have been passed on to the Information & Broadcasting Ministry; and

(d) if so, the action proposed to be taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) to (d). After receipt of general complaints regarding misleading advertisements, a meeting was held with the Ministry of Information and Broadcasting on 4.5.1994. It was decided that the Ministry of Civil Supplies, Consumer Affairs and Public Distribution would act as the nodal Ministry for dealing with such complaints. After 4.5.94, one complaint has been received which has been sent to Doordarshan for taking appropriate action.

F.C.I. Headquarters

158. SHRIMATI SURYA KANTA PATIL: Will the Minister of FOOD be pleased to state:

(a) the expenditure incurred on FCI Headquarters Building at Barakhamba Lane, New Delhi during the last three years, year-wise;

(b) whether the amount so spent was within the financial powers of the Establishment Directors of the Food Corporation of India;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) to (c). The yearwise expenditure incurred on maintenance of 14 storey Food Corporation of India

Headquarters building, Barakhamba Lane for the last three years is as under:

(Rs. in Lakhs)		
1991-92	—	13.11
1992-93	—	18.58
1993-94	—	34.87
(Provisional)		

The above expenditure was incurred after obtaining the administrative, technical and financial sanctions of the competent authorities.

(d) Does not arise.

Coconut Cultivation

159. SHRI THAYIL JOHN ANJALOSE: Will the Minister of AGRICULTURE be pleased to state:

(a) the funds allocated for cocount cultivation during 1992-93 and 1993-94, State-wise;

(b) the total funds earmarked for the purpose in 1994-95; and

(c) the details of innovative programmes prepared by the Government for coconut development?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) A *Statement* is enclosed.

(b) For Coconut cultivation during 1994-95 an allocation of Rs. 20.32 crores has been made.

(c) The Coconut Development Board has formulated following programmes for development of coconut:-

1. Production and distribution of quality planting material.
2. Expansion of area under coconut.
3. Integrated farming in coconut holdings for productivity improvement.
4. Integrated control of leaf eating caterpillar.

5. Establishment of coconut technology development centre.
6. Extension and publication activities.
7. Establishment of National Information and documentation centre for coconut.

Each of the programmes carry specific assistance in the form of subsidy on selected input. In addition to this, assistance for Drip Irrigation is being provided under the scheme of use of plastics, in agriculture.

STATEMENT

Sl. No.	State	Allocations (Rs. in lakhs)	
		1992-93	1993-94
1.	Kerala	170.950	597.870
2.	Tamil Nadu	97.809	152.100
3.	Karnataka	159.400	178.621
4.	Andhra Pradesh	85.777	98.800
5.	Maharashtra	16.465	5.362
6.	Goa	11.650	3.035
7.	Orissa	9.887	17.337
8.	Bihar	24.780	21.800
9.	Lakshadweep	8.062	7.313
10.	Assam	31.110	30.000
11.	Tripura	16.220	18.600
12.	Pondicherry	6.230	3.035
13.	West Bengal	3.910	8.000
14.	Mainpur	0.920	0.800
15.	Gujarat	0.460	1.200
16.	Nagaland	0.230	3.750
17.	A&N Islands	10.070	8.185

Sl. No.	State	Allocations (Rs. in lakhs)	
		1992-93	1993-94
18.	Madhya Pradesh	19.070	22.200
19.	Arunachal Pradesh	—	2.000
20.	Other States	—	0.750
Total		673.000	1180.758

[Translation]

Coaches on North Eastern Railway

160. SHRI PANKAJ CHOWDHARY:
Will the Minister of RAILWAYS be
pleased to state:

(a) the number of first class and second class air conditioned coaches of the North Eastern Railway and the number of those hired from other zones;

(b) whether some coaches are being used even after expiry of their life span;

(c) if so, whether any insecurity and inconvenience have been felt for passengers due to these coaches being in operation; and

(d) if so, the action proposed to be taken by the Government in this regard?

THE MINISTER OF RAILWAYS
(SHRI C.K. JAFFER SHARIEF): (a) The holding of BG & MG first class and IInd class AC 2 tier coaches on N.E. Railways as on 31.3.93 is as under:

Type of coaches	BG	MG	Total
First class	40	59	99
AC 2 tier	20	9	29
Total	60	68	128

In addition, other Railway's coaches are running on N.E. Railways' trains and vice-versa.

(b) Some coaches are being used beyond their codal life.

(c) and (d). Only those coaches are allowed in service which are safe to run and have stipulated amenities. Whenever, any complaint is received, necessary action to remove the defects is taken promptly.

Milk Prices

161. DR. RAMESH CHAND TOMAR: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the prices of Mother Dairy's milk have been increased recently; and

(b) if so, the details thereof and the justification for such increase in spite of

several assurances given by the Government to bring down the prices of essential commodities?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) Yes, Sir.

(b) The Mother Dairy was marketing toned milk at Rs.8/- per litre and Full Cream Milk at Rs.10.50 per litre till 8.11.1993. These prices were reduced to Rs.7/- per litre and Rs.9.50 per litre respectively with effect from 9.11.1993 as the procurement price of milk paid to the State Cooperative Dairy Federation was reduced due to easy availability of milk. However, with the onset of summer season the procurement of milk by Mother Dairy got reduced by 30% (approximately) and they had to pay enhanced procurement rates to the Federations. As such it becomes necessary for the Mother Dairy to restore the selling prices of the milk to the same level as were charged by them prior to 8.11.1993.

[English]

Compensation to Victims of Accidents

162. SHRI VIJAY KUMAR
YADAV:
SHRI VISHWANATH
SHASTRI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways have no provision under the existing law to pay compensation to the victims of the accidents that took place at unmanned level crossings;

(b) if so, whether the Government have any plan to amend this law to

provide compensation to the victims of such accidents;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) There is no provision under the existing law for payment of compensation to the victims of the accidents at unmanned level crossings.

(b) No, Sir.

(c) Does not arise.

(d) Under Section 131 of the Motor Vehicles Act 1988 and Section 161 of the Railways Act 1989, it is responsibility of the road user to observe precautions while negotiating un-manned level crossings. There is, thus no liability of Railways in this regard for payment of any compensation.

Computer Network

163. SHRI DHARMANNA MONDAYA SADUL: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the Indian Council of Agricultural Research is developing a computer network to interlink the Agricultural Universities and Farm Research Institutions;

(b) if so, the details thereof; and

(c) the details of benefits likely to be achieved by this system?

THE MINISTER OF STATE IN THE MINISTRY OF NON CONVENTIONAL

ENERGY SOURCES AND MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE. (SHRI S. KRISHNA KUMAR). (a) to (c). The Indian Council of Agricultural Research has entered into an agreement with the International Service for National Agricultural Research (ISNAR) an International Agricultural Research Centre based in the Hague, (The Netherlands), for preparing a detailed project report for linking all zonal research stations of the State Agricultural Universities with the Headquarters of the University and the University with ICAR Headquarters. Some of the ICAR Institutes are already linked to ICAR Headquarters through NICNET. A computer network linking zonal research stations, SAUs and ICAR Institutes with the Headquarters of the Council will provide on-line exchange of information on agricultural research and technology and lead to quicker access to information required by research scientists.

Unauthorised Passengers in Sleeper Coaches

164. DR. LAL BAHADUR
RAWAL:
SHRI INDRAJIT GUPTA
SHRI ANNA JOSHI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the National Consumer Disputes Redressal Commission has recently directed the Government to ensure that no unauthorised persons other than valid ticket holders should travel in second class sleeper coaches:

(b) if so, the details thereof; and

(c) the action taken by the Government thereon?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) to (c). While deciding the Petition No.212 of 1993, the National Consumers Redressal Commission, New Delhi has directed that commencing from 1.6.1994, the railways should provide TTE/Conductor as per norms in the Sleeper Coaches, no hawker or beggar be permitted into these coaches and watering/cleaning of coaches/toilets be maintained. Instructions have been issued to the Zonal Railways for implementing the Commission's orders and ensuring the same.

[Translation]

Gauge Conversion of Kathgodam-Bareilly Line

165. SHRI SANTOSH KUMAR GANGWAR: Will the Minister of RAILWAYS be pleased to state:

(a) the details of the scheme regarding gauge conversion of Kathgodam-Bareilly railway line;

(b) whether the gauge conversion work of the said railway line is likely to be started during the year 1994-95; and

(c) if not, the reasons therefor?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) Lalkua to Kathgodam is an existing broad gauge line. There is no proposal to convert Bareilly-Lalkua MG to BG line at present.

(b) No, Sir.

(c) Constraint of resources.

[English]

Rise in Prices

166. SHRIMATI SAROJ DUBEY:
 SHRI M.V.V.S. MURTHY:
 DR. LAXMINARAYAN
 PANDEYA:
 SHRI PHOOL CHAND
 VERMA:
 SHRI D. VENKATESWARA
 RAO:
 SHRIMATI GEETA
 MUKHERJEE:
 SHRI RAMESH
 CHENNITHALA:
 SHRI MOHAN SINGH
 (DEORIA):
 SHRI ANNA JOSHI:
 SHRI VIJAY NAVAL PATIL:

Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the prices of edible oils, sugar and cotton have been rising abnormally during the recent weeks;

(b) if so, the reasons therefor;

(c) the comparative prices of these commodities as on 30 November, 1993, 31 December, 1993, 28 February, 1994, 31 March, 1994, 30 April, 1994 and 31 May, 1994 respectively;

(d) whether the Union Government have recently placed all the above three items in the Open General Licence (OGL) list for import with zero/low level duty to control their domestic prices;

(e) if so, whether the wholesale and retail prices of these three items have come down as a result thereof;

(f) if so, the details thereof;

(g) whether in May, 1994, the international price of sugar was much less than those prevailing in India; and

(h) the effective measures taken by the Government to control the prices of these items?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED) (a) and (b). Recently an increasing trend has been noticed in the prices of sugar and some edible oils. The reasons for rise in the prices are mainly due to decline in production, increase in the demand and supply gap and some seasonal factors.

(c) The month-end wholesale price indices of edible oils, sugar, and cotton cloth(mills) from No.93 to May 94 is given in the enclosed *Statement I*.

(d) Government have placed imports of edible vegetable oil (Palmolein) raw sugar and raw cotton under the Open General Licence (OGL).

(e) and (f). The effects of imports of these items in their open market prices are expected in the next few months.

(g) The comparative prices of sugar in London and Delhi during the month of May, 1994 is given in the enclosed *Statement II*.

(h) Government has given the highest priority to contain the prices of essential commodities within reasonable limits. Apart from placing the import of sugar under OGL duty free, it is exempted

from regulatory measures to stock holding limits and turnover period. Restriction on the sale and despatch of free sale sugar released to the mills has been reduced to weekly basis from fortnightly basis. The free sale quota of sugar for June 1994 has been raised to 5.60 lakh tonnes from last month's allocation of 4.90 lakh tonnes. A monitoring Committee has been set-up in the Ministry of Food to monitor the imports of sugar under OGL, in order to facilitate the speedy movement of imported sugar to consumer destinations,

transport authorities are being coordinated on priority basis. Gur control order 1994 has been issued imposing stock—holding limits and turnover period on gur dealers. Edible Vegetable Oil (Palmolein) and raw cotton have also been placed under OGL for their easy availability in the Market. Efforts are being taken to increase the production of commodities which are in short supply. Intensive action against hoarders, black marketeers etc. are being taken under Essention Commodities Act, and similar legislations.

STATEMENT—I

Month-end wholesale price indices of edible oils, sugar and cotton cloth (mills)
(base : 1981-82=100)

Commodity	Month-end Wholesale Price Indices						
	Nov. 27.11 1993	Dec. 25.12 1993	Jan. 29.1 1994	Feb. 26.2 1994	Mar. 26.3 1994	Apr. 30.4 1994	May 21.5 1994
(a) Edible Oils	260.7	257.1	252.3	253.2	253.6	260.4	263.6
(i) Vanaspati	243.4	239.1	238.1	228.2	227.9	246.2	245.6
(ii) Groundnut Oil	244.9	233.4	220.6	226.8	232.5	240.4	249.6
(iii) Mustard Oil	217.4	224.0	220.9	210.6	210.6	220.0	221.5
(iv) Coconut Oil	269.2	257.7	256.2	251.6	257.3	248.0	254.7
(b) Sugar	207.3	211.7	215.7	226.7	228.6	233.5	246.8
(c) Cotton Cloth Mills	222.7	222.9	224.4	224.6	241.3	240.9	241.6

STATEMENT II*Wholesale Prices of Sugar in London and Delhi during the Month of May, 1994**(Rs. per quintal)*

As on	London	Delhi
3.5.1994	1039	1400
4.5.1994	1038	1400
5.5.1994	1058	1400
6.5.1994	1068	1400
9.5.1994	1065	1450
10.5.1994	1074	1450
11.5.1994	1074	1450
12.5.1994	1088	1460
13.5.1994	1082	1500
16.5.1994	1085	1540
17.5.1994	1088	1575
18.5.1994	1107	1575
19.5.1994	1125	1600
20.5.1994	1128	1600
23.5.1994	1125	1575
24.5.1994	1140	1575
25.5.1994	1128	1575
26.5.1994	1128	1575
27.5.1994	1131	1565
31.5.1994	1126	1565

Note: London daily prices of sugar as available in US \$ has been converted into Indian Rupees by assuming average rate of 1 US \$ = Rs. 31.50.

Weights and Measures Laws

PUBLIC DISTRIBUTION be pleased to state:

167. SHRI V. SREENIVASA
PRASAD:
SHRI TARA SINGH:

(a) whether there is a persistent demand to introduce composite licensing system for the manufacturers throughout the country; and

Will the Minister of CIVIL
SUPPLIES, CONSUMER AFFAIRS AND

(b) if so, the details of the steps now Government propose to take to curb unfair practices and to review weights and measures laws?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) The All India Conference on Weights and Measures held in New Delhi recently has recommended adoption of a composite licensing system.

(b) The existing laws on weights and measures are being reviewed to remove the deficiencies revealed in the course of their enforcement and to make them more effective in curbing unfair practices.

Oil Slick

168. SHRI BIJOY KRISHNA HANDIQUE: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government have any special department or cell to tackle effectively oil slick in rivers as it is happened recently at the mouth of river Gauthami in Andhra Pradesh;

(b) if so, the details thereof;

(c) the reasons for taking such a long time to restore the tilted oil barge "Innovative I" to its position or drain out the oil;

(d) whether the Government have assessed the damage caused to marine life and ecology within at least three hundred nautical miles along the coastline;

(e) if so, the details thereof; and

(f) the steps taken or being taken by the Government in the matter?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): (a) and (b). There is no such special department or cell in the Ministry of Environment & Forests to tackle oil slick. The combating of marine pollution due to oil slick is the responsibility of the Coast Guard. However, the work relating to monitoring and control of marine pollution in general and adoption of necessary legislative measures are handled by one of the Divisions of this Ministry alongwith other works.

(c) The lightering operation of the oil from the barge at the mouth of river Gauthami had been undertaken by the Coast Guard under the Ministry of Defence. In view of difficult approach, non-availability of power on board the vessel for use of pump and the inclement weather conditions, the task was made difficult. However, lightering operations are in progress. The oil is being pumped into a rubberised floating tanks which are then towed to the jetty at a distance of thirty nautical miles. The towing of these tanks and transfer of the oil to road tankers are time-consuming.

(d) to (f). As no spillage of oil had taken place which was confirmed through aerial survey and water analysis by ONGC, the Coast Guard and A.P. Pollution Control Board, the question of assessment of the damage caused to the marine life and ecology did not arise.

[Translation]

Educational Programmes

169. DR. LAXMINARAYAN PANDEYA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the educational activities being undertaken in various States under the educational campaign launched by the Government alongwith the names of the States in which these are being undertaken and the names of the institutions involved;

(b) the grants sanctioned to such institutions during the last three years State-wise;

(c) whether any Committee has been set up or any other arrangement made to review these activities with a view to ensure their proper functioning; and

(d) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) Under the National Literacy Mission, Total Literacy Campaigns (TLCs) are taken up to impart functional literacy to adults in 15-35 age group. These campaigns are implemented by Zilla Sakshartha Samities (District Literacy Societies) which are registered bodies under the leadership of the District Collector. Members of the Zilla Sakshartha Samities are drawn from all walks of life including educationists, voluntary organisations, social workers, officials and non-officials.

At present TLCs have been approved in 267 districts in the States/UTs of Andhra Pradesh, Assam, Bihar, Daman & Diu, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Tripura, Uttar Pradesh, West Bengal, Pondicherry and Chandigarh. After TLCs are completed Post Literacy Campaigns (PLCs) are taken up by the Zilla Sakshartha Samities primarily to prevent the neo-literates from relapsing into illiteracy. At present 84 PLCs are being implemented in the States of Andhra Pradesh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Pondicherry, Rajasthan, Tamil Nadu and West Bengal.

(b) The amount of grants released State-wise to the Zilla Sakshartha Samities during the last three years is given in the *Statement* enclosed.

(c) and (d). The TLCs and PLCs have an inbuilt system of review. A rigorous internal evaluation is carried out on all learners by means of three tests for each of the three primers in the TLC. External Evaluation is carried out through reputed institutes of social sciences etc. for each TLC to assess the achievements of the campaign. An Expert Group under the chairmanship of Prof. Arun Ghosh, former Member Planning Commission was set up in April, 1993 for conducting a Status-cum-Impact Evaluation on the Total Literacy Campaign. The other members of the Group are as under:

- (i) Prof. Veena Mazumdar, Centre for Women's Development Studies, New Delhi.

(ii) Prof. Andre Beteille, University of Delhi.

(iv) Prof. S.M. Kansal, Indian Statistical Institute, Delhi.

(iii) Prof. U. R. Ananthmurty, Chairman, Sahitya Academy, New Delhi.

(v) Shri Achin Vanaik, Fellow, Nehru Memorial Museum and Library, New Delhi.

STATEMENT*(Amount in Rupees)*

S.No. State/U.T.	1991-92	1992-93	1993-94
1. Andhra Pradesh	7,71,76,000	7,01,66,000	17,19,74,500
2. Assam	1,00,00,000	65,00,000	25,00,000
3. Bihar	1,30,00,000	1,25,00,000	8,74,08,000
4. Chandigarh	-	15,00,000	18,00,000
5. Daman & Diu	-	-	1,40,000
6. Delhi	16,00,000	18,35,000	55,43,000
7. Goa	-	-	-
8. Gujarat	-	4,95,00,000	8,35,55,000
9. Haryana	-	2,95,00,000	1,81,05,000
10. Himachal Pradesh	25,00,000	2,11,00,000	64,67,000
11. Jammu & Kashmir	-	-	25,00,000
12. Karnataka	5,26,00,000	6,27,90,000	14,94,83,000
13. Kerala	1,50,00,000	-	1,00,00,000
14. Madhya Pradesh	4,04,95,000	1,40,00,000	11,60,99,000
15. Maharashtra	3,48,00,000	6,30,00,000	6,77,27,000
16. Orissa	5,30,73,500	4,68,00,000	4,32,38,000
17. Pondicherry	11,11,000	-	-
18. Punjab	65,00,000	-	25,00,000
19. Rajasthan	2,89,30,000	2,20,00,000	5,01,97,000
20. Tamil Nadu	4,23,87,500	11,46,00,000	9,26,00,000
21. Tripura	-	-	2,22,45,000
22. Uttar Pradesh	-	6,85,00,000	22,12,88,500
23. West Bengal	14,83,27,000	10,69,33,000	5,38,65,000
Total	52,75,00,000	69,12,24,000	120,92,35,000

Conference of Agricultural Research Institutes

170. SHRI NARAIN SINGH CHAUDHARY: Will the Minister of AGRICULTURE be pleased to state:

(a) whether a conference of the leading Agricultural Research Institutes of the World was held in Delhi recently to find out ways for improvement in scientific inputs on the issue of Intellectual Property Right (IPR) and to give a final shape to the view point in this regard;

(b) if so, whether the new GATT agreement regarding free trade was also kept in view, while discussing this issue;

(c) if so, the latest information gathered by India in the field of research in the said conference and its benefits to the country; and

(d) the reaction of the experts in regard to making patent of their products/research?

THE MINISTER OF STATE IN THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES AND MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI S. KRISHNA KUMAR): (a) to (d). A meeting of the Consultative Group on International Agricultural Research (OGIAR) which presently supports a network of 18 International Agricultural Research Centres was held in New Delhi from May 23 to 27, 1994. The OGIAR is sponsored by the World Bank, Food & Agriculture Organisation (FAO) and the United National Development Programme (UNDP). Apart from funding by the sponsors, the OGIAR is supported by 35 donors who comprise of international and regional organisations, member countries

and private foundations like Ford Foundation, Rockefeller Foundations, etc.. India is a donor member of OGIAR and is contributing US \$ 5,00,000 per annum.

The primary goal of the OGIAR is to strengthen world food security on a sustainable basis in less developed countries. The Indian Council of Agricultural Research is working in close collaboration with various OGIAR Institutes like the International Rice Research Institute (IRRI), Manila, International Maize and Wheat Improvement Centre (CIMMYT), Mexico, International Potato Centre (CIP), Peru and International Crop Research Institute for Semi Arid Tropics (ICRISAT). ICRISAT is located in India.

In the recent Conference, the following issues came up for discussion by the OGIAR as per agenda approved.

(i) Needs and expectations of National Agricultural Research Systems, (ii) report on food security, (iii) OGIAR's Plant and Genetic Resource Programme, (iv) National resource management including soil and nutrients as well as special eco-systems such as forests, (v) live-stock research in OGIAR, (vi) application of bio-technology in the field of agriculture, (vii) critical financial position of the OGIAR with special emphasis on increasing contributions by the donor countries, agencies and institutes; and finally, (viii) measures to streamline management and administration of OGIAR. Issues relating to the implications of the bio-diversity convention and the GATT Agreements was not the main focus of discussions in the meeting.

The interaction with the research managers and the representatives of the donors and sponsors helps in formulating

policies which are beneficial to ICAR and the country as also the International Agricultural Research System.

National Council of Teachers' Education

171. SHRI ARVIND TRIVEDI: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government propose to establish National Council of Teachers' Education for the integrated and planned development of teachers training system and to check professionalism; and

(b) if so, the time by which this Council is likely to be established?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) Yes, Sir. The National Council for Teacher Education is being set up for planned and coordinated development of teacher education and also to prevent commercialisation of teacher education.

(b) The Council is likely to be established during the current financial year.

[English]

Closure of TEXMACO

172. SHRI MANORANJAN BHAKTA:
SHRI D. VENKATESWARA RAO:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the closure of one of the units of TEXMACO resulted in the retrenchment of nearly 4,500 workers engaged in wagon manufacturing;

(b) if so, the action proposed to be taken by the Government in this regard; and

(c) the total annual requirement of wagons by the Railways and the manner in which it is proposed to be met in the wake of closure of the wagon manufacturing unit?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) No information has been received in this Ministry regarding closure of any unit of TEXMACO.

(b) Does not arise.

(c) The requirement of wagons is a prospective provision to generate adequate transport capacity to meet the transport demands for the year and is a function of asset utilisation and varies from year to year. For the VIII Five Year Plan, the total requirement has been estimated as 1,20,000 wagons (4 wheelers) giving an average of 24,000 four wheelers per annum. For 1994-95 orders have been placed for 7600 four wheelers on the industries and 1000 four wheelers on Railway Workshops. As wagon availability is more than adequate to meet the present traffic offerings no difficulty is anticipated in meeting requirements.

Alternative Accommodation

173. SHRI SHIVLAL NAGJIBHAI VEKARIA: Will the Minister of FOOD be pleased to refer to the reply given to

Unstarred Question No. 7079 on May 10, 1994 and state:

(a) the efforts made for the last several years to hire alternative accommodation in New Delhi to honour the lease deeds in its true perspective so as to extend the long needed relief to the aggrieved owners of the houses of East of Kailash, New Delhi;

(b) the reasons for failure in arranging and hiring alternative accommodation to vacate the buildings and other properties; and

(c) the time by which such accommodation is likely to be vacated?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) and (b). Food Corporation of India advertised twice and also sought help from brokers/commission Agents for hiring alternate accommodation but could not get suitable accommodation. Therefore Food Corporation of India purchased a plot of 5 Acres at gurgaon (Haryana) to construct its own building for C.T.I. in order to vacate the hired accommodation.

(c) The construction of FCI's own building has already commenced. The hired accommodation will be vacated when FCI's own space becomes available for occupation.

Fake Tickets

174. SHRI ASTBUHA PRASAD SHUKLA: Will the Minister of RAILWAYS be pleased to state:

(a) whether a number of persons were caught near Dehra-Dun while travelling with fake railway tickets booked from Mukerian;

(b) whether any such complaints have been received from Bihar during 1993-94;

(c) if so, the details thereof; and

(d) the action taken by the Government to stop such illegal and anti-social activities?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) to (d). Information is being collected and will be laid on the Table of the Sabha.

[Translation]

Students-Teachers Ratio in Kendriya Vidyalayas

175. SHRI GIRDHARI LAL BHARGAVA:
PROF. RASA SINGH RAWAT:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the ratio between students and teachers, students and sports coaches, students and librarians in Kendriya Vidyalayas have decreased during the last three decades;

(b) if so, the details thereof; and

(c) the steps taken or proposed to be taken by the Government to increase the number of teachers, sports coaches and librarians so as to cope with the increasing number of students?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF

EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) and (b). The Kendriya Vidyalaya Sangathan has intimated that all posts of teachers are sanctioned on the basis of classes/sections and number of teaching periods required for individual subjects except for posts of Physical Education Teachers which are sanctioned according to the student strength of each of the Vidyalayas. One post of librarian is given in each school having classes above VIth irrespective of student strength. There is no post of sport coaches in Kendriya Vidyalayas.

(c) There is no such proposal under consideration at present.

[English]

Movement of Wheat by FCI

176. SHRI TARA SINGH: Will the Minister of FOOD be pleased to state:

(a) whether there is persistent demand for the Food Corporation of India to improve its movement of wheat out of Haryana;

(b) whether due to bumper crop of wheat, no space is left in Haryana mandis;

(c) whether the FCI godowns in Haryana are also jam packed with commodities; and

(d) if so, the steps proposed to be taken by FCI to improve movement of wheat out of Haryana?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) Yes, Sir.

(b) According to FCI, no such problem of space was faced in the mandis. In general, price support operations were carried on smoothly in most of the mandis of Haryana. Procurement of wheat has almost come to an end by the 3rd week of May, 1994. A total quantity of 30.29 lakh Metric Tonnes of wheat was procured in Haryana by FCI/Agencies during the current rabi season in Haryana in about 50 days and all the stocks have been cleared from the mandis.

(c) Food Corporation of India was holding 14.05 lakh tonnes of foodgrains as on 15.5.1994 in their godowns in Haryana against their total storage capacity of 16.69 lakh tonnes (covered and cap).

(d) Planning for movement of foodgrains, sourcewise, is done every month in the movement planning meeting at FCI Headquarters and after taking an overall view of the situation the clearance is arranged accordingly. During 1993-94, a quantity of 20.17 lakh tonnes of wheat was moved ex. Haryana against 13.68 lakh tonnes in 1992-93. A quantity of 3.98 lakh tonnes of wheat has been moved in the month of April and May, 1994 as against 1.08 lakh tonnes in April - May, 1993. The need to evacuate wheat stocks from Haryana to generate space for coming Kharif procurement will be taken care of while the movement for the coming months is planned.

Wagon Procurement

177. SHRI INDRAJIT GUPTA:
SHRI ANNA JOSHI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Board has decided to cut down wagon procurement this year;

(b) if so, the details of the wagons procured from Braithwaite and Company limited during 1992-93; 1993-94 and proposed for 1994-95; and

(c) the reasons for cutting down the procurement orders?

THE MINISTER OF RAILWAYS
(SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) The details of wagons procured from Braithwaite from 1992-93 onwards are as follows :

Year	No. (four wheelers)
1992-93	3707.50
1993-94	2120.00
1994-95 (Target)	1220.00

(c) Traffic offerings to Railways have not picked up as per projections. In addition, Railways have also initiated steps to improve the asset utilisation especially keeping in view the resource crunch. The net result of all these measures is reduction in wagon requirements and consequentially in procurement.

Vocational Education

178. SHRI KASHIRAM RANA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have decided to set up Central Institute for

Vocational Education under the NCERT which will undertake research, development monitoring, evaluation and financing for Vocational Education at Bhopal in Madhya Pradesh;

(b) if so, whether such type of vocational education institutes Centres are functioning in Gujarat;

(c) if so, the details thereof;

(d) if not, whether the Government propose to set up such type of Central Institute under NCERT in Gujarat; and

(e) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) Yes Sir, a Central Institute of Vocational Education has been set up at Bhopal to undertake research and development activities and to provide technical and academic support to the Vocational Education programme in the whole of the Country. Such an Institute is not intended to be set up in each State.

(b) and (c). The Centrally Sponsored Scheme of Vocationalisation of Secondary Education envisages setting up of a separate wing in the State Council of Educational Research and Training (SCERT)/ State Institute of Vocational Education to provide research and development support to the Vocational Education Programme at the State level. The Government of Gujarat has set up such a wing in the SCERT.

(d) No, Sir.

(e) Does not arise.

— Seed Development.

— Project Elephant Scheme.

Environmental and Forestry Scheme of Assam

179. SHRI PROBIN DEKA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government of Assam has submitted any scheme for improvement of environment and development of forests;

(b) if so, the details thereon;

(c) the action taken by the Government thereof; and

(d) the financial assistance provided by the Government for this purpose?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS) (SHRI KAMAL NATH):

(a) Yes, Sir.

(b) The Government of Assam has submitted the following schemes to Government of India for improvement of environment and development of forests:

- Area oriented Fuelwood and Fodder Project Scheme.
- Integrated Watershed Project Scheme.
- Integrated Afforestation and Eco-Development Project Scheme.
- Plantation of Minor Forest Produce including Medicinal Plants.

(c) and (d). The Central financial assistance to Government of Assam for the above mentioned Schemes from 1987 to 1994 is Rs. 1003.62 lakhs (approximate).

Banaras Hindu University Act

180. SHRI CHANDRAJEET YADAV: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have received any representation from the Teachers, Association of Banaras Hindu University regarding Banaras Hindu University Act;

(b) if so, the details thereof indicating the suggestions made therein; and

(c) the reaction of the Government with regard to the suggestion made and the reasons for delay in bringing out a Bill in this respect?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) to (c). The Government do not appear to have received in the recent past any representation from the Teachers' Association of Banaras Hindu University regarding amendments to the BHU Act, 1915.

However, Government have constituted a Committee to finalise the amendment proposals to the BHU Act.

Further action to introduce legislation for amending the Act would follow on submission of the final report of the Committee.

Fisherman Villages

181. SHRI SUDHIR SAWANT: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the Government have any programme to provide infrastructural facilities like road, water, electricity and jetties for landing fish to every model fishermen village;

(b) if so, the details thereof; and

(c) the number of villages where such facilities are available, state-wise?

THE MINISTER OF STATE IN THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES AND THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI S. KRISHNA KUMAR): (a) Programme to supply drinking water to model fishermen villages already exists under Centrally Sponsored National Welfare of Fishermen Scheme. However, there is no proposal to provide roads, electricity etc. under this scheme.

(b) and (c). A *Statement* is enclosed.

STATEMENT

Provision of Water Supply to the villages sanctioned till 1993-94 under the Component Development of Model Fishermen Village' of Centrally Sponsored "National Welfare of Fishermen Scheme"

Sl. No.	State	No. of Villages sanctioned
1.	Andhra Pradesh	224
2.	Assam	9
3.	Bihar	4
4.	Goa	1
5.	Gujarat	3
6.	Jammu & Kashmir	1
7.	Karnataka	23
8.	Kerala	32
9.	Manipur	4
10.	Madhya Pradesh	6
11.	Orissa	13
12.	Tamil Nadu,	40

Sl. No.	State	No. of Villages sanctioned
13.	Tripura	4
14.	Uttar Pradesh	25
15.	West Bengal	10
16.	Pondicherry	1

Assistance for Youth Clubs

182. DR. KARTIKESWAR PATRA:
Will the Minister of HUMAN RESOURCE
DEVELOPMENT be pleased to state:

(a) the amount of assistance
sanctioned to Youth Clubs during 1993-94
in each State;

(b) the number of Youth Clubs
assisted during the above period in
Orissa;

(c) whether the Government
propose to enhance the amount of
assistance during the current year; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE
MINISTRY OF HUMAN RESOURCE

DEVELOPMENT (DEPARTMENT OF
YOUTH AFFAIRS AND SPORTS) AND
MINISTER OF STATE IN THE MINISTRY
OF PARLIAMENTARY AFFAIRS) (SHRI
MUKUL WASNIK): (a) Scheme of
assistance to Youth Clubs is being
implemented by the Department through
Nehru Yuva Kendra Sangathan and
through State Governments/Union
Territories. The details of the amount of
assistance sanctioned to Youth Clubs
during 1993-94 in each State is given in
the enclosed *Statement*.

(b) 28 youth clubs (23 through
Nehru Yuva Kendra Sangathan and 5
through State Government) were assisted
during 1993-94 in Orissa.

(c) No, Sir.

(d) Does not arise.

STATEMENT

Name of the State/UT	Amount sanctioned (In Rupees)
1. Through Nehru Yuva Kendra Sangathan	
Andhra Pradesh	1,70,000
Assam	50,000
Bihar	35,000
Gujarat	40,000
Haryana	1,90,000

Name of the State/UT	Amount sanctioned (In Rupees)
Himachal Pradesh	1,40,000
Jammu & Kashmir	5,000
Karnataka	1,80,000
Kerala	2,00,000
Madhya Pradesh	2,10,000
Maharashtra	4,55,000
Manipur	1,30,000
Orissa	1,15,000
Punjab	5,000
Rajasthan	1,30,000
Tamil Nadu	1,05,000
Tripura	30,000
Uttar Pradesh	1,95,000
West Bengal	95,000
Amdaman Nicobar Islands	5,000
Delhi	15,000
2. Through the State Governments	
Andhra Pradesh	55,000
Haryana	5,000
Orissa	25,000
Uttar Pradesh	70,000
West Bengal	5,000

Storage Facility

183. PROF. K.V. THOMAS: Will the Minister of FOOD be pleased to state:

(a) the quantum of foodgrains damaged in the F.C.I. godowns in Tamil Nadu and Kerala due to inadequate storage facilities during the last three years, year-wise;

(b) the loss suffered by FCI on this account, year-wise; and

(c) the remedial steps taken by the Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) and (b). Adequate storage

capacities are available with Food Corporation of India in Tamil Nadu and Kerala for storage of foodgrains. There has, therefore, been no loss to the Corporation on account of inadequate storage facilities in these two States.

(c) Does not arise.

Encroachment of Forest Land

184. SHRI HARIN PATHAK: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the incidents of encroachment of forest land by the people during the last three years. State-wise;

(b) whether the Government propose to remove illegal encroachment

on forest land with the help of State Governments and revenue officials; and

(c) if so, the details of forest land from which illegal encroachments have been removed during the last three years, State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH):

(a) to (c). Incidents of encroachment of forest land by the people have been brought to the notice of the Government of India periodically. State Governments carry out eviction of encroachments. The details regarding encroachments on forest land and removal thereof are maintained in the States/Union Territories concerned at divisional level/District level.

Talkative Birds

185. SHRI MOHAN RAWALE: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether over thirteen hundred talkative birds were rescued at the Indira Gandhi International Airport in April, 1994;

(b) if so, the details thereof; and

(c) the action taken by the Government in the matter?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH):

(a) to (c). As per information received from the Regional Deputy Director of Wildlife Preservation, Delhi 1320 birds were seized at Indira Gandhi International Airport, New Delhi on 6.4.94 and one

person was arrested. The details of the birds seized are as under:

Alexandrine Parakeet	150 Nos.
Hill Myna	50 Nos.
Munia	1000 Nos.
Black Headed Munia	120 Nos.

The accused and seized birds were produced before the Additional Chief Metropolitan Magistrate, Delhi under Section 50(4) of the Wildlife (Protection) Act, 1972. The accused was first remanded to judicial custody and was subsequently released on bail. The birds were also set free in the presence of Wildlife officer/Chief Wildlife Warden as per orders of the Court. The matter is now in the court of law.

Export of Horticulture Products

186. DR. VASANT NIWRUTTI PAWAR: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the Horticulture products account for large exports from our country;

(b) if so, the products that are being exported;

(c) the total quantum of exports made during the past one year alongwith the names of importing countries; and

(d) the steps the Government propose to take to encourage development of Horticulture in the country?

THE MINISTER OF STATE IN THE
MINISTRY OF AGRICULTURE (SHRI
ARVIND NETAM): (a) No, Sir.

(b) and (c). The major products are
spices, cashew, fresh fruits and
Vegetables, floriculture products including

seeds and processed fruit and vegetables
products.

The exports of 1992-93 and
1993-94 (upto January, 1994) are as
follows:

(Rs. in crores)

Sl. No.	Name of Horti- culture products	Year 1992-93	Year 1993-94 (April-Jan.)
1.	Spices	368.82	459.80
2.	Cashew	748.85	840.74
3.	Fruits & Vegetables	361.44	318.05
4.	Floriculture Products	13.20	10.96
		1492.31	1629.55
	Total	2984.62	3159.10

The countries to which majority of
horticulture products now being exported
are U.S.A., U.K., Germany, Japan,
Singapore, Netherlands, Pakistan,
Bangladesh, Malaysia, Saudi Arabia,
U.A.E. Kuwait, Russia.

(d) Government has given a major
thrust to the development of horticulture
by allocating Rs. 1,000/- crores in the
Eighth Five Year Plan. This programme of
development covers all major horticulture
crops involving improving their productiv-
ity, expanding area under each, providing
quality planting material and development
of infrastructure for post harvest handling
and marketing.

Supply of Seeds

187. SHRI SOBHANADREES-
WARA RAO VADDE: Will the Minister of
AGRICULTURE be pleased to state:

(a) whether the Government intend
to reduce the quantum of seeds supplied
to States through National Seeds

Corporation and State Seed Corporations;
and

(b) if so, the details thereof and the
reasons therefor?

THE MINISTER OF STATE IN THE
MINISTRY OF NON CONVENTIONAL
ENERGY SOURCES AND MINISTER OF
STATE IN THE MINISTRY OF
AGRICULTURE (SHRI S. KRISHNA
KUMAR): (a) No, Sir.

(b) The question does not arise.

Dr. B.R. Ambedkar University,
Lucknow

188. SHRI RAJ NARAIN:
SHRI RAM NIHOR RAI:

Will the Minister of HUMAN
RESOURCE DEVELOPMENT be pleased
to state:

(a) whether the Government
propose to set up an Open University in

one of the block of Dr. B.R. Ambedkar University, Lucknow so that people belonging to backward classes and other classes can get benefit of this University; and

(b) if so, the time by which the work is likely to be started there?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) No, Sir. There is no proposal to set up an Open University under the proposed Dr. B.R. Ambedkar University.

(b) Does not arise.

World Cup Cricket Tournament

189. SHRI ANNA JOSHI: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether India propose to participate in the 1996 World Cup Cricket Tournament;

(b) if so, the names of the other participating countries;

(c) the details of training being imparted to the Indian team to improve their quality of play; and

(d) the time by which the team is likely to be selected and the criteria adopted therefor?

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

OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): (a) Yes, Sir.

(b) Australia, England, Sri Lanka, Pakistan, West Indies, South Africa, New Zealand and Zimbabwe.

(c) Regular training camps are being held to improve physical fitness and playing skills.

(d) The team will be selected at the appropriate time by the Selection Committee of the Board of Control for Cricket in India.

[Translation]

Seminars

190. SHRI HARCHAND SINGH: Will the Minister of AGRICULTURE be pleased to state:

(a) the details of seminars/conferences/workshops conducted directly or sponsored by his Ministry during 1993-94;

(b) the outcome thereof; and

(c) the amount of expenditure incurred thereon, seminars-wise?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) to (c). The information is being collected and will be laid on the Table of the Sabha.

[English]

Palmolein to Andhra Pradesh

191. SHRI D. VENKATESWARA RAO:
SHRI SULTAN SALAHUDDIN OWAISI:

Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND

PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Government of Andhra Pradesh has submitted any memorandum in May 1994;

(b) if so, whether he was urged to enhance the allocation of palmolein for distribution through PDS; and

(c) the extent to which the Union Government have accepted the demands made in the memorandum?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) Yes, Sir.

(b) The Government of Andhra Pradesh has requested for allocation of 10,000 MT of palmolein per month.

(c) It is not possible to meet the requirements of the State Government fully from the present stock of imported edible oil available with the Central Government. With the expected arrival of fresh stocks of imported palmolein in July-August, 94 the allocation to the State under PDS is likely to be enhanced. Allocation of imported edible oils to States/UTs is supplementary in nature and not intended to meet their entire requirement and are made keeping in view stocks in the Central Pool, open market availability, past offtake etc.

[*Translation*]

UNICEF Assistance in Gujarat

192. SHRI N.J. RATHVA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the details of the projects being launched for expansion of education with the help of UNICEF in Gujarat, specially in tribal dominated Chhota Udaipur;

(b) the targets fixed at the commencement of these programmes;

(c) the progress made in this regard till date; and

(d) the expenditure incurred till date on these programmes?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) to (d). Information is being collected and will be laid on the Table of the House.

[*English*]

Price of Fruits and Vegetables

193. SHRI RAJNATH SONKAR SHASTRI: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the prices of fruits and vegetables marketed through Fruit and Vegetable Project outlets in Delhi vary from one booth to another;

(b) if so, the reasons therefor;

(c) whether a comparative chart showing the prices of fruits and vegetables that were marketed in each of the last six months, outlet-wise and item-wise will be laid on the Table of the House;

(d) the number of complaints received about the price variations, non-availability of all types of fruits and vegetables and about the poor quality of the fruits and vegetables and the action taken thereon; and

(e) the steps taken to revamp and improve the working and functioning of these outlets?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) Yes, Sir.

(b) and (c). The variation is mainly to avoid problems of under pricing/over-pricing in relation to the open market where the prices vary from locality to locality. The details of prices for six months, outlet-wise is a voluminous information and difficult to be laid on the Table of the House.

(d) During six months three complaints received were for price variation, two for non-availability and thirtynine for quality. The complainants were met and complaints attended to.

(e) The outlets are working satisfactorily and at present there is no proposal for their revamping.

Vocationalisation of School Education

194. SHRI SUSHIL CHANDRA VARMA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the number of Secondary Schools in Madhya Pradesh where Vocationalisation of Secondary Education has been introduced;

(b) the names of courses being taught to the students to enhance their skill;

(c) whether trained instructors and the necessary teaching aids are being provided to the schools where vocationalisation has been introduced;

(d) whether any evaluation has been made so far regarding the impact of vocationalisation of Secondary Education in Madhya Pradesh; and

(e) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) and (b). Under the Centrally Sponsored Scheme of Vocationalisation of Secondary Education, State Government of Madhya Pradesh have introduced vocational courses at +2 level in 331 schools. 26 vocational trades are being offered in these schools. A *Statement* is enclosed.

(c) While sanction for equipment and teachers posts has been given for all schools/sections, the purchase of equipment and appointment of teachers by the State Govt. is lagging behind. The State Government has been advised to expedite the process.

(d) and (e). The vocational education programme in Madhya Pradesh is reviewed from time to time through meetings and field visits by the officers. On the basis of these reports the State Government is advised to take necessary steps for improvement of the programme.

STATEMENT*List of Vocational Trades in Madhya Pradesh At +2 level of school education*

- | | |
|----------------------------------|--|
| I. Agriculture Faculty | 1. Farm Management and Agricultural Economics. |
| | 2. Horticulture. |
| | 3. Poultry-Farming |
| | 4. Dairy-Farming |
| | 5. Farm-Mechanics |
| II. Business & Commerce | 6. Office-Management |
| | 7. Accountancy |
| | 8. Co-operative-Management |
| | 9. Steno-Typing |
| | 10. Banking Assistant |
| | 11. Store-Keeping |
| III. Home Science & Para Medical | 12. Fruit & Vegetable Preservation (Food Preservation) |
| | 13. Bakery & Confectionery |
| | 14. Garment Making (Costume Designing & Tailoring) |
| | * 15. Hospital House Keeping |
| IV. Technical Faculty | 16. Maintenance & Building Construction |
| | 17. Repair of Radio, T.V. |
| | 18. Repair of Moped, Scooter & Motor Cycle |
| | 19. Repair of Electrical Domestic Appliances Motor Rewinding |
| | * 20. Textile Designing |
| | 21. Welding Technology & Fabrication |
| | 22. Computer Application |
| V. Miscellaneous | 23. Photography |
| | * 24. Leather Processing & Goods Making |
| | 25. Printing, Binding & Paper Converting |
| | 26. Wooden Goods Making & Carving. |

Comprehensive Natural Calamity Management Plan

195. SHRI RAM KAPSE: Will the Minister of AGRICULTURE be pleased to state:

(a) whether any comprehensive Natural Calamity Management Plan envisaging precautionary safety measures and relief preparations has been prepared for the Garhwal and Kumaon Hill Region; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) and (b). While a comprehensive Natural Calamity Management Plan for the Garhwal and Kumaon Hill Region has not yet been prepared, Government of Uttar Pradesh has formulated and is implementing a detailed Action Plan for reducing the impact of natural calamities in the vulnerable areas, training of relief managers and administrators, incorporating disaster resistant technologies to building constructions and promoting non-Governmental action in disaster reduction.

Price of Essential Commodities

196. SHRI RAMCHANDRA VEERAPPA: Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Union Government are aware that price of wheat and rice in the open market is less than that of the rates of these commodities under PDS;

(b) if so, the details thereof and likely impact on the PDS system; and

(c) the remedial action taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE: (a) The prices of commodities sold through fair price shops are generally comparatively lower than their corresponding open market prices.

(b) and (c). However, if the open market price is less than the PDS price, it is an indication of good availability of grains.

Luxmi Cooperative Limited

197. SHRI SURENDRA PAL PATHAK: Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether guarantee was given to Luxmi Cooperative Wholesale and Retail Store Ltd. by the Union Government on the basis of the recommendations made by the Board of Directors of the Store and the State Government;

(b) if so, the reasons for not making an assessment of the financial position of the state before according the guarantee;

(c) whether the Government exchequer has incurred a huge loss as a result thereof;

(d) whether the Government have devised any such measure to make up the loss; and

(e) the precautions proposed to be taken by the Government in future in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) Yes, Sir.

(b) The assessment of the financial position of the Store at that time during 1977-78 was made on the basis of the facts submitted by the Store and Registrar of Cooperative Societies.

(c) An amount of Rs. 15,40,185/- was paid to the Maharashtra State Cooperative Bank Ltd., Bombay. This was the only case of default out of 665 cases of guarantee by the Ministry of Civil Supplies.

(d) Yes, Sir. Government of Maharashtra was requested to intimate the name and address of the Liquidator of the Store, so that they could be approached to make good the amount paid out of the sale proceeds of the assets of the Store.

(e) The Central Government is now giving guarantee only to viable and sound working Societies. A guarantee fee of 1% is charged on every guarantee sanctioned. The financial position of the societies for which guarantee have been provided, is being reviewed regularly. The State Government have also been requested to introduce the guarantee scheme and the Government of India is not extending the guarantee in those States where the State Government is operating their guarantee scheme.

Rare Paintings of Roerich

198. SHRI R. SURENDER REDDY: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government are aware of the pilferaging etc. of the valuable rare and priceless paintings of the famous Russian painter Mr. Svetslov Roerich who died last year at Bangalore after leaving vast estate there;

(b) whether any steps are proposed to be taken in consultation with the Government of Karnataka to preserve such rare paintings;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) Reports to that effect have come to the notice of Government.

(b) The matter pertains to the Government of Karnataka.

(c) and (d). Do not arise.

Lalit Kala Academy

199. SHRI RAM NAIK: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the employees of the Lalit Kala Academy have resolved to lock-out during the month of May 1994;

(b) if so, the facts thereof; and

(c) the efforts made by the Government to avert the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) No, Sir.

(b) and (c). Do not arise.

Trade of Pepper

200. SHRI P.C. THOMAS: Will the Minister of AGRICULTURE be pleased to state:

(a) whether pepper growers are facing great difficulty in the trade of pepper in the international market;

(b) if so, the details thereof indicating the reasons therefor ; and

(c) the steps proposed to be taken by the Government to encourage pepper cultivation and facilitate its trade in the international market?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) and (b) No major problems are being faced in the pepper trade in the international markets as there was an increase of 96 per cent in quantity of pepper exported and 129 per cent in value of pepper exported during 1993-94 over 1992-93. Similarly, the unit value of pepper exported has also increased from Rs. 32,790/- per tonne to Rs. 38,514/- per tonne during this period.

(c) For encouraging pepper cultivation, under the Central Sponsored Integrated Programme for Development of Spices, assistance is provided for area expansion, rehabilitation of old pepper

gardens, control of pepper diseases, production of quality planting material of high yielding varieties of pepper, besides laying out demonstration plots in farmer's fields for propagation of improved cultivation practices. For this an outlay of Rs. 63.30 Crores has been provided during the 8th plan.

Steps taken by the Spices Board for export promotion are given below:

- (i) Inviting importers from various countries to India for discussions with Indian exporter;
- (ii) Sending trade delegation to selected countries;
- (iii) Participation in important international fairs;
- (iv) Exploring the possibilities of penetrating into new markets especially in non-traditional countries in WANA and Africa. A project for consumer packing of spices and test marketing in European markets is being taken up with financial assistance from European Economic Community;
- (v) Grant of interest free loans to the exporters of approved branded consumer packs for publicity activities in respect of brand promotion in foreign markets;
- (vi) Introduction of logo promotion scheme for promotion of Indian pepper and other spices; and
- (vii) Government has suspended levy of cess on export of

pepper till 30th September, 1994 to make Indian pepper more competitive.

Suburban Trains

201. SHRI MOHAN RAWALE: Will the Minister of RAILWAYS be pleased to state:

(a) the number of daily commuters who travel by suburban trains in Bombay on Central and Western Railway, separately;

(b) the average daily income and profit from these commuters to these Railways, separately;

(c) whether passenger facilities like light fittings, fans, cleanliness in trains and on stations of Harbour line in Bombay and on the Central and Western Railways are inadequate;

(d) if so, whether there is any proposal to set up a separate

autonomous board for providing better facilities to these commuters,

(e) if so, the details thereof and if not, the reasons therefor; and

(f) the other steps being taken to provide better facilities to these commuters of suburban trains in Bombay?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) On an average, 24.29 lakhs daily commuters travelled by suburban trains in Bombay on Central and Western Railways respectively during 1993-94.

(b) Annual earnings and profit/loss on suburban services of Central and Western Railways for the years 1990-91, 1991-92, and 1992-93 (latest available) separately were as under:

	1990-91		1991-92		1992-93	
	C.R.	W.R.	C.R.	W.R.	C.R.	W.R.
Earnings	122.30	125.81	134.70	151.72	177.97	189.12
Profit (+)/ Loss (-)	16.60	(+) 8.43	(-) 7.81	(-) 24.91	(-) 7.13	(-) 49.95

(c) and (f). Amenities as per existing norms have been provided in Bombay. Upgradation and improvement of facilities/amenities for the passengers is a continuous process.

(d) and (e). No Sir, in view of (c) above.

[Translation]

Industrial Pollution in Delhi

202. SHRI RAMASHRAY PRASAD SINGH:
SHRIMATI MAHENDRA KUMARI:
SHRI TARA SINGH:
SHRI TEJ NARAYAN SINGH:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether a large number of Pollution spreading units are being run in Delhi;

(b) if so, the details thereof;

(c) the action taken by the Government against them;

(d) whether it has been decided to set up a Pollution Control Board to check pollution in Delhi; and

(e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH):
(a) Yes, Sir.

(b) According to a survey conducted by Delhi Pollution Control Committee, there are 22561 industries in the non-conforming areas of Delhi. The units have been listed in 115 categories in Delhi's Master Plan for 2001 A.D.

(c) Action is being taken against the defaulting units in accordance with the provisions of Air, (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974.

(i) Closure notices have been issued against 27 industries under Section 31(A) and 33(A) of Air Act, 1981 and Water Act, 1974 respectively.

(ii) 24 industries have been closed under the provisions of different Acts.

(iii) Legal action have been initiated against 30 industries.

(d) and (e). On date, there is a pollution control committee working in Delhi vested with the same powers as any State Pollution Control Board. However, the establishment of separate Pollution Control Board for Delhi is under examination.

Fisheries in Bihar

203. SHRI LALL BABU RAI: Will the Minister of AGRICULTURE be pleased to state:

(a) the details of the new schemes approved for the development of fisheries in Bihar during the current year; and

(b) the amount of financial assistance provided by the Government, scheme-wise?

THE MINISTER OF STATE IN THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES AND MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI S. KRISHNA KUMAR):

(a) No new schemes have been approved by the Ministry of Agriculture for the development of fisheries in Bihar during the current year.

(b) Does not arise.

[English]

Sports Complex in Gujarat

204. DR. K.D. JESWANI: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government of Gujarat has submitted any proposal seeking financial assistance for the construction of sports Complex;

(b) if so, whether it has been approved;

(c) the funds allocated for this purpose; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): (a) During the three financial years 1992-93, 1993-94 and 1994-95, the Government of Gujarat has not submitted any proposal for Central financial assistance for construction of a Sports Complex.

(b) to (d). Do not arise.

Storage Capacity

205. SHRI BOLLA BULLI
RAMAIAH:
SHRI D. VENKTESHWARA
RAO:
SHRI SURENDERA PAL
PATHAK:

Will the Minister of FOOD be pleased to state:

(a) whether the planning commission has strongly recommended to FCI to create additional storage capacity to meet the demand of the hilly and inaccessible areas to remove regional imbalances;

(b) if so, the details thereof;

(c) if not, the reasons therefor; and

(d) the steps taken by the FCI to step up grain movement in the country?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) to (c). The working group on storage and warehousing for the 8th plan appointed by the planning commission had recommended that some additional capacity would have to be planned to take care of regional imbalances and the need to create adequate capacity in the remote and inaccessible areas including the hill areas so as to ensure round the year supply of foodgrains to such areas. The *Statement* attached contains the details of storage capacity proposed to be created in the hilly areas during the current plan period. In addition to the centres listed under Annexure a few other centres like Ramban and Baramulla are also under consideration for creation of storage capacity in Jammu & Kashmir region.

(d) Movement of surplus stocks from the procurement regions to the consuming regions is done round the year in order to create vacant space for accommodating stocks to be procured in the procuring region for the next season. All possible efforts are made to maximise this movement which is monitored month-wise. Special care is taken to meet the needs of hilly and inaccessible regions — especially regions such as the North Eastern region where in addition to rail movement, Food Corporation of India is also using road transportation facilities extensively wherever possible. Waterways are also being utilised for the purpose as in the North-Eastern area of the country.

STATEMENT

State-wise information on the proposals of FCI for construction of Godowns/Warehouses in hilly areas

Food Corporation of India

Capacity (in tonnes)

Sl. No.	Centre	State	Capacity
1.	Hamirpur	Himachal Pradesh	1670
2.	Chamba	-do-	1670 @
3.	Kullu	-do-	1670 @
4.	Shimla	-do-	2500 @
5.	Harrewala	Uttar Pradesh	10000
6.	New Tehri	-do-	2500
7.	Gopeshwar	-do-	2500
8.	Satpuli	-do-	2500
9.	Laungtlai	Mizoram	3340
10.	Bhairabhi	-do-	5000
11.	Shillong	Meghalaya	5000
12.	Jowai	-do-	5000
13.	Aizawl	Mizoram	5000
14.	Jiribam	Manipur	2500
15.	Dimapur	Nagaland	10000
16.	Kohima	-do-	2500
17.	Agartala	Tripura	5000
18.	Tura	Meghalaya	2500

@ = Construction to be taken up when the State Government makes the land available.

Shortage of Sugar

SHRI TEJ NARAYAN
SINGH:

SHRI RAJ NARAIN:

206. MAJ. GEN. (RETD.)
BHUVAN CHANDRA
KHANDURI:
SHRI NITISH KUMAR:
SHRI NAWAL KISHORE
RAI:

Will the MINISTER OF CIVIL
SUPPLIES, CONSUMER AFFAIRS AND
PUBLIC DISTRIBUTION be pleased to
state:

(a) whether Government are aware of the shortages and delayed supply of sugar in PDS outlets;

(b) whether the Government are aware that due to very late release of sugar to PDS outlets during the month of April, 1994, a number of card-holders did not get their quota of sugar in time;

(c) whether the Government are aware that sugar quota for the month of May 1994 has not yet reached the States; and

(d) if so, the action taken by the Government to ensure regular and timely supply of Sugar to PDS outlets?

THE MINISTER OF STATE IN MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) to (d). It has been reported that in some States/U.Ts due to delayed supply of levy sugar for the Public Distribution Systed (PDS) outlets during April, 1994, card holders were not able to draw their quota of levy sugar in time. Central Government makes bulk allocation of levy sugar every month in favour of the State Governments/U.T. Administrations. It is the responsibility of the States/UTs to arrange lifting of the allocated quantity of levy sugar through its nominees from the Sugar factories in States/UTs. Where the work of movement from the factories to the consuming destinations is entrusted to the Food Corporation of India (FCI), nominees of the States/UTs have to lift the levy sugar stocks from the FCI depots. Levy sugar allocations have generally been issued in time except for the month of May, 1994 when it was issued on 15th April, 1994.

There has been a short fall in domestic production of sugar during the current season. Government has taken a number of measures to augment supplies. Imports of sugar have been brought under Open General Licence. The State Trading Corporation (STC) and the Minerals and Metals Trading Corporation (MMTC) have also been directed to augment availability of sugar. A high level Officers Committee has been set up to monitor the timely movement of imported sugar from the ports to the consuming destinations.

Doubling of Railway Line

207. SHRI C.P. MUDALAGIRI-YAPPA: Will the MINISTER OF RAILWAYS be pleased to state:

(a) whether the doubling of the railway line between Bangalore and Madras has been completed;

(b) if so, the details thereof;

(c) if not, the reasons, therefor; and

(d) the time by which it is likely to be completed ?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) No, Sir.

(b) Does not arise.

(c) and (d). The doubling of the remaining 81 km long section for Whitefield-Kuppam is in progress and is likely to be completed in IXth plan depending upon the availability of resources.

[Translation]

CULTURE) (KUMARI SELJA): (a) Yes, Sir.

Railway Reservations

208. DR. MUMTAZ ANSARI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government have made some changes regarding reservation in IInd Class sleeper with effect from 1st June, 1994; and

(b) if so, the details thereof?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) No, Sir.

(b) Does not arise.

Bharat Mahotsav

209. SHRI MAHESH KUMAR KANODIA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have recently organised 'Bharat Mahotsav' in China;

(b) if so, the details along with highlights of the Festival;

(c) the Expenditure incurred by Government thereon;

(d) the name of the country wherein next festival is proposed to be organised and when?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF

(b) The programme for the Festival of India in China consisted of:

(i) Performing Arts.

(ii) Exhibitions:

(1) 'Karigari' — Exhibition of Indian Handicrafts & Textiles.

(2) 'India — A glimpse of Science' — Exhibition on Science & Technology.

(3) Exhibition of English Books published in India.

(iii) Fashion Shows.

(iv) Seminar on 'Literary Traditions between two countries.

(v) Film Festival.

(c) Rs. 1,98.03.225/- till date

(d) Thailand in 1994-95.

*[Translation]***Accident on Gonda-Barabanki Section**

210. SHRI BRIJBHUSHAN SHARAN SINGH:
SHRI SATYA DEO SINGH:

Will the Minister of RAILWAYS be pleased to state:

(a) whether an accident had occurred between a train and a tractor on Gonda-Barabanki section in Lucknow

division of the North Eastern Railway recently;

[English]

(b) if so, the number of persons killed and injured in this accident;

(c) whether any compensation has been given to the dependents of those killed and injured;

(d) if so, the details thereof; and

(e) the steps taken to prevent the recurrence of such accidents?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) On 28.5.94, while 5063 Up Express was on run in the block section Gonda Kacheri-Maijpur on North Eastern Railway, one tractor with trolley dashed against the train engine at manned level crossing gate No. 267-C, which was closed to road traffic.

(b) 27 persons lost their lives and 6 sustained grievous injuries.

(c) and (d). Such accidents are not covered for payment of compensation as per the provisions of Section 124 of the Railways Act, 1989. However, a total amount of Rs. 1,47,000/- was paid as ex-gratia relief to the kiths of the dead and injured.

(e) A close monitoring of level crossings is maintained through regular safety drives and ambush checks. Whistle boards, speed breakers and road signs at the approaches of level crossings are provided. Besides, arrangements are also made to improve the visibility for road users and train drivers. To educate road users, publicity campaigns through print and audio-visual media are launched and exhibitions at rural/urban locations, etc. are conducted regularly.

PM's Visit to USA

211. SHRI BHAGWAN SHANKAR RAWAT: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether any agreement has been signed between India and U.S.A. pertaining to security of global heritages including Taj Mahal and other related matters during the Prime Minister's recent visit to USA;

(b) if so, the details thereof; and

(c) the time by which the agreement is likely to be implemented?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) and (b). No Agreement has been signed between India and USA pertaining to security of global heritages including Taj Mahal and other related matters during the Prime Minister's recent visit to USA. However, the Memorandum of Understanding with National Park Service (NPS), USA for planning, conservation and management of Natural and Cultural Heritage site signed on 18th May, 1989 which was due to expire in April 1994 has been extended for a period of five years during PM's visit to USA.

In accordance with Memorandum of Understanding the National Park Service has agreed to prepare conceptual plans for the following heritage sites:

(i) Agra Heritage Project

- (ii) Regional Development Plan for Historical and Archaeological site at Bodhgaya, Nalanda and Rajgir.

[Translation]

Passenger Facilities

- (iii) Management Plan for enhancement of tourism at Ajanta and Ellora caves and Daulatabad Fort.

212. SHRI SATYNARAYAN JATIYA: Will the Minister of RAILWAYS be pleased to state:

- (iv) Joint Development plan for Samath.

(a) the details of the facilities to be provided under the expansion of railway passenger facilities in Madhya Pradesh during 1994-95; and

(b) the details of the time bound action plan formulated for this purpose?

(c) The Memorandum of Understanding which was to expire in April 1994 has been extended for a period of five years.

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) and (b). Details in respect of works costing more than Rs. 2 lakh each are as under:

(Cost in lakh of Rupees)

Sl. No.	Station	Details of Work	Cost	Expected Year of Completion
1.	Bina	Washable apron of platform no. 2	26.54	1996-97
2.	Itarsi	Improvement in passenger amenities	93.75	1996-97
3.	Damoh	Extension of cover over platforms	7.78	1996-97
4.	Harda	Cover over island platform and foot over bridge	11.50	1996-97
5.	Bhopal	Extension of cover over platform no. 2 & 3	13.00	1996-97
6.	Satna	Remodelling of booking complex	11.98	1996-97
7.	Katni	Extension of platform no. 5	4.86	1996-97
8.	Morena	Extension of platforms	8.08	1996-97
9.	Patheria	Raising of UP and DN platforms	14.87	1996-97
10.	Patharia	Provision of new foot-over-bridge	13.17	1996-97
11.	Banapura	Extension of foot-over-bridge	10.90	1996-97
12.	Bhopal	Facelifting of station building	15.00	1996-97
13.	Satna-Katni Section	Provision of battery charging facilities	5.10	1996-97

(Cost in lakh of Rupees)

Sl. No.	Station	Details of Work	Cost	Expected Year of Completion
14.	Jabalpur	Provision of master water cooler	8.00	1996-97
15.	Katni			
16.	Dhodramohar	Provision of filtration plant	5.50	1996-97
17.	Khandwa	Provisin of battery charging facilities	5.93	1996-97
18.	Itarsi	Provision of battery charging facilities	9.12	1996-97
19.	Gwalior	Extension of cover over platform no. 1	7.84	1996-97
20.	Mana	Electrification of stations	12.00	1994-95
21.	Sorsonpuri			
22.	Bakal			
23.	Bilaspur Division	Surfacing of platforms at 15 stations	27.00	1995-96
24.	Bilaspur	Provision of washable apron on line no. 3	26.75	1995-96
25.	Durg	Improvement of circulating area	38.29	1995-96
26.	Anuppur	Extension of waiting halls/rooms	8.25	1994-95
27.	Bilaspur Division	Extension of waiting hall at 6 stations	13.89	1995-96
28.	Birsinghpur	Provisin of upper class waiting room	4.68	1995-96
29.	Bilaspur Division	Additional latrines at 9 stations	2.40	1995-96
30.	Raipur	Platform shelter	8.92	1994-95
31.	Durg	Extension of cover over platform no. 2 & 3	8.83	1994-95
32.	Hathbandh	Cover over UP and DN platform	5.99	1995-96
33.	Niphania	Cover over UP and DN platform	3.01	1995-96
34.	Howbagh	Extension of platform shelter	5.97	1995-96
35.	Dongargarh	Extension of platform shelter	8.98	1995-96
36.	Chhindwara	Extension of platform shelter	11.96	1995-96
37.	Balaghat	Extension of platform shelter	11.96	1994-95
38.	Dhurwasin	Electrification	9.54	1994-95
39.	Manik Chauri			
40.	Garagaon			
41.	Sirri			

(Cost in lakh of Rupees)

Sl. No.	Station	Details of Work	Cost	Expected Year of Completion
42.	Chakrabhata	Conversion of halt into flag station	8.84	1995-96
43.	Shahdol	Cover over platform	9.71	1994-95
44.	Anuppur	Extension of platform shelter	7.91	1995-96
45.	Bhilainagar	Foot-over-bridge	7.88	1994-95
46.	Kirodimainagar	Foot-over-bridge	7.88	1995-96
47.	Bilaspur	Additional foot-over-bridge	9.77	1995-96
48.	Kargi Road	Foot-over-bridge	10.41	1995-96
49.	Shahdol	Cover over foot-over-bridge	5.58	1995-96
50.	Umaria			
51.	Anuppur			
52.	Sakti			
53.	Naila			
54.	Kharsia			
55.	Akaltara			
56.	Pendra Road	Improvement of circulating area	4.34	1994-95
57.	Bhatapara	Replacement of foot-over-bridge	21.97	1996-97
58.	Bilaspur	Train indicator boards	11.25	1995-96
59.	Durg			
60.	Raipur			
61.	Shahdol	Raising of main and island platform	12.33	1996-97
62.	Manendragarh	Extension of platforms	2.37	1996-97
63.	Bhilai Power House	Public address systems	7.00	1995-96
64.	Sakti			
65.	Kharsia			
66.	Naila			
67.	Tilda			
68.	Manendragarh			
69.	Kargi Road	Raising of platform no. 1	4.01	1996-97

(Cost in lakh of Rupees)

Sl. No.	Station	Details of Work	Cost	Expected Year of Completion
70.	Pendra Road	Raising of platform no. 1	4.88	1996-97
71.	Bilaspur	Computerisation of reservation	28.00	1996-97
72.	Raipur	Computerisation of reservation	25.00	1996-97
73.	Omkareshwar	Face lifting of station building	8.71	1996-97
74.	Ratlam	Extension of cover over platform no. 5/6	14.91	1996-97
75.	Ratlam	Extension of cover over platform no. 4	10.62	1996-97

Levy Sugar

213. SHRI NITISH KUMAR:
DR. MAHADEEPAK SINGH
SHAKYA:

Will the Minister of FOOD be pleased to state:

(a) whether the Government have announced relaxation in the import of sugar as well as urged the sugar manufacturers to give the levy sugar on loan basis to the Government in order to reduce the increasing prices of sugar in the country;

(b) if so, the quantity of levy sugar supplied by the sugar manufacturers to the Government on loan basis during April and May, 1994;

(c) whether the Government had also urged the sugar manufacturers in May, 1994 to release more quantity of levy sugar;

(d) if so, the details thereof;

(e) whether profit of the sugar manufacturers has increased heavily from

March, 1994 to May 1994 due to increase in the prices of sugar in the open market; and

(f) if so, the extent of likely increase in their profit?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) to (d). In order to augment the availability of levy sugar for distribution through the Public Distribution System, the Apex bodies of the sugar industry viz. National Federation of Cooperative Sugar Factories and the Indian Sugar Mills Association have agreed that a quantity of 2.50 lakh tonnes of free sale sugar of 1993-94 season's production may be converted as levy sugar on replacement basis. Accordingly the said quantity of 2.50 lakh tonnes would be added to the levy entitlement of the sugar factories for 1993-94 season with the corresponding reduction in the free sale entitlement.

The sugar factories are required to deliver levy sugar as per Levy Allotment Orders issued by the Central Government.

(e) and (f). The record of loss and profit made by the manufacturers of sugar is not maintained by the Ministry of Food.

[English]

Admission in Vocational Courses

214. SHRI ARJUN CHARAN SETHI: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the admission in the plus two level vocational courses have been stopped by some of the States recently; and

(b) if so, the details thereof and the specific reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) and (b). According to the information available no State/UT has stopped plus two level vocational courses recently.

Historical Monuments

215. SHRI RAM VILAS PASWAN: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether any study has been made to know the extent of effect of environmental pollution on Delhi's Red Fort and the various historical monuments in the city;

(b) if so, the details thereof; and

(c) the steps taken by the Government to preserve these historical monuments?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) The Archaeological Survey of India is monitoring the level of suspended particulate matter in Red Fort, Delhi.

(b) The level of suspended particulate matter has been observed to be generally above 500 micro grams per cubic metre, which is more than the permissible limits, except during the rainy season.

(c) Besides environmental development around monuments, the marble/stone surface is chemically cleaned periodically and than a preservative coat is applied.

Technical Education in Kendriya Vidyalayas

216. SHRI PRAKASH V. PATIL: SHRI RAJENDRA KUMAR SHARMA:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government propose to provide technical education in the Kendriya Vidyalayas; and

(b) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) No, Sir. There is no such proposal under consideration at present.

(b) Does not arise.

Schemes for Agricultural Development

217. DR. K.V.R. CHOWDARY: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the Government propose to introduce new schemes for the development of agriculture in the country particularly in Andhra Pradesh;

(b) if so, the details thereof; and

(c) the time by which these schemes are likely to be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) to (c). Information is being collected and will be laid on the Table of Sabha.

Public Utility Commission

218. SHRI M.V.V.S. MURTHY: Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Union Government are actively considering to set up a Public Utility Commission whereby every Ministry would be required to take the clearance from the Commission before taking any decision on consumer related affairs, including increase in products prices or freight increases; and

(b) if so, the time by which the Public Utility Commission is likely to be set up alongwith its members, powers and functions?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES,

CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTRY OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) and (b). Earlier, a Working Group under the aegis of Central Consumer Protection Council, submitted a report recommending setting up of a Public Utility Commission on the pattern of that existing in USA. A decision on the report can be taken only after consultation with the State Governments and concerned Ministries/Departments.

Killing of Animals by Tribals

219. SHRI BIJOY KRISHNA HANDIQUE: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether attention of the Government has been drawn to wanton killing of animals in hundreds in Dalma Sanctuary in Bihar on the occasion of the annual hunting festival of the local tribals;

(b) if so, the steps contemplated by the Government to prevent such occurrences;

(c) whether adequate eco-awareness programme has been launched in such sensitive areas; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): (a) No such report has been received from the Government of Bihar.

(b) Does not arise.

(c) and (d). The Government of India have started a "Centrally Sponsored

Scheme of Eco-Development in and around National Parks and Sanctuaries including Tiger Reserves". The amount released to the States during the last three years under the scheme is as follows:

Year	Amount Released Rs. in lakhs
1991-92	44..28
1992-93	172.173
1993-94	243.48

Besides this, eco-awareness programme is also being supported under the Centrally Sponsored Scheme of 'Development of National Parks and Sanctuaries'. The Ministry also supports non-formal environmental education and awareness through Eco clubs, Paryavaran Vahini and films/audio visuals on environmental themes.

[Translation]

Promotion of Agriculture

220. PROF. RASA SINGH RAWAT: Will the Minister of AGRICULTURE be pleased to state:

(a) the steps taken by the Government to promote agriculture and cow breeding in Rajasthan;

(b) the funds allocated for the purpose during the Eighth Plan period;

(c) whether the Government propose to make available Israel's technique in the field of agriculture to the farmers of Rajasthan and Haryana, and

(d) if so, the efforts being made in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) Government of India as well as the State Government of Rajasthan are taking steps to promote agriculture and cow breeding in Rajasthan such as developmental programmes on crop husbandry, agricultural research and education, storage and marketing, credit and cooperation etc.

(b) The total funds of Rs. 96037 lakhs have been allocated to Rajasthan for above purpose during Eighth Plan period.

(c) and (d). Government of India and Israel have entered into an agreement for cooperation in the field of agriculture in December, 1993. The cooperation includes activities like water and soil management including optimal use of water, arid and semi-arid crop production and other land based activities, post harvest and processing technology, animal husbandry etc. for making available technology to the farmers.

[English]

Requirement of Railway Wagons

221. SHRI SUDHIR GIRI: Will the Minister of RAILWAYS be pleased to state:

(a) the average requirement of rail wagons per year;

(b) the number of rail-wagons supplied during the last three financial years;

(c) the total requirement of rail wagons in the current financial year;

(d) the orders placed for rail wagons so far; and

(e) the reasons for delay in placing the orders this year?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) The requirement of wagons is a prospective provision to generate adequate transport capacity to meet the transport demands for the year and is a function of asset utilisation and varies from year to year. For the VIII Five Year Plan, the total requirement has been estimated as 1,20,000 wagons (4-wheelers) giving an average of 24,000 per annum.

(b) The figures of wagons procured during the last three financial years are indicated below:

Year	No. (Four wheelers)
1991-92	25778
1992-93	26129
1993-94	19649

(c) Budget provision for 18,000 four wheelers has been made for the current financial year.

(d) Orders have been placed for 75600 four wheelers on the Industry and 1000 four wheelers on Railway Workshops.

(e) Wagon availability is more than adequate to meet present traffic offerings. Hence, there is no delay from Railways' point of view. However, to mitigate the

hardship of the Industry, orders have been placed on 1-6-94.

[Translation]

Pay Scales of Librarians in Kendriya Vidyalayas

222. SHRI GIRDHARI LAL BHARGAVA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government propose to revise the pay-scales of the Librarians of the Kendriya Vidyalaya Sangathan in view of the report of the Chattopadhyay Committee; and

(b) if so, the details of the new pay scales of the Librarians?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SEJLA): (a) and (b). The Government have taken into consideration the recommendations of the Chattopadhyay Commission together with those of the Fourth Pay Commission and the postulates of National Policy on Education for fixing the pay scales of teachers as also Librarians. The Kendriya Vidyalaya Sangathan has adopted the same pay scales. There is no proposal to further revise the pay scales.

[English]

Copyright Enforcement Cells

233. SHRI TARA SINGH:
SHRI INDRAJIT GUPTA:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government propose to constitute copyright enforcement cells to check piracy;

(b) if so, whether some guidelines in this regard have been issued to the State Governments;

(c) if so, the number of cases of violation of the copyright act came to the notice of the Government during the last three years;

(d) the action taken by the Government in each of the cases; and

(e) the extent to which the copyright enforcement cells are likely to help in checking piracy?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) and (b). For checking infringements of Copyright Act, the Government of India had suggested to the State Governments certain measures, including setting up of Special Copyright Enforcement Cells in larger towns to investigate Copyright offences.

(c) and (d). According to information furnished by National Crime Records Bureau, Ministry of Home Affairs, cases of violation of Copyright Act reported from different States/Union Territories in 1991 and 1992 were 854 and 1120 respectively. The data for 1993 is still under compilation. Necessary action in this regard is taken by the respective State Governments.

(e) The proposed Copyright Enforcement Cells are expected to be quite useful in checking piracy.

Navodaya Vidyalayas

224. SHRI PROBIN DEKA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have taken a decision to set up Navodaya Vidyalayas in each district of the state;

(b) if so, the total number of Navodaya Vidyalayas to be set up during 1994-95, state-wise; and

(c) the extent to which it will generate employment for the teachers?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) and (b). Yes, Sir. For opening a Navodaya Vidyalaya in a District, the State Government concerned has to provide adequate and suitable land free of cost and temporary accommodation till the Navodaya Vidyalaya Samiti constructs its own building. The Navodaya Vidyalaya Samiti proposes to open upto 50 new Vidyalayas in a year depending on the availability of the facilities to be provided by the State Governments. Navodaya Vidyalayas have been set up in all States and Union Territories excepting West Bengal and Tamil Nadu, but there are still 94 uncovered districts in 18 States as per *Statement* attached.

(c) Each new Vidyalaya providing upto class XII will have a complement of 26 teaching staff.

STATEMENT*State-wise Districts yet to be covered under Navodaya Vidyalaya Scheme*

Sl. No.	Name of State/UT	No. of districts yet to be covered
1.	Andhra Pradesh	01
2.	Arunachal Pradesh	05
3.	Bihar	16
4.	Gujarat	07
5.	Haryana	04
6.	Himachal Pradesh	02
7.	Kerala	02
8.	Maharashtra	05
9.	Meghalaya	01
10.	Orissa	01
11.	Punjab	01
12.	Rajasthan	04
13.	Sikkim	02
14.	Nagaland	04
15.	Tripura	01
16.	Uttar Pradesh	19
17.	Delhi	02
18.	Assam	17
		94

Late Running of Trains

225. SHRI RAMESH CHENNI-
THALA: Will the Minister of RAILWAYS
be pleased to state:

(a) whether some of the South
bound super fast trains have been
constantly running late;

(b) if so, the names of these trains;
and

(c) the steps proposed to be taken
to remedy the situation?

THE MINISTER OF RAILWAYS
(SHRI C.K. JAFFER SHARIEF): (a) and
(b). The punctuality percentage of South
bound superfast trains during the last
three months has been as under:

Train No. & Name		Punctuality %age		
		March 1994	April 1994	May 1994
2616	GT. Express	38.7	46.6	51.6
2618	Mangala Express	74.2	43.3	54.8
2620	Rajdhani Express	100.0	100.0	100.0
2622	Tamil Nadu Express	32.3	23..3	22.6
2626	Kerala Express	45.1	33.3	45.2
2628	Karnataka Express	80.6	90.0	64.5
2632	Rajdhani Express	75.0	75.0	100.0
2724	A.P. Expresss	87.1	90.0	87.1

(c) All possible efforts including intensive chasing and round the clock monitoring are being made by the Railways to eliminate the detentions which are within the control of the Railways.

Merit Promotion Scheme in Jawaharlal Nehru University

226. SHRI GURUDAS KAMAT: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether Merit Promotion Scheme had not been implemented in Jawaharlal Nehru University;

(b) if so, the reasons therefor;

(c) whether there is resentment among the JNU Teachers in this regard; and

(d) if so, the steps proposed to be taken by the Government in the matter?

THE DEPUTY MINISTER IN THE
MINISTRY OF HUMAN RESOURCE

DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) According to the information furnished by the Jawaharlal Nehru University, the Merit Promotion Scheme (MPS) of 1983 had been implemented in the University as per the guidelines of the University Grants Commission.

(b) Does not arise.

(c) The MPs, 1993 has since been replaced by a new Career Advancement Scheme (CAS) w.e.f. 1-1-86. However, while implementing this scheme, the teachers were given option to be continued under the MPS, 1983. The University has intimated that some Associate Professors who had opted out of MPS are asking for its restoration on the ground that some of the provisions of CAS are not favourable to them.

(d) The Government have not received any specific request/representation in this regard from the JNU.

Building Grants to Cultural Organisations

227. DR. KARTIKESWAR PATRA:
Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the total amount of building grants sanctioned to the various cultural organisations during the last two years in each state;

(b) whether any amount has been sanctioned to the Government of Orissa during the above period;

(c) if so, the details thereof and the names of such organisations in the State; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) A Statement is enclosed.

(b) No, sir

(c) Does not arise.

(d) Under the Scheme of Building Grants to Voluntary Cultural Organisations, grants are not given to the State Governments:

STATEMENT

Sl. No.	Name of State/UT	Amount Sanctioned 1992-93	Amount Sanctioned 1993-94
1.	Andhra Pradesh	Rs. 2,08,500	Rs. 0,81,250
2.	Assam	Rs. 4,12,500	Rs. 2,39,372
3.	Bihar	Rs. 0,30,000	Rs. 0,61,250
4.	Delhi	Rs. 5,60,500	Rs. 6,47,500
5.	Goa	Rs. 0,66,400	Nil
6.	Gujarat	Rs. 2,75,000	Rs. 1,25,000
7.	Haryana	Rs. 7,50,000	Nil
8.	Himachal Pradesh	Rs. 1,07,500	5,85,500
9.	Karnataka	Rs. 6,40,000	Rs. 5,82,500
10.	Kerala	Rs. 11,44,500	Rs. 11,48,000
11.	Madhya Pradesh	Rs. 2,50,000	Rs. 6,00,000
12.	Maharashtra	Rs. 12,43,000	Rs. 44,50,000
13.	Manipur	Rs. 0,23,000	Rs. 3,38,525
14.	Orissa	Rs. 4,02,500	Rs. 8,07,500
15.	Punjab	Rs. 4,25,000	Rs. 1,37,500

Sl. No.	Name of State/UT	Amount Sanctioned 1992-93	Amount Sanctioned 1993-94
16.	Rajasthan	Rs. 0,80,000	Rs. 3,01,041
17.	Tamil Nadu	Rs. 0,12,500	Rs. 0,55,000
18.	Uttar Pradesh	Rs. 2,69,250	Rs. 3,90,000
19.	West Bengal	Rs. 2,26,500	Rs. 5,34,250
20.	Chandigarh	Rs. 0,25,000	Rs. 3,62,500

Railway Terminal at Kurla

228. DR. VASANT NIWRUTTI PAWAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the proposal to start a railway terminal at Kurla in Bombay has been accepted;

(b) the present stage of this proposed terminal; and

(c) the details of trains that will originate from this new terminal?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) Phase-I, Stage-I facilities comprising of provision of an island platform, one shunting neck, two dry pit lines, two washing lines and station building have been completed.

(c) Kurla terminal is already in operation and following trains are originating/terminating at Kurla terminal:

1. 1013/1014 Kurla (T)	—	Bangalore Express (daily)
2. 3417/3418 Kurla (T)	—	Bhagalpur Express (4 days a week)
3. 4247/4248 Kurla (T)	—	Varanasi Express (daily)
4. 5113/5114 Kurla (T)	—	Chhapra Express (tri-weekly)
5. 6635/6636 Kurla (T)	—	Mangalore/Cochin Netravati Express (daily)
6. 8029/8030 Kurla (T)	—	Howrah Express (daily)

At present there is no proposal to start other trains from Kurla terminal.

[Translation]

Sadbhawana Train

229. SHRI TEJ NARAYAN SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government have sent youths by Sadbhawana special train to spread solidarity and communal harmony in the country;

(b) if so, whether advertisements have been made in major newspapers for inviting applications of candidates for taking part in such publicity before the introduction of this special train;

(c) the amount spent on such journey by this train; and

(d) the number of such participants of Sadbhawana train and the States in which they reside and the criteria for eligibility of their participation?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) The Sadbhawana Special train to spread solidarity and communal harmony was organised by a voluntary organisation viz., National Youth Project, Morena (M.P.) and the Ministry of Human Resource Development extended help. Ministry of Railways ran the train free of cost.

(b) and (d) The voluntary organisation proposed to carry 200 youths with 100 being replaced periodically.

(c) The haulage charges on normal tariff rates for the proposed itinerary was Rs. 1.75 crores approximately.

New Sugar Mills

230. SHRI SHIVRAJ SINGH CHAUHAN: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the National Co-operative Development Corporation provides financial assistance for the setting up of new sugar mills;

(b) if so, the amount of financial assistance provided by the National Co-operative Development Corporation to such sugar mills in Madhya Pradesh during 1993-94;

(c) whether the N.C.D.C. is not having adequate fund to assist such mills;

(d) if so, whether the Government propose to provide additional fund to

NCDC so as to enable it to sanction financial assistance to sugar mills;

(e) if so, the details thereof; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) The National Cooperative Development Corporation (NCDC) provides investment loan assistance to the State Govts./UT Administrations for contribution to the share capital of new co-operative sugar factories. This loan assistance is provided after the project has been appraised by the Central Financing Institutions and the term loan for the project has been approved by them.

(b) During 1993-94 no assistance under the scheme has been provided by National Cooperative Development Corporation to Madhya Pradesh as no proposal was received from the State Govt.

(c) to (f). No, Sir. An outlay of Rs.350.00 crore has been approved during the 8th Five Year Plan for participation in the share capital of the co-operative sugar factories for setting up of new co-operative sugar factories, expansion and modernisation of existing co-operative sugar factories as also their diversification.

[English]

District Primary Education Programme

231. SHRI SUSHIL CHANDRA VARMA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the financial allocation made for launching centrally sponsored District Primary Education Programme during 1994-95, State-wise;

(b) the number of districts covered under the said programme, State-wise; and

(c) the steps taken or proposed to be taken by the Government to strengthen the District Primary Education Programme indicating the achievement likely to be gained by the end of 1994-95?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) A provision of Rs.40 crores for 1994-95 has been made for DPEP in the budget of Central Government.

(b) DPEP covers 42 Districts in 7 States at present. The State-wise break-up is as follows:

Haryana	:	4
Kerala	:	3
Maharashtra	:	5
Tamil Nadu	:	3
Assam	:	4
Karnataka	:	4
Madhya Pradesh	:	19

(c) For monitoring the progress of the District Primary Education Programme a computerised management information system and baseline studies to assess achievement levels of primary school children at periodic intervals, have been undertaken. In 1994-95 emphasis is on putting in place systems and processes necessary for the implementation of DPEP.

[Translation]

Morning Classes in Kendriya Vidyalayas

232. SHRI SURENDRA PAL PATHAK: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether some of the Kendriya Vidyalayas in Delhi are not having any arrangements of morning classes for the children of the primary classes;

(b) if so, the reasons therefor and the details of such schools;

(c) whether the Government propose to start morning classes in these schools in order to provide some relief to the parents who are working couples; and

(d) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA) (a) and (b). Kendriya Vidyalaya Sangathan has informed that in Kendriya Vidyalayas having double shift, subject to administrative exigencies, the primary classes are being progressively shifted to the second shift to overcome shortage of classroom accommodation for other classes.

(c) No, Sir.

(d) Does not arise.

[English]

Central Railway

233. SHRI RAM NAIK: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Central Railway has recently launched an investigation into the recruitment racket of nearly 50 employees;

(b) the modus operandi of the racket and the officers held responsible for the same; and

(c) the steps taken/proposed to punish the erring officers and to ensure that instances do not recur?

THE MINISTER OF RAILWAYS
(SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) The candidates, in favour of whom fake appointments were to be made, were issued fake medical examination memos. After medical examination, fictitious service records were made out and candidates were to be appointed by issuing fake appointment letters. Involvement of a retired Railway Officer is suspected.

(c) F.I.R. has been lodged with the City Police, Bombay. The modus operandi adopted has been notified to prevent such fake appointments in future by concerned officers.

Arrears against Central Power Stations and SEBs

234. SHRI R. SURENDER REDDY:
Will the Minister of RAILWAYS be

pleased to state:

(a) whether a number of Central Power stations and State Electricity Boards owe hundreds of crores to the Indian Railways;

(b) if so, the details thereof, project-wise;

(c) whether the railways have adopted tough stand this year against the defaulting stations and the boards to recover the long standing arrears;

(d) if so, the details of the measures taken by the Railways in this regard;

(e) whether the Railways have suggested some alternatives in this regard; and

(f) if so, the details thereof?

THE MINISTER OF RAILWAYS
(SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) to (f). A *Statement* is attached.

STATEMENT

The details of dues recoverable from State Electricity Boards to the end of February, 1994 are as under:

(In Crores)

Sl. No.	Name of Electricity Board	Amount
1.	Andhra Pradesh State Electricity Board	2.81
2.	Assam State Electricity Board	4.52
3.	Bihar State Electricity Board	9.17
4.	Delhi Electric Supply Undertaking	72.45

Sl. No.	Name of Electricity Board	Amount
5.	Gujarat State Electricity Board	49.47
6.	Haryana State Electricity Board	125.73
7.	Karnataka State Electricity Board	0.18
8.	Maharashtra State Electricity Board	22.70
9.	Madhya Pradesh State Electricity Board	1.49
10.	Orissa State Electricity Board	0.01
11.	Punjab State Electricity Board	9.26
12.	Rajasthan State Electricity Board	70.85
13.	Tamil Nadu State Electricity Board	9.30
14.	Uttar Pradesh State Electricity Board	115.50
15.	West Bengal State Electricity Board	36.28
16.	National Thermal Power Corporation	504.31
17.	Private Power House - Sabarmati	3.43
Total		1037.46

(c) to (f). State Electricity Boards, Delhi Electric Supply Undertaking and National Thermal Power Corporation have been repeatedly requested to clear the outstanding dues. It has also been decided to recover from Central Plan Assistance to States an amount of Rs.308.05 crores outstanding from State Electricity Board in four equal annual instalments. Compulsory pre-payment of freight has also been enforced selectively in respect of some of the State Electricity Boards.

In order to reduce further accumulation of outstanding dues against State Electricity Boards, the surcharge for booking of coal traffic on 'To Pay' basis was enhanced from 5% to 10% as a part of Budget Proposals for the year 1993-94.

Efforts are also being made with the State Electricity Boards to adopt the scheme of advances payment of freight at destination for their coal traffic treating the same as "Paid" with exemption from payment of surcharge. The advance payment scheme is already in vogue with Punjab State Electricity Board.

Railway Network in Kerala

235. SHRI P.C. THOMAS:
SHRI THAYIL JOHN
ANJALOSE:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the amount allocated for railway network in Kerala in the budget

1994-95 has been given to the Southern Railway; and

THE MINISTER OF RAILWAYS
(SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) if so, the amount utilised so far in this regard project-wise?

(b) A *Statement* is enclosed.

STATEMENT

The details are given below:

Sl. No.	Name of work	Cost of the project	Amount allotted for 94-95	Expenditure upto 31.3.94	Expenditure for April 1994
(Rs. in lakhs)					
PLAN HEAD: DOUBLING					
1.	Kayankulam-Quilon Doubling 41.00 Km.	4217.00	700.00	3147.38	9.63
2.	Quilon-Trivandrum Central Doubling	8123.00	500.00	137.11	2.41
3.	Kutipuram-Calicut Doubling.	6000.00	200.00	—	—
PLAN HEAD : WORKSHOPS					
4.	Emakulam-Pit line Coach Maintenance Facilities	414.73	9.08	321.32	4.21
PLAN HEAD : BRIDGES					
5.	Road over bridge connecting Willington Island and Cochin Bypass	389.87	40.00	—	—
6.	Road over bridge near Punkunnam	76.81	36.72	34.34	—
7.	Bridge No. 943 at Ferok	605.73	26.52	495.21	0.55
Total		19827.14	1512.32	4135.36	16.80

Double Storey Platforms

236. SHRI MOHAN RAWALE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways propose to construct double storey platforms at Kanpur Railway Station in Uttar Pradesh;

(b) if so, the details thereof; and

(c) the names of other railway stations where such platforms are proposed to be constructed during the remaining period of the Eighth Five Year Plan?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) An island platform with double storey shelter at Kanpur is nearing completion. The R.C.C. shelter over the platform is 130 m long, and 10.67 m wide and connects the two existing foot-over-bridges at its ends. The approximate cost of the island platform with the R.C.C. shelter and two washable aprons is Rs. 1.30 crores.

(c) At present, there is no proposal to construct this type of platform at any other station.

Import of Ducks

237. SHRI RAMASHRAY PRASAD SINGH: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the Government propose to import ducks from Vietnam and export buffaloes to that country;

(b) if so, the details in this regard;

(c) the advantages/disadvantages on account of import of ducks and export of buffaloes;

(d) the norms to be adopted in regard to fixation of prices thereof; and

(e) whether indigenous poultry-farming is likely to be adversely affected due to import of ducks?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) No, Sir.

(b) to (e). Do not arise.

Edible oils to Gujarat

238. DR. K. D. JESWANI: Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) the present requirement of edible oils in Gujarat;

(b) the actual quota of these oils supplied to Gujarat during the last three years;

(c) whether the Union Government have any proposal to increase the quota of edible oils to Gujarat; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) The Govt. of Gujarat has indicated a requirement of 2000 MT of palmolein for PDS from May, 1994 onwards.

(b) The allocation of imported edible oil under PDS to Govt. of Gujarat during the last 3 oil years (Nov-Oct) has been as follows:

Years	(Qty. in MTs)
1990-91	15,800
1991-92	8650
1992-93	4000

(c) and (d). Allocation of edible oils is made to State Governments keeping in view stocks in Central Pool, Open Market availability, past lifting etc. An allocation of 6300 MT of imported edible oil has been made to Government of Gujarat (upto May, 1994) during the current oil year 1993-94. Depending upon the total availability of palmolein in the country, the additional demand for palmolein made by the Government of Gujarat will also be given due consideration.

Plant Varieties Act, 1993

239. SHRI BOLLA BULLI RAMAIAH: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the final draft of the Plant Varieties Act, 1993 incorporating the sui-generis system has been sent to the State Governments for their suggestions and comments;

(b) if so, the reasons therefor;

(c) whether the agricultural scientists had differed from the Government due to the effects of the GATT provisions on Indian agriculture;

(d) if so, whether the views from State Governments have been obtained; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF NON CONVENTIONAL ENERGY SOURCES AND MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI S. KRISHNA KUMAR): (a) and (b). The draft legislation on sui-generis system for protection of plant varieties has been sent to the State Governments in order to consult them and invite their suggestions.

(c) The draft legislation has been prepared in close and active association of agricultural scientists of ICAR, and has ICAR's endorsement.

(d) and (e). Question do not arise.

Plan Allocations/Utilisation

240. MAJ. GEN.(RETD.) BHUWAN CHANDRA KHANDURI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there has been underutilisation of plan allocations under various heads during 1993-94;

(b) the Plan allocations and utilisation till 31 December, 1993 and 31 March, 1994, headwise;

(c) whether there had been large-scale excessive spending during the last quarter of financial year 1993-94;

(d) if so, the reasons therefor;

(e) whether utilisation of funds for passenger amenities has been uneven and incomplete; and

(f) the details of utilisation of funds for passenger amenities, workshop/

production units and procurement of plant and machinery *vis-a-vis* the total allocation for each of these heads, quarter-wise?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) to (f). Information is being collected and will be laid on the Table of the Sabha.

[Translation]

Yash Pal Committee Report

241. SHRI C.P. MUDALA
GIRIYAPPA:
SHRI NARAIN SINGH
CHAUDHARY:
SHRI GIRDHARI LAL
BHARGAVA:
SHRI SUSHIL CHANDRA
VARMA:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the outcome of the discussions held in the fifteenth meeting of the Central Advisory Board on Education which, inter-alia, discussed the Yashpal Committee Report; and

(b) the steps taken/proposed to be taken by the Government to implement the action plan in this regard in the schools of the Central Government and State Governments?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) and (b). In the 50th meeting of the C.A.B.E held on 2.3.94, States expressed their broad agreement with the recommendations of Yash Pal Committee. The consensus of

such views has been identified and States would be advised of this. Implementation in the school system directly under the control of the Central Government will be ensured by the Central Organisations. Since most of the schools are under the control of the State Governments, implementation of the recommendations of the Yash Pal Committee rests with the State Governments.

New Computer System

242. SHRI BRIJBHUSHAN SHARAN SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways have developed a new computer system for translation of English language into other Indian languages which would facilitate day-to-day working of the Railways;

(b) if so, the details thereof; and

(c) the time by which the said computer system is likely to be started?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) No, Sir.

(b) and (c). Do not arise.

Financial Assistance to Sugar Mills

243. SHRI NITISH KUMAR:
SHRI GUMAN MAL
LODHA:

Will the Minister of FOOD be pleased to state:

(a) whether attention of the Government has been drawn towards the newsitem captioned "Awry sugar production Estimate led to spiral"

appearing in daily 'Pioneer' dated May 28, 1994;

(b) if so, the facts thereof;

(c) whether the Government had provided several facilities during 1992 in the form of financial assistance to the sugar mills to raise their production;

(d) if so, the result achieved so far in this regard; and

(e) the amount of additional financial assistance likely to be received by the sugar producers, per quintal, as a result of this financial assistance?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) and (b). The Sugar Industry is an agro based Industry and the production of sugar depends upon various factors such as weather conditions, drought/flood, diversion of cane to other sweetening agents, etc. It is true that initially the sugar factories had estimated a higher sugar production during the current 1993-94 season. However, the actual sugar production during 1993-94 season is now expected to be of the order of 96 lakh tonnes. This fall in production could be attributed to the heavy diversion of cane to gur and khandsari sectors in Uttar Pradesh and also due to the fall in sugarcane and sugar production in the major producing State of Maharashtra.

(c) and (d). Government provides loans at a concessional rate of interest and easy re-payment terms to sugar factories from the Sugar Development Fund for sugarcane development schemes and also for rehabilitation and modernisation of its plant and machinery. During the year 1992-93, loans amounting to Rs.109.85 lakhs were disbursed to various sugar factories for this purpose.

Since, there are other several factors such as agroclimatic conditions etc. which determine production, the impact of loans from the Sugar Development Fund cannot be quantified.

(e) The financial assistance likely to be provided from the Sugar Development Fund in future would depend upon the number of applications received from Sugar factories.

[English]

Natural Calamity Fund

244. SHRI ARJUN CHARAN SETHI: Will the Minister of AGRICULTURE be pleased to state:

(a) whether some State Governments have requested the Union Government to raise the Central share of Natural Calamities such as floods, drought and freak tornados, hail storms etc. in the States in the recent years;

(b) if so, the details thereof; and

(c) the reaction of the union Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ARVIND NETAM): (a) to (c). The existing Scheme of Financing Relief Expenditure in the wake of natural calamities including allocation of Calamity Relief Fund is based on the recommendations of the IX Finance Commission. The X Finance Commission is reviewing the present scheme. Most of the State Government have represented to the X Finance Commission for enhancing the allocation under the Calamity Relief Fund. The Commission will consider the demand of the State Governments while finalising its recommendations.

Sugar Import

245. SHRI RAM VILAS
PASWAN:
SHRI RAJNATH SONKAR
SHASTRI:
SHRI CHANDRAJEET
YADAV:
SHRI MOHAN SINGH
(DEORIA):
SHRI SRIKANTA JENA:

Will the Minister of FOOD be pleased to state:

(a) whether certain section of the sugar industry with vested interests has sabotaged the Government's efforts to import sugar for distribution through the ration shops; and

(b) if so, the details thereof stating the circumstances compelling the Government for succumbing to the pressure from the cartel to stop contracting sugar imports?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) Ministry of Food does not have any specific information regarding the alleged sabotage by any cartel in regard to the efforts of the Government to import sugar for distribution through the ration shops.

(b) Question does not arise.

Production of Kabulligram

246. SHRI RAJNATH SONKAR
SHASTRI: Will the Minister of AGRICULTURE be pleased to state:

(a) whether the production of Kabulligram has been more this year than that of the last year,

(b) if so, the details thereof;

(c) the reasons for the rise in price of this food item in this year as compared to that of last year;

(d) whether attention of the Government has been drawn to the newsitem captioned "Deshi Fasalane ke Bavjood Kabuli Channa ki kimton mein virdhi" appearing in the 'Dainik Jagran' of May 25, 1994;

(e) if so, the facts thereof; and

(f) the action taken thereon pointwise?

THE MINISTER OF STATE IN THE MINISTRY OF NON CONVENTIONAL ENERGY SOURCES AND MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI S. KRISHNA KUMAR): (a) and (b). The Variety wise Production of gram Kabli or others is not monitored separately. However the production of gram during 1993-94 is expected to about 5.56 million tonnes as compared to 4.35 million tonnes achieved in 1992-93.

(c) Prices are generally controlled by the demand and supply forces.

(d) Yes, Sir.

(e) and (f). Minimum support price for Kabulligram is not fixed. Farmers are free to sell their produce whenever they like. Imports are also made depending upon the national and international situation. In order to increase the production of pulses Centrally Sponsored National Pulses Development Project is under implementation in all the States where key inputs are supplied to the farmers on subsidised rates.

Literacy Programme of Voluntary Organisations

247. DR. K.V.R. CHOWDARY: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the number of centres for eradication of illiteracy being run by the voluntary organisations, location-wise;

(b) whether misuse of funds by these organisations has been noticed by the Union Government;

(c) if so, the details thereof; and

(d) the remedial steps taken/proposed to be taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) The centre-based Adult Education programme has been phased out since October 1991. The approach to adult literacy is now through the Total Literacy Campaigns which are area specific, time bound, volunteer based and cost effective.

Under the revised approach, 107 Voluntary Organisations have been sanctioned 109 Total Literacy Campaign projects during the last three years. The projects are spread all over the country and cover about 17 lakh learners.

(b) No, Sir.

(c) Does not arise.

(d) Does not arise.

Pay Commission for College Teachers

248. SHRI M.V.V.S. MURTHY: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the University Grants Commission has decided to constitute a Pay Commission for all university and college teachers;

(b) if so, the time by which the commission is likely to be appointed;

(c) the main objectives and aims of the proposed commission; and

(d) the time by which the Commission is likely to submit its report?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) to (d). According to the information furnished by the UGC, the Commission has decided to set up a Committee to revise the scales of pay of teachers in the Universities and Colleges. The composition and terms of reference of the proposed committee are being finalised.

Accident Near Dadar

249. SHRI RAM KAPSE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government are aware of the recent potentially disastrous accident near Dadar (Maharashtra) involving the Madras-Bombay Mail, the Bombay-Calcutta Mail and a suburban local train;

(b) if so, the details thereof;

(c) the number of persons killed and injured therein;

(d) the amount of compensation paid to the victims; and

(e) the stringent action proposed to be taken to avoid such repeated accidents primarily due to failures in the signal and track changing systems?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) and (b). Yes, Sir. On 25.5.94 at about 20.35 hrs., on Dadar-Matunga section on Central Railway, a multiple side collision occurred involving 6063 Dadar-Madras Chennai Express, 8001 Bombay VT-Howrah Mail and DT-26 EMU Local from Thane to Dadar. It also led to derailment of train engine and 2 leading coaches of 8001 Bombay-Howrah Mail, 3 coaches of 6063 Dadar-Madras Chennai Express and leading each of EMU Local.

(c) No person was killed in this accident and one passenger sustained grievous injuries.

(d) An amount of Rs.1,000/- has been paid as ex gratia. The compensation shall be paid after it is decreed by the Railway Claims Tribunal on filing the claim by the injured.

(e) The Commissioner of Railway Safety, Central Circle, in his provisional findings has concluded that the collision occurred due to failure of the driver of the 8001 Bombay-Howrah Mail. The driver has been placed under suspension and disciplinary action has already been initiated against him. Apart from this, special out-of-course screening of drivers and station staff has also been launched and drivers are being closely monitored.

[Translation]

Stone Mines

250. SHRI GIRDHARI LAL BHARGAVA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government have conducted any environmental impact study to examine the damage being caused by stone mines in Rajasthan, particularly in Kota circle;

(b) if so, the results thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): (a) No, Sir.

(b) Does not arise.

(c) An Environmental Impact study for any particular development activity is generally got done by the project proponent concerned seeking environmental clearance.

Excise Duty Concession

251. SHRI N.J. RATHVA: Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) the names of the consumer organisations which have sent complaints about those companies which have not passed on the excise duty benefit to consumers;

(b) whether his Ministry has reported the matter to the Ministry of Finance; and

(c) if so, the action taken by the Government in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) The Common Cause', New Delhi and the Confederation of Indian Consumer Organisations (CICO) had sent complaints against some companies that they had not passed on the excise duty benefit to the consumers.

(b) Similar complaints were raised in the meetings taken by the Minister for Civil Supplies with industry associations and consumer organisations. This Ministry, therefore, requested the Bureau of Industrial Costs and Prices (BICP) to conduct a quick study on ten items. The BICP conducted the study and found that some of the industries had not passed on the duty concessions in full. The report was forwarded to the concerned administrative Ministries including the Ministry of Finance.

(c) The Ministry of Chemicals and Fertilisers informed that the concessions were passed on in full in case of controlled drug. In the case of de-controlled drugs, according to the information furnished by the pharmaceutical industry; about 254 such items showed reduction ranging between 0.76 and 2.05%.

The Ministry of Industry informed that there is no provision for regulation/control of prices of commodities under their Acts. However, the Ministry took up

the matter with various industry associations from time to time for passing on the benefits.

The Ministry of Commerce informed that the prices of tea are by and large governed by auction system and demand and supply. Companies had announced reduction in the prices after budget reduction. Tea Board has been further directed to impress upon major tea producers about the desirability of bringing down the prices.

The Ministry of Finance, Department of Revenue, informed that there is no provision in the Central Excise laws to ensure that excise duty concessions are passed on to the consumers because of the long chain involved.

[English]

Stall Holders at Guwahati

252. SHRI PROBIN DEKA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of stalls and vendors who have been licenced to sell food articles at the Guwahati railway station and the duration of licences of these stall holders and vendors;

(b) whether the vendors at the station are not direct licencees; and

(c) if so, the reasons for not issuing licences directly to the vendors with a view to protecting them from exploitation at the hands of stall-owners acting as a middle man?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) to (c). A comprehensive departmental catering

unit has been provided at Guwahati Railway Station. There are 20 stalls for sale of food articles, out of which 18 are operated by Commission Vendors on Commission basis. The other two are run by departmental staff. Commission Vendors are engaged to sell food articles for a period of one year and their engagement is extended based on their performance.

National Informatics Centre

253. SHRI RAMESH CHENNI-THALA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the National Informatics Centre proposes to offer a computerised system for freight operations;

(b) if so, the details thereof;

(c) whether the offer has been accepted; and

(d) if not, the reasons therefor?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) The National Informatics Centre (NIC) had made a suggestion in January '94 that it can develop a computerised information system for Freight Operations. Some technical and financial details have just been received on 7th June '94.

(b) The proposal made by NIC consists of a network of super-mini computers located at area reporting centres, Zonal and Divisional offices and in the Railway Board. It will use satellite based telecommunications links. The cost of the system has been projected to be Rs.296.75 crores.

(c) and (d). As the technical and financial details of NIC's proposal have

just been received, the same are under examination.

Relief Fund to Railway Employees

254. DR. KARTIKESWAR PATRA: Will the Minister of RAILWAYS be pleased to state:

(a) the amount sanctioned from the Railway Minister's Welfare and Relief fund to the Railway Employees and their families during 1992-93 and 1993-94;

(b) the norms being adopted for sanction of this assistance; and

(c) the number of beneficiaries during the above period?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) The amount sanctioned from the Railway Minister's Welfare and Relief Fund to Railway employees and their families during 1992-93 and 1993-94 is Rs. 1,20,500/- and Rs. 17,10,000/- respectively.

(b) Financial assistance is granted from the Railway Minister's Welfare and Relief Fund to Railwaymen and their families during times of distress such as arising from natural calamities, prolonged illness, sudden death etc. and depending on merits/justification of each case.

(c) The number of beneficiaries during 1992-93 and 1993-94 is as under:

1992-93	1993-94
16	13,478
(including 13,469 employees who benefited from collective flood/ cyclone relief).	

Unauthorised Hawkers on Stations

255. DR. MUMTAZ ANSARI:
SHRI RAJESH KUMAR:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government have made any assessment in regard to rising number of unauthorised hawkers on the railway stations and in the running trains in various zones of the Railways;

(b) if so, the details thereof;

(c) whether the Government have contemplated to regularise these hawkers by giving them licences; and

(d) if so, the details thereof?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) and (b). No assessment has been made regarding the number of unauthorised hawkers/vendors at railway stations and in the trains. However, during 1993-94, 57967 checks were conducted and 18157 unauthorised hawkers/vendors were prosecuted under the provision of the Railways Act, 1989.

(c) and (d). No, Sir. The issue was however examined in depth but was not found feasible.

Number on Sleeper Coaches

256. SHRI R. SURENDER REDDY:
Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government are aware that very often sleeper coaches are marked with chalk wrongly and in a

haphazard manner and not placed in serial order:

(b) if so, the reasons therefor; and

(c) the steps proposed to be taken in this regard?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) and (b). Mostly the numbering of the coaches is done as per the prescribed instructions. In exceptional cases, the serial order is not followed on account of sick marking of the coaches, etc.

(c) Instructions have been reiterated to the Railways to use the metal plates for indicating the coach numbers on reserved compartments.

Railway Catering Corporation

257. SHRI MOHAN RAWALE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways propose to set up a Railway Catering Corporation with a view to improve the catering services;

(b) if so, the salient features thereof?

(c) the time by which it is likely to be set up and start functioning;

(d) whether the food items and meals served in the North/South Avenue canteens are checked by the officers of the Railway catering;

(e) if so, the details thereof; and

(f) the improvement proposed to be made in the quality of food served thereat?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) to (c). Yes, Sir. The proposal is in a conceptual stage.

(d) to (f). Yes, Sir. The food items and meals served in the North Avenue M.P's Canteen are regularly checked by the concerned Officers of Northern Railway. Improvement in catering service is an on-going process. Due care is exercised in the procurement of raw materials and in monitoring the preparation of food items with a view to ensuring that the food items served in the canteen are wholesome, hygienic and of good quality.

[Translation]

Eastern Railway Vigilance Department

258. SHRI RAMASHRAY PRASAD SINGH: Will the Minister of RAILWAYS be pleased to state:

Year	No. of Investigations carried out	No. of Employees taken up	No. of Employees punished
1991	704	1752	486
1992	696	1271	355
1993	464	1428	290

(b) The outstanding work done by the Vigilance Inspectors is recognised through awards every year. The awards

(a) the number of employees caught by the Inspectors of Traffic, Engineering and Store Department under the Eastern Railway Vigilance Department during the last three years and the details of the investigation made by it;

(b) the incentives given by the Government to the Officers of the vigilance department therefor;

(c) if not, the reasons therefor; and

(d) whether the Government propose to encourage the officers for carrying out more and more investigations in future?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) The number of investigations carried out by the Vigilance Inspectors of the Eastern Railway and the number of employees taken up and punished as a result thereof during the last 3 years are detailed below:

given during the last 3 years are as follows:

	1991-92	1992-93	1993-94
At GM's level	2	1	2
At SDGM's level	3	4	4

(c) Does not arise.

(d) The staff/officers are encouraged to conduct purposeful and effective investigations by way of awarding them for the outstanding work.

[English]

Heads of Educational Bodies

259. SHRI BOLLA BULLI
RAMAIAH:
SHRI SULTAN SALAHUD-
DIN OWAISI:
SHRI SRIKANTA JENA:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether full time Heads in all the apex education bodies under the Department of Education have been appointed by the Government during the current year;

(b) if not, the reasons therefor;

(c) the total number of appointments that have been delayed and the total number of institutions which are without heads; and

(d) the corrective measures taken or proposed to be taken by the Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) to (d). There are 78 autonomous organisations under this Department. At the level of head of Institution, the posts of Director,

NIEPA, Director, NERIST, Director, NIFTT, Director, NITIE, Secretary, Maharishi Sandipani Rashtriya Ved Vidya Pratishthan are vacant. These posts are filled up through the process of Search/Selection Committees with the approval of the Government. The process of filling up these vacant posts is already underway. During the current year, the post of Chairman, CBSE has been filled up. Efforts are made to fill up such important posts without delay.

[Translation]

Production of Sugar

260. SHRI NITISH KUMAR:
SHRI GUMAN MAL
LODHA:

Will the Minister of FOOD be pleased to state:

(a) whether the Union Government had estimated the actual production of sugarcane at the time of setting up of sugar mills;

(b) if so, the total quantity of sugarcane required for cent-percent utilisation of existing sugar production capacity;

(c) whether the total production of sugarcane in financial year 1993-94 was less than the requirement; and

(d) if so the rationale behind setting up of new sugar mills despite non-availability of raw material in the country?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) According to the guidelines issued vide Press Note dated 8th November, 1991 for licensing in the

sugar industry, the basic criterion for grant of licences for new units would be their viability, mainly from the point of cane availability and potential for development of sugarcane.

(b) As on 31.3.1994, the installed capacity of sugar mills in the country was 8,10,845 tonnes cane per day. Taking an average duration of 150 days, the requirement of sugarcane would be of the order of 1216.27 lakh tonnes. The licensed capacity of sugar mills in the country was 13,87,886 tonnes cane per day. Taking an average duration of 150 days, the requirement of sugarcane for sugar mills would be of the order of 2081.83 lakh tonnes.

(c) and (d). No Sir. The production of sugarcane in 1993-94 crop year (July-June) is now estimated at 2398.64 lakh tonnes.

Allocation of Essential Commodities

261. SHRI PRAKASH V. PATIL:
 PROF. RASA SINGH
 RAWAT:
 DR. LAXMINARAYAN
 PANDEYA:
 PROF. K.V. THOMAS:

Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether there has been acute shortage of essential commodities in rural and backward areas of various States for the last six months;

(b) the quantity of rice, wheat, sugar and kerosene supplied against demands of the States during the last one year, State-wise;

(c) whether the State Governments have requested for the enhancement of the quota of these commodities;

(d) if so, the details thereof; and

(e) the amount of subsidy on foodgrains per quintal for tribal areas-item-wise?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) There has been no specific report from the State Governments/U.T. Administrations regarding acute shortage of essential commodities in rural and backward areas during the last six months.

(b) *Statement I* and *II* showing State-wise demand, allocation and offtake of rice and wheat and allocation and offtake of sugar and kerosene for the PDS for 1993-94 are attached.

(c) and (d). Allocations of foodgrains for the PDS are made on a month to month basis taking into account the availability of stocks in Central Pool, *inter-se* requirements of States/UTs and seasonal factors etc. Levy sugar allocation is generally made on a uniform norm of 425 grams per capita monthly availability to the projected population as on 1.10.86. Increase in the allocation of kerosene to States/UTs is made with a view to bring the average per capita availability of kerosene in the States/UTs where such average per capita availability is below the national average.

(e) Wheat, rice and coarse grains meant for distribution through the Public Distribution System (PDS) in the areas

covered under Revamped PDS which include areas covered by the Integrated Tribal Development Projects are issued to the State Governments/U.T.

Administrations at a specially subsidised Central Issue Prices, which are Rs.50 per quintal lower than the normal Central Issue Prices for the PDS.

STATEMENT I

Statewise Allocation and Lifting of Wheat and Rice for financial year 1993-94 distributed through PDS

000 tonnes

Sl. No.	States/UTs	Wheat			Rice		
		Demand	Allo	Lift	Demand	Allo	Lift
1.	Andhra Pradesh	235.00	172.06	117.00	2546.00	2282.50	2172.90
2.	Arunachal Prd.	13.70	7.20	6.50	124.20	124.20	87.40
3.	Assam	438.00	260.00	231.80	685.20	510.80	397.30
4.	Bihar	1489.20	725.20	427.80	317.00	299.20	86.40
5.	Goa	48.50	37.20	22.90	67.20	54.00	39.80
6.	Gujarat	790.50	642.00	306.20	414.00	414.00	238.90
7.	Haryana	406.42	141.90	74.10	40.00	36.00	16.20
8.	Himachal Prd.	194.00	121.00	107.60	93.10	80.60	77.20
9.	Jammu & Kashmir	281.00	240.00	126.00	484.60	436.40	163.00
10.	Karnataka	490.00	295.00	257.20	887.00	828.50	597.30
11.	Kerala	590.00	350.00	315.50	2604.00	1825.00	1578.30
12.	Madhya Pradesh	735.00	492.00	247.40	538.10	490.80	190.90
13.	Maharashtra	1210.00	960.00	528.50	872.00	858.00	578.00
14.	Manipur	36.80	34.40	24.70	138.50	120.00	49.50
15.	Meghalaya	44.00	32.00	29.70	190.50	126.00	111.20
16.	Mizoram	20.60	16.80	16.50	120.00	103.20	98.40
17.	Nagaland	59.46	40.50	33.10	132.05	112.60	94.90
18.	Orissa	410.00	270.00	221.00	468.40	464.40	185.30
19.	Punjab	250.00	240.00	12.80	18.00	18.00	5.20
20.	Rajasthan	1248.50	1140.00	577.30	84.70	84.60	18.40
21.	Sikkim	7.80	7.20	6.10	60.00	54.00	42.70

Sl. No.	States/UTs	Wheat			Rice		
		Demand	Allo	Lift	Demand	Allo	Lift
22.	Tamil Nadu	335.00	245.00	235.70	941.60	878.80	856.70
23.	Tripura	30.80	21.60	13.90	194.40	194.40	146.80
24.	Uttar Pradesh	1295.40	972.60	391.60	738.40	535.60	232.50
25.	West Bengal	1255.00	992.00	821.80	1166.00	967.20	528.90
26.	A & N Islands	12.60	12.60	0.40	36.00	36.00	-
27.	Chandigarh	36.00	21.60	11.00	6.20	3.60	2.40
28.	D & N Haveli	3.90	2.40	-	6.45	6.00	1.10
29.	Daman & Diu	3.40	1.80	0.30	6.90	6.00	1.20
30.	Delhi	924.00	864.00	558.80	240.00	240.00	143.00
31.	Lakshadweep	0.50	0.50	Neg.	6.30	6.30	3.30
32.	Pondicherry	9.00	9.00	Neg.	24.00	24.00	3.40
Total		12904.08	9368.10	5723.20	14246.80	12218.70	8748.50

STATEMENT II

Statewise Allocation and Lifting of Kerosene and Sugar for financial year 1993-94 distribution through P.D.S.

						(000 Tonnes)
Sl. No.	States/UTs	Kerosene		Sugar		
		Allo.	Lift.	Allo.	Lifting	
1.	Andhra Pradesh	594.41	491.45	326.19		*
2.	Arunachal Pradesh	9.41	7.66	4.06		*
3.	Assam	249.17	208.02	125.00		*
4.	Bihar	514.61	420.80	428.64		*
5.	Goa	27.12	22.64	6.47		*
6.	Gujarat	786.03	655.62	208.88		*
7.	Haryana	152.55	127.19	82.39		*

Sl. No.	States/UTs	Kerosene		Sugar	
		Allo.	Lift.	Allo.	Lifting
8.	Himachal Pradesh	38.49	30.88	26.05	*
9.	Jammu & Kashmir	65.37	56.31	37.22	*
10.	Karnataka	448.44	373.53	229.27	*
11.	Kerala	268.38	222.76	157.95	*
12.	Madhya Pradesh	411.53	337.43	322.90	*
13.	Maharashtra	1497.32	1242.80	386.23	*
14.	Manipur	20.85	15.52	8.97	*
15.	Meghalaya	15.46	12.79	8.53	*
16.	Mizoram	6.14	5.11	3.33	*
17.	Nagaland	10.22	8.43	5.52	*
18.	Orissa	174.00	140.75	159.86	*
19.	Punjab	325.47	265.83	102.48	*
20.	Rajasthan	285.70	231.69	218.22	*
21.	Sikkim	7.51	6.23	2.09	*
22.	Tamil Nadu	661.90	551.50	290.83	*
23.	Tripura	21.46	17.45	12.80	*
24.	Uttar Pradesh	961.51	799.51	682.78	*
25.	West Bengal	743.08	617.55	333.96	*
26.	A & N Islands	3.03	3.01	3.19	*
27.	Chandigarh	20.88	15.36	4.80	*
28.	D & N Haveli	3.12	2.58	0.62	*
29.	Daman & Diu	2.92	2.38	0.50	*
30.	Delhi	238.56	198.82	112.23	*
31.	Lakshadweep	0.88	0.38	0.90	*
32.	Pondicherry	14.71	11.84	5.12	*
TOTAL		8577.28	7105.83	4298.97	*

1. Lifting of levy sugar is assumed to be 100%

2. Lifting of kerosene is upto January, 1994

*[Translation]***Cultural Delegations**

262. SHRI GIRDHARI LAL BHARGAVA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) the criteria being adopted for selection of the literary and cultural delegations visiting foreign countries;

(b) the number of persons who went abroad from each State under cultural, literacy, social exchange programmes during each of the last three years; and

(c) the number of foreigners alongwith the names of their country who visited Rajasthan under these programmes during the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): (a) The criterion for selection varies from organisation to organisation implementing the Cultural Exchange Programmes. However, the delegations are constituted as per provisions of CEPs; keeping in view the eminence of the artist/scholar/writer and the specific requirement of the visiting country.

(b) and (c). The information is being collected and will be laid on the Table of the House.

[English]

**Entrance of Military Personnel in
Reserved Coach**

263. SHRI R. SURENDER REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether attention of the Government has been drawn to the news item captioned "Military men reserve' reserved coach" appearing in the 'Hindu' dated May 8, 1994;

(b) if so, the details thereof; and

(c) the measures taken by the Railway Board to ensure that such incident do not take place in future at any railway station in the country?

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): (a) Yes, Sir.

(b) The news item highlights the detention of 4645 Shalimar Express at New Delhi for 75 minutes on account of forcible occupation of a reserved coach by Military personnel and some unreserved passengers.

(c) The coach forcibly occupied by military personnel and unreserved passengers was in fact an unreserved coach which was earmarked as reserved to accommodate the passengers of another reserved coach which got damaged. In such situation efforts are always made to replace the damaged coach with the same type of coach. On the day in question, no fit sleeper coach or unreserved coach was available at the yard at New Delhi for replacing the damaged coach.

Essential Commodities

264. SHRI MOHAN RAWALE:
DR. SAKSHIJI:
PROF. K.V. THOMAS:
SHRI RAMCHANDRA
VEERAPPA:

Will the Minister of CIVIL SUPPLIES, CONSUMER AFFAIRS AND

PUBLIC DISTRIBUTION be pleased to state:

(a) whether prices of almost all the commodities have increased abnormally during the last three months;

(b) if so, the extent of rise in prices over the prices prevailing as on December 31, 1993;

(c) the main reasons for the price-rise; and

(d) the measures the Government have taken to check the rising trend in prices, at least of essential commodities?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) and (b). A *Statement* showing the trend in the wholesale price indices of selected essential commodities from Dec. 93 to May 1994 is attached.

(c) and (d). Rise in the prices of some commodities are attributed to higher demand, near stagnancy in production, hike in administered prices, widening in demand and supply and also due to seasonal factors. The Government has given highest priority for controlling the increase in prices within reasonable limits. The Inter-Ministerial Coordination Committee on Monitoring of prices reviews the price scenario and advises the concerned authorities to take appropriate and timely action. Efforts are being made to increase the production. Commodities which are in short supply are being imported to supplement their easy availability in the market. Import of sugar, edible oils, palmolen and cotton have been placed under Open General Licence (OGL). PDS is being strengthened and streamlined so that its benefits reach even in the inaccessible areas. Stringent action against hoarders, blackmarketers and such anti-social activists is being taken under the Essential Commodities Act and similar other legislations.

STATEMENT

Wholesale Price Index Numbers of Selected Essential Commodities

(Base 1981-82=100)

Commodity	Dec. 1993	Jan. 1994	Feb. 1994	Mar. 1994	Apr. 1994	May. 1994 (21.5.1994)
Rice	274.3	265.6	269.2	268.6	267.5	274.4
Wheat	256.7	261.3	283.7	281.4	272.2	264.0
Gram	399.0	406.6	419.1	367.7	330.2	336.6
Arhar	343.3	346.2	335.1	333.9	331.8	323.4
Potatoes	354.8	258.2	205.6	210.3	203.9	229.7
Onions	535.8	460.7	306.9	257.2	219.8	218.9

Commodity	Dec. 1993	Jan. 1994	Feb. 1994	Mar. 1994	Apr. 1994	May. 1994 (21.5.1994)
Tea	360.6	364.4	364.7	362.7	297.5	258.1
Sugar	209.9	214.9	226.3	227.7	230.2	246.8
Salt	240.2	236.5	236.5	236.5	236.5	235.7
Vanaspati	241.3	238.3	237.6	238.1	243.1	245.6
Groundnut oil	238.8	227.4	226.5	228.9	237.4	249.6
Mustard oil	222.9	222.3	214.0	210.5	215.3	221.5
All Commodities	251.7	252.7	252.9	255.5	260.1	263.5

Sale of Wheat by F.C.I.

265. SHRI BOLLA BULLI RAMAIAH: Will the Minister of FOOD be pleased to state:

(a) the total sale of wheat by the Food Corporation of India in the open market from November, 1993 to April, 1994, month-wise;

(b) the rate per quintal at which it was sold in open sale during the above period month-wise;

(c) whether this has reduced the open market prices of wheat;

(d) if so, the details thereof; and

(e) whether the Union Government have permitted F.C.I. to continue open sale of wheat for some more months?

Corporation of India in the open market during the months of November, 1993 to April, 1994. *Statement I* indicating monthwise quantity of wheat sold by Food Corporation of India in open market during November, 1993 to April, 1994 is enclosed.

(b) *Statement II* indicating State-wise/month-wise prices of wheat fixed for the open sale is enclosed.

(c) and (d). The open sale of wheat by the FCI has been instrumental in holding the price line in the open market. In the lean period between October to March when the open market prices trend to show an increasing trend, augmentation of stocks in the open market by the FCI has been able to steady the prices.

(e) Yes Sir, Government of India has permitted FCI to continue open sale of wheat upto September, 1994.

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI KALP NATH RAI): (a) A quantity of 29.67 lakh tonnes of wheat was sold by Food

STATEMENT I

(in lakh tonnes)

Statement Indicating Quantity of Wheat sold by F.C.I. in the Open Market under Open Sale Scheme during the month of November 1993 to April, 1994.

(in lakh tonnes)

Sl. No.	Month	Quantity Sold
1.	November, 1993	4.83
2.	December, 1993	4.21

Sl. No.	Month	Quantity Sold
3.	January, 1994	6.23
4.	February, 1994	7.80
5.	March, 1994	4.32
6.	April, 1994	2.28
Total		29.67

STATEMENT II

Prices Fixed for the Open Sale of Wheat for each region for November, December, 1993, January to April, 1994.

Rate per MT/Rs.

Name of the State	November, 1993	December, 1993 & January, 1994	February 1994 & March, 1994	April, 1994
Punjab/Haryana/Uttar Pradesh	3850/-	3850/-	4100/-	4100/-
Delhi	4050/-	4050/-	4250/-	4250/-
Rajasthan	4000/-	3950/-	4150/-	4150/-
Jammu & Kashmir	4000/-	4000/-	4200/-	4200/-
Himachal Pradesh	4000/-	4000/-	4200/-	4200/-
Maharashtra	4450/-	4400/-	4650/-	4500/-
Gujarat	4300/-	4250/-	4450/-	4350/-
Madhya Pradesh	4100/-	4000/-	4200/-	4100/-
			*4100/-	
West Bengal & Orissa	4400/-	4250/-	4400/-	4350/-
Bihar	4300/-	4190/-	4350/-	4300/-
Tamil Nadu	4500/-	4500/-	4750/-	4600/-
Andhra Pradesh	4450/-	4450/-	4700/-	4550/-
Karnataka	4550/-	4550/-	4750/-	4600/-
Kerala	4600/-	4600/-	4800/-	4600/-

* Prices of wheat under open sale for Madhya Pradesh reduced to Rs.4100/- per Metric Tonne w.e.f. 4.3.1994.

Integrated Fishery Project

265-A. SHRI R. SURENDER REDDY: Will the Minister of AGRICULTURE be pleased to state:

(a) the total investment made in the Integrated Fisheries Project at Kochi and its plant at Vishakhapatnam so far;

(b) the turnover of the project for the year 1991-92, 1992-93 and 1993-94 and the projected turnover for the year 1994-95;

(c) the reasons for low turnover during the previous year;

(d) whether the products of the project have good demand in the domestic and international market;

(e) if so, the details thereof; and

(f) the measures taken or proposed to be taken to exploit the potential to the maximum ?

THE MINISTER OF STATE IN THE MINISTRY OF NON CONVENTIONAL ENERGY SOURCES AND MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI S. KRISHNA KUMAR): (a) Investment made in the Integrated Fisheries Project (IFP) so far, is:

Kochi	:	Rs.3037 lakh.
Vizag	:	Rs. 121 lakh.

(b)	Year	(Rs. in lakhs)
	1991-92	15.11
	1992-93	26.61

Year	(Rs. in lakhs)
1993-94	42.39
1994-95 (Projected)	110.00

(c) Some of the reasons for low turnover of IFP during the previous year include:

- (i) Project is not a commercial venture, its mandate being only product development from low value and non-conventional fish species and their test marketing in the domestic market; and
- (ii) abrupt loss of 3 fishing vessels of the project in a fire accident in Cochin Harbour during October, 1991 and non-replenishment of these fleet.

(d) and (e). Yes, Sir. The Fishery Products of IFP particularly frozen, canned and dried fishery products have ready acceptability in the domestic markets. Export of fishery products of the Project during the past amounted to 227.9 tonnes valued at Rs. 37.37 lakh. Project's export efforts have also helped in opening up ready export market for deep sea lobsters and deep sea prawns.

(f) Some of the measures taken/proposed to be taken to exploit the potential to the maximum include:

- (i) augmentation of the fishing fleet strength of the project by acquiring 4 new offshore/deep sea fishing vessels and recommissioning of one of the old vessels for increasing the availability of raw material for product development;
- (ii) developing the unit of the project at Vizag; etc.

12.00 hrs.

[English]

SHRIMATI MALANI BHATTACHARYA (Jadavpur): Sir, nearly half the employees of the Rashtriya Pariyojna Nirman Nigam are now in a very critical condition. They are facing starvation because of the non-payment of salary for about 4-6 months. The condition of the employees posted at some of the projects, particularly in Orissa, U.P. and Karnataka is extremely grave. This condition has arisen because in spite of repeated assurances the Government and the concerned Ministry, that is the Water Resources Ministry, has not yet implemented the revival plan which they were supposed to bring forward. They have again and again in this House assured us, again and again M.Ps have written letters and the Ministers have said that the wages of the employees will be ensured even if there are some projects which are suffering because of no fault of the RPNN. In spite of that we find today this entire prestigious body is being gradually taken to a position of slow death. In the last Session of the Parliament, the Standing Committee on Agriculture also recommended the revival of the company. Some of us along with the members of RPNN had met the Prime Minister and he himself gave an assurance that revival of this company will be looked into. Yet, nothing has been done in this matter. Again, the Government is not filling up the top posts in the company. The post of CMD is lying vacant for a long time. Other posts are also lying vacant so that no decision can be taken. Now, under direct pressure from the World Bank the company is not being awarded work even where it fulfils all the

criteria and has emerged as the lowest competitive bidder. Such an example is Shriram Sagar Project in Andhra Pradesh where RPNN has emerged as the lowest competitive bidder. The bank guarantee limit has exhausted. In spite of having given assurances in writing the Ministry has done nothing to renew this bank guarantee and as a result of all this it seems to us that there is a deliberate plan on the part of the Government to allow this body to die a slow death. I would urge upon the Government, through you, Sir, to come out with a categorical statement as to what they are doing for the revival of the company and whether immediately the wages of the workers of the Rashtriya Pariyojna Nirman Nigam will be ensured and whether the bank guarantee, that is being denied to them, will be ensured by the Government. (*Interruptions*)

SHRI BASUDEB ACHARIA (Bankura): Sir, I raised this issue in the last Session also. Government is taking no step on the revival of this company. There is starvation death. Thousands of workers are not getting their salaries. (*Interruptions*)

MR SPEAKER: This is not going on record. (*Interruptions*)*

MR. SPEAKER: Your colleague has done very well

[Translation]

SHRI KALKA DAS (Karol Bagh): Mr. Speaker, Sir, through you, I would like to draw the attention of the House towards the miserable plight of National Scheduled Tribes Commission in the country. This august House, as you know, with great expectations set up the

Commission to solve the problems of the Scheduled Tribes in view of the atrocities being committed on Scheduled Tribes and the denial of rights to them. Newspapers recently reported that on 2nd June, the Chairman of this National Commission on the basis of certain reports and information regarding the tribals displaced due to the Sardar Sarovar Project, toured Gujarat. At Baroda, he came to know that at the instance of the Chairman of the Sardar Sarovar Corporation, 40 persons assembled there to oppose the fact finding commission being headed by him. Fact Finding Commission was not only not allowed to work, but was also abused, subjected to a scuffle, and not allowed to proceed with its work. Shri Ram Dhan, the Chairman of the Commission, had been a Member of this House. Shri Ram Dhan belongs to the Gandhian School of thought. Shri Ram Dhan did not react to the abuses but stated that he had come with a specific purpose and had every intention to complete that task. After sitting on Dharna, Shri Ram Dhan had telephonic conversation with the Chief Minister of Gujarat and on receiving apology from the Chief Minister for the unsavory incident abandoned Dharna. I would like to submit that out of this incidence, a Constitutional issue arises. The Constitutional issue is that the Commission was set up on the basis of the provisions enshrined in the Constitution, but what will happen to the very existence of the Commission if the State Government which it visits, instead of rendering all assistance to the Commission, creates hinderances in the functioning of the Commission.

MR. SPEAKER: Listen, speech is getting unduly long.

[English]

You bring it to the notice.

[Translation]

SHRI KALKA DAS: I was submitting that what will happen to this Constitutional body i.e. Commission, set up to give relief to this section of society.

MR. SPEAKER: Please do not talk about the section of the society, but only about the Chairman.

SHRI KALKA DAS: All the incidents are enquired into by the Commission and recommendations are also given for finding solutions. However, if such hostile conditions are faced by the Commission then it will lose its morale and its confidence will be shattered. I would like to know the steps the Centre will take in the face of such hostile conditions and in the case of Gujarat what action will be taken against the State Government.

[English]

MR. SPEAKER: I think the Government will please collect the information on this point. The Parliamentary Affairs Minister may note. We would like to know what are the facts. The facts may be collected and given to the House. If what is brought to our notice is true, appropriate action should be taken.

DR. KARTIKESWAR PATRA (Balasore): Mr. Speaker, Sir, I would like to bring to the notice of the House, through you, one very important point. Recently, Pakistan had started Anti-India propaganda regarding the issue of Kashmir through their Television which is also brought to our Television sets through the Satellite Channel. The programme was started three weeks back viz., from the 29th May, 1994 and it is still continuing. It is being telecast every Sunday from 8.30 p.m. to 9.30 p.m. It is depicting fictitious stories of highlight fraudulently that the Human Rights are being paralysed in India. False and fabricated stories are being narrated and highlighted in order to denigrate the

moral ethics of Kashmiris. They say in their programme that Kashmir is not a part of India. It had been forcibly captured by India and they are torturing the Kashmiris.

Kashmiris are oppressed by Hazratbal Operation. There were no militants there. Top officials of B.S.F. and Army are dancing to the tunes of beautiful girls. We are enjoying the abuse of power by the Government. Our army's job is to fight with the enemies outside the country but fighting inside the country with their brothers. All sorts of anti-India propaganda is going on there.

Therefore, I would like to urge through you that this should be brought to the notice of the Government and Government should take steps to improve the situation in Kashmir. I would also like to add that the Ministry of Home Affairs should counter this propaganda through our T.V. and other media so as to defeat the evil and nasty designs of Pakistan.

[Translation]

SHRI SURAJ MANDAL (Godda) : Mr. Speaker, Sir, a boat had been arranged to transport the workers of BCCL across Damodar river as no quarters had been arranged for the local workers. Besides workers others also use this boat. The facility is being utilized by the people of many villages. On 12th i.e. day before yesterday, 100 persons boarded an old boat, whose base was rotten and the boat capsized after some time as water entered the boat. 85 persons are still missing. I would like to submit that though the industries of the area are being exploited and the benefits are being concered by both the Central Government and the State Government, yet no transport facilities have been provided for going across the river for the workers and the people. The workers engaged in the coal mines have also not been provided with any facility.

Carelessness of BCCL could be gauged from the fact that the boat made available was not in good shape and its condition was never checked. No transport arrangements to ferry people across Damodar had been made by the State Government. Out of 100 persons on board 85 are still missing.

Sir, I would like to urge the Government to enquire into the fact that why the boat with a rotten base was not repaired and replaced? 85 persons have died and their bodies have not yet been fished out. I would like to submit that a compensation to the tune of Rs. one lakh should be paid to each family of the deceased and a job to one member of each family should also be provided. The Government of India should direct BCCL to construct a bridge for crossing river. In this connection, I urge the Ministry of Coal to make a statement. Mr. Speaker, Sir, I would like to request you to direct the Government to lay a comprehensive report on the table of the House.

PROF. RITA VERMA (Dhanbad): Mr. Speaker, Sir, I would like to endorse the views expressed by Shri Suraj Mandal. Negligence on the part of the Central Government and BCCL is responsible for the loss of so many lives. Therefore, an enquiry may be made and all the guilty officers should be severely dealt with. I would like to submit that after the Newkenda disaster a package was offered to the families of the deceased. Therefore, compensation of one lakh rupee is not sufficient as every life is precious. I would like to urge the Central Government and the Hon. Minister of Coal to offer similar packages to the families of the deceased workers and an enquiry in this regard should be conducted immediately. *(Interruptions).*

[English]

MR. SPEAKER: I think, Government should collect the information and give it to the House.

KUMARI MAMATA BANERJEE (Calcutta South): Mr. Speaker, Sir, you will appreciate that according to our Indian Constitution any minority or any Indian can live in any part of the country. *(Interruptions)*

The people of the minority community in Shillong are being killed, tortured and ousted from their houses as well as their State.

[Translation]

Issue is quite serious

MR. SPEAKER: I have given the ruling. Now sit down. *(Interruptions)*

[English]

KUMARI MAMATA BANERJEE: About two lakh people of the minority community are there in Shillong who were born and brought up there. Now what is happening is, people of one section of the secessionist forces are trying to kill those people. Their life is not secure. They threw an acid pot on a girl student who died. More than 200 people died so far. Even women and children are not spared.

I would like the Home Minister to take up this matter with Chief Minister. We love Shillong, we love Shillong like our motherland. The life of the people should not be insecure. They should be able to stay there peacefully.

We want to built up communal harmony and brotherhood with friendship with other parts of the country also. I would request the Home Minister to see that they are not deprived of their lives. The Home Minister must look into it and intervene in this matter. I can show you photographs how one section of the students are behaving.

MR. SPEAKER: You should take permission from me before you exhibit them.

KUMARI MAMATA BANERJEE: They have written slogans like, Go back, Bengalis from Shillong, go back

Assamese from Shillong, go back Nepalis and so on. They have also written, "We are classified blood; out accidentally we are Indians." If this trend continues this will create disaster for the country.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): I am specially going to Meghalaya in order to study the situation myself. The conflicts between tribals and non-tribals have been increasing and that is why a Sub-Committee of Ministers was appointed by the Prime Minister and as a part of it there are three groups which have been set up to go to the different areas of the North-Eastern States. I am going to Meghalaya. I will study the situation myself.

SHRI LAL K. ADVANI (Gandhi Nagar): Of course, in Meghalaya the situation today is very disturbing and therefore while we are in session if the Home Minister could get the information and make a statement it would be better. The situation there in Meghalaya and the kind of activity that is going on is very disturbing. Many people have come from there and complained about it. If he could enlighten the House on this it will be better.

SHRI S.B. CHAVAN: I do not think that this is going to help the situation. Actually we will have to go deep into the matter to find out as to what exactly have been the reasons and why these things are escalating in such a manner. All of a sudden the student community seems to be more involved in creating this kind of atmosphere. So, that is why we have taken upon ourselves. We will go in two or three groups and study the situation. Thereafter we will have to consider as to what should be done.

[Translation]

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Speaker, Sir, 6 months ago Bangla speaking people were massacred in Kokrajhar.

MR. SPEAKER: 6 months ago?

SHRI SYED SHAHABUDDIN: Yes.

MR. SPEAKER: Why did you not raise the issue at that time?

SHRI SYED SHAHABUDDIN: I am coming to that. People are still living in the camps and their eyes have not dried yet. Again on 27th May another carnage took place there. At 5.00 P.M. six villages were attacked, when the menfolk were away to attend a meeting convened by the District Administration. Women and children were massacred there and it is believed that 100 persons died. 15-20 thousand persons are still living in the camps.

Mr. Speaker, Sir, most unfortunate part of the dastardly crime is that these villages are located at a distance of only 4-5 miles from the main Police Station in Kokrajhar district, yet the Police took 12 hours to reach the site. People still are living in the camps yet no relief arrangements have been made. These persons are feeling insecure. These people have been attacked twice and are complaining that the District Administration deliberately ignored the fact that these were pre-planned attacks. It is not known which militant group is responsible, as the attackers were in uniforms and were carrying firearms. I have requested the Hon. Minister of Home Affairs to set up a Police Post in the area. Patrolling should be handed over to the Army and CRPF to enable the people to return to their homes and the guilty should be punished. Families ruined and the families of the persons killed should be given adequate compensation. I believe that it is a serious issue as the entire Bodoland region is affected. If Assam saved from burning, then entire population of the State is to be protected by the Government. People say that they have lost faith in the State Government or the District Administration. Since the Hon. Minister of Home Affairs is going there, he must look into it.

PROF. PREM DHUMAL
(Hamirpur): Mr. Speaker, Sir, through you,

I would like to draw the attention of the Hon. Minister of Home Affairs towards the explosive situation prevailing in Doda district in Jammu and Kashmir. At least 40 persons have been killed there and out of these 30 persons were associated with the BJP. Last week, District President of Bhadrawah district, Shri Ruchikar Kumar, was killed and two days before it, Swami Raj was killed. People, willing to fight against militancy are not being given proper security by the Government. There are instances when ex-servicemen and people have killed militants. Some persons of Gandah Tehsil, located at a height of 13,000 feet, bare footed walked on snow to reach Himachal Pradesh. I visited their camp. They came along with their families and left behind their property. These persons hoped that since they had shot down militants, so the District Administration will support them and also provide them security. However, neither firearms are being given nor security is being provided. In dire straits, they migrated to Himachal Pradesh and taken refuge in the State. When the SDM of Bhadarwah visited the camp, none of the 825 persons recognised him. From this, it can be imagined that there is no proper link between the Administration and the people. Two senior officials flew by helicopter from Jammu and Kashmir to Chamba. *(Interruptions)*

MR. SPEAKER: Please do not go in details. Come to the point directly. You have been allowed for this only.

(Interruptions)

PROF. PREM DHUMAL: People of the area are demanding that they should be provided security and Doda district should be declared a terrorist affected area and army should be deployed there. Only then they would go back. These

people are residents of nearby Soti village, to which Shri Ghulam Nabi Azad belongs. They would go back only when they are provided weapons for their security and the administration comes forward in this regard, otherwise they would flee to other States leaving behind everything. We have been raising this issue in this House for the last three-four years that situation in Doda district is becoming explosive. Government surely listens to us but does not take any action in this regard. The administrative officers have not visited even the camps.

(Interruptions)

[English]

MR. SPEAKER: Your statement should not look to be against one officer. It should be against the incident. Please come to the point.

[Translation]

PROF. PREM DHUMAL: I am talking about the administration. Doda district should be declared a terrorist affected area, the administration should make the security arrangements, weapons for self security should be provided to those who have been demanding for it and the proposal for army cantonment in Bhadrawah district lying pending should be cleared.

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker, Sir, the Hon. Minister of Home Affairs is aware of the situation prevailing in Doda. The attention of the Government has been drawn towards the prevailing situation in Doda several times. We have already met the Hon. Prime Minister in this regard. Mr. Speaker, Sir, Doda is an important place. If Doda is alienated, we would have no

link or relation with Kashmir Valley. That is why terrorists are making Doda the centre of their activities. They are trying to evacuate Hindus from there by terrorising them. They pick up innocent persons and commit atrocities on them; they beat them mercilessly and then in front of their family members and other people kill them brutally and throw pieces of their flesh on their faces. This is what is happening in the country. Therefore, army cantonment should be set up in Bhadrawah district. This matter has been kept pending since long. Whenever we meet, we raise the demand to this effect. The Government are of the view that cantonment should be there. But relating to allotment of land and funds are not being decided, while innocent people are losing their lives. People are ready to take up weapons and fight with the terrorists but the Government is neither providing weapons nor security to them. The august House should think over the matter. We are being persuaded time and again to unite to fight against Election Commission but not to have any concern about the happenings in Doda District during this special session. We are ready to participate in that discussion also, we are ready to raise our voice against election but not Election Commission. However, regarding the situation in Doda, the Hon. Minister of Home Affairs may please be directed to give a detailed and clear statement. Thereafter, we would discuss the matter in the House. It is not an insignificant matter to be neglected.

[English]

MR. SPEAKER: Would you like to respond?

SHRI S.B. CHAVAN: Sir, I do not have the exact information with me just now, but so far as my information goes,

Government is seriously considering whether we should declare the Doda area as a Disturbed Area. Once we declare this as a Disturbed Area, then the Army gets all the special powers which are under that Act. So, we are seriously considering it. But the exact position I would not be able to tell at this stage.

[Translation]

SHRI LAL K. ADVANI: About eight days ago, we met the Hon. Prime Minister and furnished the facts in details to him.

MR. SPEAKER: The most important point is that he gave an assurance to the effect that the area was proposed to be declared a disturbed area.

[English]

SHRI LAL K. ADVANI: That was one of the demands.

[Translation]

It is being delayed. If special session can be called for this purpose, then why not for Doda.

[English]

MR. SPEAKER: That is an assurance on the floor of the House.

SHRI LAL K. ADVANI: Sir, I would plead with you that this is a matter on which he can take a decision by day after tomorrow.

MR. SPEAKER: No, no.

SHRI LAL K. ADVANI: Why not? At least let us know what the Government proposes to do.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: The Hon. Minister may please be asked to give a detailed statement regarding the situation in Doda. As it is not merely a matter of declaring it a disturbed area, there are many other matters which have been agitating the people. They have been demanding increase in the security forces.

[English]

MR. SPEAKER: I shall discuss this matter..

(Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Terrorists are hiding in hills. As long as they are not forced to surrender or are killed, the Government cannot control their activities.

[English]

MR. SPEAKER: We shall see if a statement is necessary.

[Translation]

SHRI NITISH KUMAR (Barh): We have raised the issue in the House several times that since reservation facilities have been provided to the other backward classes in the examinations held by Union Public Service Commission as per the recommendations of Mandal Commission, they should also be given relaxation in age. At the end of the budget session, we were asked to meet the concerned Minister in this regard. Since the Hon. Prime Minister holds the

portfolio, we met him. Our group included members from various political parties like Shri Somnath, Shri Abdul Ghafoor, Shri Devendra Prasad Yadav. We had requested the Prime Minister that the future of lakhs of youth depended on this issue. But the Prime Minister, at that time, was going to America. He gave us assurance that he will discuss the matter after his return. However, no decision has been taken in this regard so far. Now as per the information furnished to us, the UPSC is holding its examinations from 26th June. Only one week is left. If Government proposes to give relaxation in age to the candidates of other backward classes then decision in this regard should be taken immediately. If the Government does not provide age relaxation to them, it would be injustice to them. Had this relaxation been provided in the year 1990 to the backward classes they would have been eligible to appear in exams being conducted by UPSC. Since the matter is pending with the Supreme Court and the time is very short, the Government should provide age relaxation with immediate effect. There are 9 groups which have been provided reservation facility and age relaxation in the examinations held by Union Public Service Commission. Since we were asked to meet the concerned Minister, we met him. But we did not get any justice. At that time Shri Lal K. Advani had also raised the issue and Shri Sita Ram Kesri had given assurance in this respect. Now everything is open to you. Since you are aware of our sentiments and you had given an assurance, therefore, we would submit to you..

[English]

MR. SPEAKER: Speaker does not give any assurance.

[Translation]

SHRI NITISH KUMAR: You had stated that if the Hon. Minister does not provide any relief, we will call a meeting at our own level. Please recall...

MR. SPEAKER: You can please meet him once more.

SHRI NITISH KUMAR: Speaker, Sir, you played a significant role in the past also in deciding such matters. Therefore my submission is that only seven days are left. Therefore, an immediate decision should be taken in this regard so that those people do get justice.

[English]

MR. SPEAKER: You should be skilful enough to understand in between the lines.

[Translation]

You may please meet him once again.

SHRI AMAR PAL SINGH (Meerut): Mr. Speaker, Sir, with regard to sugar mills I would like to...

SHRI CHANDRA JEET YADAV (Azamgarh): Mr. Speaker, Sir, I went to say an important point.

MR. SPEAKER: He is a new member, let him speak first....

SHRI CHANDRA JEET YADAV: You may listen to him first and then allow me to speak for a minute....

SHRI AMAR PAL SINGH: Mr. Speaker, Sir, the proposal of setting up a sugar mill in the Maukhas village under Meerut district in Uttar Pradesh has been lying pending with the Central Government since 1989. The State Government have twice sent the proposal to the Central Government. As per the present policy, another sugar mill can be set up only at a distance of 25 km. However, it has been stated in the directives issued under Press Note No. 16 on 8.11.1991 for the 8th Five Year Plan for the period of 1992-93 to 1996-97 that under clause 2 there is a provision that if the distance between the established sugar mill and the new mill is 25 km. then this matter can be considered but under specific circumstances, a distance of 25 km may be relaxed to 15 km if the production of sugarcane in a particular area is in abundance.

Through the august House, I would like to apprise the Hon. Minister of the fact that the distance of the sugar mill at Mavana and Simbhavali is 21 km from Maukhas and if the cultivators sell their products only there, they do not get reasonable price. Perhaps a letter of intent has also been issued to set up the sugar mill. In the proposed region, sugarcane is grown on 21 thousand hectares of land. If this sugar mill gets 40 percent of sugarcane crop of this area, it will be around 60 lakh quintals. Farmers of those areas, which have sugarmills with a capacity of 25 thousand CTC are facing great difficulties. Keeping this in view, I request the Government of India to set up a new sugarmill in Maukhas.

MR. SPEAKER: Yadavji and Nitishji, please come to my chamber, I will talk to you.

SHRI RAM VILAS PASWAN (Rosera): Mr. Speaker, Sir, we have been lathicharged.

MR. SPEAKER: No, we will take it tomorrow. Half-an-hour has already been spent.

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, tomorrow it will lose its importance. Please listen to me for just one minute.

DR. P.R. GANGWAR (Pilibhit): Mr. Speaker, Sir, I am Member from Pilibhit in Uttar Pradesh. The SHO of Barkhera, Mr. Parvej Mia came to my house and fired at me but by the grace of God I escaped. A serious thing had happened there. A woman from the village was raped by a hospital employee. Even after six hours of the incident, FIR was not registered. When I was on a visit to my constituency to know the problems of the people, her husband told me about the incident.. I asked him to go to the police station and lodge the FIR. 10 or 20 persons were with him. He told that it was fruitless to go there because even after six hours of the incident FIR was not registered. I sent some more persons also with them. Hospital is situated between my house and the Police Station. On reaching there, they came to know that the lab technician was asking for leave. They went to the hospital direct and caught the culprit. Police Station is also very near and by that time, SHO reached there and took the culprit to Police Station. A few days back the culprits of rape in that area were painted black and were taken around the area by the S.D. Public wanted to take similar action against this culprit also in order to punish him socially instead of sending him to jail as he was a Government employee. SHO refused to take such action and thus the matter took a serious turn and after sometime, cries

were heard from the police station. I went there and saw SHO Parvej Mian, one peon Mr. Dikshit, a police constable Afsar Khan and a Jeep driver, Constable Tyagi and S.I. M.K. Singh. I asked them to register the FIR and send the culprit to jail. He refused to do so. I told him that I would raise the issue in Lok Sabha. He said that he would show me the Lok Sabha and gave a lathi blow. I ran back and people also followed me. SHO, Mr. Pravej and the peon also reached my house and fired at me with his service revolver. My son who was standing nearby hit his hand on his hand and the shot misfired. After this, as more people gathered there, he went back firing and told his people to loot my property. My two motorcycles and three cycles were taken to Police Station. He made a list of 500 workers of my party and caught 27 of them beat them and sent them to Jail. One of the worker, who is also Chairman of the Mandal, was beaten with slippers having nails and asked him whether he (Parvez Mian) was the member of Parliament or Dr. Parsuram? On his repeatedly saying that Dr. Parsuram was the M.P. he was sent to jail.

I demand for the investigation of the incident. The SHO threatened me of my life. I want protection from you because I am an M.P. Mr. Pravej is being patronised by the Uttar Pradesh Government. As a member of Parliament I want protection from you. I demand an inquiry in the cases of atrocities committed by the U.P. Government and rapes by police. Persons found guilty should be punished and the Home Minister should be asked to make a statement regarding injustice meted out to me.

(Interruption)

MR. SPEAKER: I have already sent for the information in this case and it

seems that you are only interested in speaking.

*(Interruptions)**

[English]

MR. SPEAKER: This is not going on record.

[Translation]

SHRI VINAY KATIYAR (Faizabad): It is a very serious matter. In Uttar Pradesh, on political ground...
(Interruptions)

MR. SPEAKER: Please sit down now.

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, I would not have insisted on it and would have accepted your order but the subject is such...

MR. SPEAKER: You are not accepting my opinion and are not dealing the issue properly.

SHRI RAM VILAS PASWAN: I have given a very serious notice.

MR. SPEAKER: There is nothing like serious notice

SHRI RAM VILAS PASWAN: Sir, the manner in which lathicharge was made, tear gas shells and water canons were busted yesterday, that has damaged an eye of a boy who is in the hospital. It has happened in Delhi and all newspapers have published news in this regard. No other matter can be serious than it that a Member of Parliament faces such a situation.

Kalka Das Ji knows that sometime back the statue of Baba Saheb Ambedkar

was broken in Delhi. We went there and Panchayat of dalits was held in Kalyanpuri. We met Lt. Governor and gave a memorandum to him. Lt. Governor assured us that the statue of Baba Saheb Ambedkar would be replaced. When it was not done for a long time, we decided to stage a peaceful demonstration. Yesterday, at the time of demonstration, we were lathicharged at Parliament Street and water cannon were used on us in which Gyan Chánd Gautam and Pravin Kumar, two boys became unconscious and were admitted to Ram Manohar Lohia Hospital. Out of the seven injured, two boys are in critical condition. One of the boys got his eye injured and second is still unconscious. According to the record of the police, 4000 workers of our party were arrested.

This incident took place in a city like Delhi where statue of Baba Saheb Ambedkar was broken which was there since 1992. It is a very shameful incident and I would like to draw the attention of the Government and the House towards it.

The Minister of Urban Development of Parliamentary Affairs, and Home Minister are also present here. I would like to say that they have no right to humiliate Baba Saheb Ambedkar, if they cannot give due respect to him and there cannot be more shameful incident than this. I, a Member of Parliament was leading this agitation and none can say that even a small stone was thrown from our side. It is really shameful that peaceful demonstrators were hurt by water canons, tear gas and lathicharge. I demand the Home Minister for conducting an inquiry into the matter and make a statement in the House.

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): Mr. Speaker, Sir,

you might be remembering that in the case of OBCs you had asked to meet the Minister first and after that a meeting was to be convened. Now, only one week is left in the examination. This issue becomes more grave as examinations are going to commence from 24th June. I request you to solve the problem by convening a meeting at your own level. This matter relates to age relaxation. Several OBC students will be deprived of taking UPSC examinations if age relaxation is not given in time. Several affected candidates are sitting on a fast unto death on this issue.

SHRI CHANDRA JEET YADAV: Mr. Speaker, Sir, I thank you for allowing me to speak. I would not like to go deep into the matter and like to make my humble submission that Smt. Margaret Alva had told that some candidates had gone to High Court to file a writ petition and High Court has permitted them to take examination. So there is no restriction for taking examination.

MR. SPEAKER: I also have the same information.

SHRI CHANDRA JEET YADAV: You might have got the correct information but they are working contrary to it. UPSC is rejecting the applications of candidates who are older. Such candidates are being sent rejection letters and there is resentment among them.

They are saying that had the Mandal Commission recommendation been implemented three years back, they would have not wasted their three years and all of them would have appeared in the examination. The matter was pending with the Supreme Court. Their demand was justified and the entire House was agreeable to it. Shri Buta Singh, Shri Advaniji, Shri Somnath Ji, and all others

were of the same views. You had also said that we should meet the Minister first and if it is not done then you would call a joint meeting to find out a solution to it. Members have met the Prime Minister and two ministers but till now nothing has been done. Now only a week's time is left and lakhs of students are appearing in the examination. It is a matter of great anxiety. Therefore, I request you, Sir, to direct the Government to allow such candidates to appear in this examination. The decision can be taken on age concession of three years or five years later on but at present my request is that arrangement should be made to allow them to appear in this examination.

SHRI BUTA SINGH (Jalore): Mr. Speaker, Sir, I do not want to repeat the things but would like to add this much that during last session, on the request of all the Hon. members from Opposition benches as well as from treasury benches, you had said that after meeting the Ministers, if you feel it proper, you would also talk to the Government in this regard. During this period I have also met Shrimati Margaret Alva and she told me that such orders have been passed by Allahabad High Court. Now its copy is not available with us. You might be having information about it. But what I would like to say is that if this decision is left to the bureaucracy, then these people will never get concession. Some students are sitting on fast and it is a general feeling through out the country that they are never going to get this concession. Therefore, I request you to go through the orders of the High Court or talk to the Ministers concerned or direct the Government, as you think fit, in the interest of the students and the country, which will result in an early solution of this problem, as only 10-12 days are left for the examination.

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, I had a talk with the Prime Minister in this regard. Earlier, I was told that the file had been sent to the Prime Minister for his decision but the Prime Minister told me that file was yet to reach him. But from the talks I had with him, it appears that the Prime Minister is in favour of giving this concession. I do not understand as to where this file is lying at present. I do not know, in what manner you are going to intervene in this matter because this file is lying somewhere else.

MR. SPEAKER: Otherwise, I will be doing all the administrative works.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: But the Hon. Home Minister is present here and Shri Shukla Ji Maharaj is considering over the matter though he is not in a state of meditation. He is listening carefully. Am I right? If so, you please convey the details of this discussion to the Prime Minister. I think if this matter or file is brought before the Prime Minister, he will immediately issue order on it.

[English]

SHRI SOMNATH CHATTERJEE (Bolpur): Sir, we have been requesting the Government to take a decision on this issue. This is a matter which should not be delayed further because the future of some young people of this country is concerned. They wanted the opportunity. With the law having been upheld and for no fault of theirs, they could not get the benefit during the interregnum when the matter was pending. They are entitled to get the benefit of this law which has been adopted by this House also. The principle and the policy has been adopted. Now, I

find that the Leader of the Opposition has many an inside information. He is keeping a track of files these days!.. (*Interruptions*) I wish I had so much of access to the Government files as the Leader of the Opposition has. But merely the movement of the file is not relevant. The content of the file is also relevant. It is better to take a proper decision. If you take a decision, then the file would go and it can be signed. Kindly take a decision. I doubt whether any decision has been taken.

[*Translation*]

SHRI NITISH KUMAR: Mr. Speaker, Sir, a period of only seven days is left. Therefore, we request you to intervene in this matter at your level. Shri Atal Ji has said that you cannot do anything in this regard but we think that you can handle it very well. You have given us assurance and we are just reminding you.

[*English*]

SHRI A. CHARLES (Trivandrum): Sir, regarding this issue, I would like to say that there has been a ban on recruitment for two years. Their final proposal is for the enhancement of age-limit for all the candidates by three years. So, they are making it to 28.

I have given a proposal and that is also pending. The backward communities will also get another three more years from 28 years. I plead that the entire aspect of the age relaxation can be looked into because it is affecting the whole youth of this country. For a few consecutive years, most of the candidates were unable to apply as there was a ban on recruitment. So the genuine request is for the enhancement of age limit by three years for all the candidates belonging to backward and forward communities and

for another three years from 28 years for the persons belonging to backward communities. Then only the entire youth of this country will be benefited. But that proposal is pending with the Ministry. I request that both these proposals should be considered and decision taken immediately so that in this examination, the youth of this country who were denied the opportunity, are given at least one more chance. In all fairness, it has to be done.

MR. SPEAKER: If the Minister were to be here, the Minister would have explained the position. But I remember to have been told that because of the order given by the court, all students are allowed to appear in the examination. Even then we would like to get the information from the horse's mouth. That would be proper. I am speaking from the memory. There should not be any mistake in my understanding it.

SHRI CHANDRA JEET YADAV: As it is your understanding, this is our understanding also. (*Interruptions*)

MR. SPEAKER: You meet the Minister again and then we will find out.

SHRI NITISH KUMAR: How many times should we meet the Minister?

MR. SPEAKER: I do not know. I am not here to direct you. You may not meet the Minister also. (*Interruptions*)

[*Translation*]

SHRI NITISH KUMAR: You have already said it and repeating it once again... (*Interruptions*)

[English]

MR. SPEAKER: You should please understand that if every Member is entrusting the Speaker with administrative duties, I will have to lose my clout over the legislative duties. You please understand that everybody is standing and asking me to do something or the other. It does not look nice. It is not in keeping with the dignity of the Chair also.

Now Papers to be laid on the Table.

12.53 hrs.

PAPERS LAID ON THE TABLE

Draft National Population Policy — Expert Group on Population Policy

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DR. C. SILVERA): On behalf of Shri B. Shankaranand, I beg to lay on the Table a copy of the Draft National Population Policy — Expert Group on Population Policy (Hindi and English versions).

[Placed in Library See No. LT 5996/94]

Review on the working of and Annual Report of Konkan Railway Corporation Limited, New Delhi for 1992-93 etc.

THE MINISTER OF RAILWAYS (SHRI C.K. JAFFER SHARIEF): I beg to lay on the Table:

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

versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

- (i) Review by the Government on the working of the Konkan Railway Corporation Limited, New Delhi, for the year 1992-93.
- (ii) Annual Report of the Konkan Railway Corporation Limited, New Delhi, for the year 1992-93, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

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

[Placed in Library. See No. LT 5997/94]

Annual Report and Review on the working of Central Zoo Authority, New Delhi for 1991-92 etc.

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): I beg to lay on the Table:

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Central Zoo Authority, New Delhi for the year 1991-92, alongwith Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Zoo Authority, New Delhi, for the year 1991-92.

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

[Placed in Library. See No. LT 5998/94]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Central Zoo Authority, New Delhi, for the year 1992-93, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Zoo Authority, New Delhi, for the year 1992-93.

- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

[Placed in Library. See No. LT 5999/94]

- (5) A copy each of the following Notifications (Hindi and English versions) under section 26 of the Environment (Protection) Act, 1986:—

- (i) The Environment (Protection) Amendment Rules, 1994 published in Notification No. G.S.R. 320(E) in Gazette of India dated the 16th March, 1994.

- (ii) S.O. 230(E) published in Gazette of India dated the 17th March, 1994 containing corrigenda to the Notification No. S.O. 60(E) dated the 27th January, 1994.

- (iii) S.O. 356(E) published in Gazette of India dated the 4th May, 1994 making certain amendments to the Notification No. S.O. 60(E) dated the 27th January, 1994

[Placed in Library. See No. LT 6000/94]

Review on the working of and Annual Report of Goa Meat Complex Limited, Panjim for 1992-93 etc.

THE MINISTER OF STATE IN THE
MINISTRY OF AGRICULTURE (SHRI
ARVIND NETAM): I beg to lay on the
Table:

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

- (i) Review by the Government on the working of the Goa Meat Complex Limited, Panjim, for the year 1992-93.

- (ii) Annual Report of the Goa Meat Complex Limited, Panjim for the year 1992-93, alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

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

[Placed in Library. See No. LT 6001/94]

**Notification under the Central Excises
and Salt Act, 1944 etc.**

THE MINISTER OF STATE IN THE
MINISTRY OF HUMAN RESOURCE
DEVELOPMENT (DEPARTMENT OF
YOUTH AFFAIRS AND SPORTS) AND
MINISTER OF STATE IN THE MINISTRY
OF PARLIAMENTARY AFFAIRS (SHRI
MUKUL WASNIK): On behalf of Shri M.V.
Chandrashekhara Murthy I beg to lay on
the Table:

(1) A copy each of the following
Notifications (Hindi and English
versions) under sub-section (2) of
sections 38 of the Central Excises
and Salt Act, 1944:—

- (i) G.S.R. 335(E) published in
Gazette of India dated the
28th March, 1994 together
with an explanatory
memorandum making certain
amendments in the
Notification No. 1/93-CE,
dated the 28th February,
1993.
- (ii) G.S.R. 336(E) published in
Gazette of India dated the
28th March, 1994 together
with an explanatory
memorandum making certain
amendments to the
Notification No. 16/94-CE,
dated the 1st March, 1994.
- (iii) G.S.R. 363(E) published in
Gazette of India dated the
6th April, 1994 together with
an explanatory memorandum
seeking to exempt textured
synthetic filament yarn made
out of non-textured synthetic
filament yarn in which is
cleared/imported before the

1st March, 1994 to the extent
of duty already paid on the
non-textured yarn provided no
credit has been availed of.

- (iv) G.S.R. 364(E) published in
Gazette of India dated the
6th April, 1994 together with
an explanatory memorandum
seeking to exempt textured
artificial filament yarn made
out of non-textured artificial
filament yarn which is
cleared/imported before the
1st March, 1994 to the extent
of duty already paid on the
non-textured yarn provided no
credit has been availed of.
- (v) G.S.R. 365(E) published in
Gazette of India dated the
6th April, 1994 together with
an explanatory memorandum
seeking to exempt double or
multiple-fold yarn made out of
dutyh paid yarn which is
cleared/imported before the
1st March, 1994 to the extent
of duty already paid on such
yarns provided no credit has
been availed of.
- (vi) G.S.R. 366(E) published in
Gazette of India dated the
6th April, 1994 together with
an explanatory memorandum
regarding exemption to
Shawls, mufflers, handker-
chiefs etc. from the whole of
the excise duty leviable
thereon.
- (vii) G.S.R. 367(E) published in
Gazette of India dated the
6th April 1994 together with
an explanatory memorandum
making certain amendments

to the Notification No. 26/94-CE dated the 1st March, 1994.

- (viii) G.S.R. 368(E) published in Gazette of India dated the 6th April, 1994 together with an explanatory memorandum making certain amendments to the Notification No. 7/94-CE dated the 1st March, 1994.

- (ix) The Central Excise (Second Amendment Rules, 1994 published in Notification No. G.S.R. 369(E) in Gazette of India dated the 6th April, 1994 together with an explanatory memorandum.

- (x) G.S.R. 473(E) published in Gazette of India dated the 20th May, 1994 together with an explanatory memorandum making certain amendments to the Central Excise Rules, 1944.

[Placed in Library, See No. LT 6002/94]

- (2) A copy of the Notification No. G.S.R.488(E) (Hindi and English versions) published in Gazette of India dated the 3rd June, 1994 regarding exemption to specified equipments, plants, live animals, office equipments, etc. from the levy of customs duties when imported by 100 percent Export Oriented Units in the horticulture/viticulture/animal husbandry/poultry and sericulture sectors under section 159 of the Customs Act, 1962.

[Placed in Library. See No. LT 6003/94]

- (3) A copy of the Appropriation Accounts, Indian Railways for the year 1992-93, Part I — Review (Hindi and English versions).

[Placed in Library. See No. LT6004/94]

- (4) A copy of the Appropriation Accounts, Indian Railways for the year 1992-93, Part-II — Detailed Appropriation Accounts (Hindi and English versions).

[Placed in Library. See No. LT/6005/94]

- (5) A copy of the Block Accounts (including Capital statements comprising the Loan Accounts), Balance Sheets and Profit and Loss Accounts of Indian Government Railways for the year 1992-93 (Hindi and English versions).

[Placed in Library, See No. LT 6006/94]

- (6) A copy of the Appropriation Accounts (Union Government) of the Defence Services for the year 1992-93 (Hindi and English versions).

[Placed in Library. See No. LT 6007/94]

- (7) A copy of the following Reports (Hindi and English versions) under article 151(1) of the Constitution:—

- (i) Report of the Comptroller and Auditor General of India — Union Government (No. 3 of 1994) for the year ended the 31st March, 1993 (National Capital Territory of Delhi).

[Placed in Library. See No. LT 6008/94]

- (ii) Report of the Comptroller and Auditor General of India —

Union Government (No. 8 of 1994) for the year ended the 31st March, 1993 — Defence Services (Army and Ordnance Factories).

[Placed in Library. See No. LT 6009/94]

- (iii) Report of the Comptroller and Auditor General of India — Union Government (No. 9 of 1994) for the year ended the 31st March, 1993 (Defence Services — Air Force and Navy).

[Placed in Library See No. LT 6010/94]

- (iv) Report of the Comptroller and Auditor General of India — Union Government (No. 11 of 1994) for the year ended the 31st March, 1993 (Other Autonomous Bodies).

[Placed in Library, See No. LT 6011/94]

- (8) A copy of the Securities and Exchange Board of India (Form of Annual Statement of Accounts and Records) Rules, 1994 (Hindi and English versions) published in Notification No. G.S.R. 472(E) in Gazettee of India dated the 20th May, 1994 under section 31 of the Securities and Exchange Board of India Act, 1992.

[Placed in Library. See No. LT 6012/94]

- (9) (i) A copy of the Annual Report (Hindi and English versions) of the Securities and Exchange Board of India for the year 1992-93.
- (ii) A copy of the Review (Hindi and English versions) by the

Government on the working of the Securities and Exchange Board of India for the year 1992-93.

- (10) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (9) above.

[Placed in Library. See No. LT 6013/94]

Annual Report, Annual Accounts and Review on the Working of National Council of Science Museums, Calcutta for 1991-92 etc.

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): I beg to lay on the Table.

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the National Council of Science Museums, Calcutta, for the year 1991-92.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the National Council of Science Museums, Calcutta, for the year 1991-92, together with Audit Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Council of Science Museums, Calcutta, for the year 1991-92.

- (2) Statement (Hindi and English versions) showing reasons for

delay in laying the papers mentioned at (1) above.

[Placed in Library, See No.LT 6014/94]

- (3) (i) A copy of Annual Report (Hindi and English versions) of the National Council of Science Museums, Calcutta, for the year 1992-93.

- (ii) A copy of the Annual Accounts (Hindi and English versions) of the National Council of Science Museums, Calcutta, for the year 1992-93, together with Audit Report thereon.

- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Council of Science Museums, Calcutta, for the year 1992-93.

- (4) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

[Placed in Library, See No.LT 6015/94]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the National Museum Institute of History of Art, Conservation and Museology, New Delhi, for the year 1992-93, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Museum Institute of History of Art,

Conservation and Museology, New Delhi, for the year 1992-93.

- (6) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above.

[Placed in Library, See No.LT 6016/94]

- (7) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Council of Social Science Research, New Delhi, for the year 1992-93.

- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Indian Council of Social Science Research, New Delhi, for the year 1992-93, together with Audit Report thereon.

- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Indian Council of Social Science Research, New Delhi, for the year 1992-93.

- (8) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (7) above.

[Placed in Library, See No.LT 6017/94]

- (9) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for Cultural Resources and Training, New Delhi, for the year 1992-93, alongwith Audited accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Centre for Cultural Resources and Training, New Delhi, for the year 1992-93.

- (10) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (9) above.

[Placed in Library. See No.LT 6018/94]

- (11) (i) A copy of the Annual Report (Hindi and English versions) of the Sahitya Akademi, New Delhi, for the year 1992-93, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Sahitya Akademi, New Delhi, for the year 1992-93.

- (12) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (11) above.

[Placed in Library. See No.LT 6019/94]

- (13) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Bombay, for the year 1992-93.

- (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 1992-93.

- (14) Statement (Hindi and English versions) showing reasons for

delay in laying the papers mentioned at (13 above).

[Placed in Library. See No.LT 6020/94]

- (15) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Technology, Kharagpur, for the year 1992-93.

- (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 1992-93.

- (16) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (15) above.

[Placed in Library. See No.LT 6021/94]

- (17) A copy each 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 1992-93, together with Audit Report thereon.

[Placed in Library. See No.LT 6022/94]

- (ii) Annual Accounts of the Indian Institute of Technology, Kharagpur, for the year 1992-93, together with Audit Report thereon.

- (18) Two statements (Hindi and English versions) showing

reasons for delay in laying the papers mentioned at (17) above.

[Placed in Library. See No. LT 6023/94]

- (19) (i) A copy of the Annual Report (Hindi and English versions) of the Jamia Millia Islamia, New Delhi, for the year 1992-93.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Jamia Millia Islamia New Delhi, for the year 1992-93.

- (20) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (19) above.

- (21) A copy of the Annual Accounts (Hindi and English versions) of the Jamia Millia Islamia, New Delhi, for the year 1992-93, together with Audit Report thereon.

- (22) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (21) above.

[Placed in Library. See No. LT 6024/94]

- (23) (i) A copy of the Annual Report (Hindi and English versions) of the Board of Apprenticeship Training, for the year 1992-93, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working

of the Board of Apprenticeship Training, for the year 1992-93.

- (24) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (23) above.

[Placed in Library. See No. LT 6025/94]

- (25) (i) A copy of the Annual Accounts (Hindi and English versions) of the Sant Longowal Institute of Engineering and Technology, Longowal, for the year 1992-93, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Sant Longowal Institute of Engineering and Technology, Longowal, for the year 1992-93.

- (26) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (25) above.

[Placed in Library. See No. LT 6026/94]

- (27) (i) A copy of the Annual Report (Hindi and English versions) of the Mahila Samakhya, Gujarat, for the year 1992-93, alongwith Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Mahila Samakhya, Gujarat, for the year 1992-93.

- (28) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (27) above.

[Placed in Library. See No. LT 6027/94]

- (29) (i) A copy of the Annual Report (Hindi and English versions) of the North-Eastern Hill University, Shillong, for the year 1990-91.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the North-Eastern Hill University, Shillong, for the year 1990-91.

- (30) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (29) above.

- (31) A copy of the Annual Accounts (Hindi and English versions) of the North-Eastern Hill University, Shillong, for the year 1990-91, together with Audit Report thereon.

- (32) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (31) above.

[Placed in Library. See No. LT 6028/94]

- (33) (i) A copy of the Annual Report (Hindi and English versions) of the Regional Engineering College, Srinagar, for the year 1990-91.

- (ii) A copy of the Annual Accounts (Hindi and English

versions) of the Regional Engineering College, Srinagar, for the year 1990-91, together with Audit Report thereon.

- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Regional Engineering College, Srinagar, for the year 1990-91.

- (34) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (33) above.

[Placed in Library. See No. LT 6029/94]

- (35) (i) A copy of the Annual Report (Hindi and English versions) of the Regional Engineering College, Srinagar, for the year 1989-90.

- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Regional Engineering College, Srinagar, for the year 1989-90, together with Audit Report thereon.

- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Regional Engineering College, Srinagar, for the year 1989-90.

- (36) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (35) above).

[Placed in Library. See No. LT 6030/94]

(37) A copy of the Annual Accounts (Hindi and English versions) of the University of Delhi, Delhi, for the year 1991-92, together with Audit Report thereon.

(38) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (37) above.

[Placed in Library. See No.LT 6031/94]

(39) (i) A copy of the Annual Report (Hindi and English versions) of the Visva-Bharati, Santiniketan, for the year 1992-93.

(ii) A copy of the review (Hindi and English versions) by the Government on the working of the Visva-Bharati, Santiniketan, for the year 1992-93.

(40) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (39) above.

[Placed in Library. See No.LT 6032/94]

(41) A copy of the Annual Accounts (Hindi and English versions) of the North-Eastern Hill University, Shillong, for the year 1989-90, together with Audit Report thereon.

(42) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (41) above.

[Placed in Library. See No.LT 6033/94]

(43) A copy of the Annual Accounts (Hindi and English versions) of the University Grants Commission, New Delhi, for the year 1992-93, together with Audit Report thereon.

(44) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (43) above.

[Placed in Library. See No.LT 6034/94]

12.54 hrs.

ASSENT TO BILLS

[English]

SECRETARY-GENERAL: Sir, I lay on the Table the following four Bills passed by the Houses of Parliament during the last session and assented to since a report was last made to the House on the 13th May, 1994:

(1) The Appropriation (No. 2) Bill, 1994

(2) The Finance Bill, 1994

(3) The Rubber (Amendment) Bill, 1994

(4) The Institutes of Technology (Amendment) Bill, 1994

12.54 $1\frac{1}{2}$ hrs**CONSTITUTION (SEVENTY-FIRST
AMENDMENT) BILL****As passed by Rajya Sabha and as
reported by the Select Committee***[English]*

THE MINISTER OF STATE IN THE
MINISTRY OF LAW, JUSTICE AND
COMPANY AFFAIRS (SHRI H.R.
BHARDWAJ): I beg to move for leave to
withdraw the Bill further to amend the
Constitution of India, which was passed
by Rajya Sabha on the 29th April, 1992,
laid on the Table of Lok Sabha on the 4th
May, 1992 and as reported by Select
Committee on the 18th December, 1992.

MR. SPEAKER: Motion moved:

"That leave be granted to withdraw
the Bill further to amend the
Constitution of India, which was
passed by Rajya Sabha on the
29th April, 1992, laid on the Table
of Lok Sabha on the 4th May, 1992
and as reported by Select Commi-
tee on the 18th December, 1992."

SHRI GUMAN MAL LODHA (Pali):
Mr. Speaker, Sir, I stand to vehemently
oppose the permission for withdrawal of
the Constitution (Seventy-first
Amendment) Bill, 1990. Sir, the Bill
relates to Articles 81, 82, 270 and 327 of
the Constitution which are in respect of
delimitation of the constituencies about
the Scheduled Castes and Scheduled
Tribes and it has got a chequered career.
It was introduced by Shri Dinesh
Goswami, the then Law Minister on
30th May, 1990 and passed by the Rajya
Sabha on 29th April, 1992.

Sir, after it came to Lok Sabha it
was referred to Select Committee on
7th May, 1992 and the Report of the
Select Committee was presented to Lok
Sabha on 18th of December, 1992. Sir,
we are in 1994. It was expected that the
Bill would be passed because a number
of Sessions have intervened in between.
But it is unfortunate that the Treasury
Benches have not taken care to get it
passed so far. Sir, this Bill relates to
delimitation and there is no controversy in
the House. All the Hon. Members of this
House are agreed on this point. But what
is sought to be done now is that after
withdrawal of this Bill, these provisions
are also sought to be included in a very
controversial Bill which is going to be
introduced or an effort is being made to
introduce it just now after this. That is a
very controversial matter in which the
powers, the authority of the Chief Election
Commissioner is sought to be curtailed by
introducing a majority clause against the
constitutional provisions and the basic
features of the Constitution. Sir, that is
going to be a very controversial matter on
account of that. We are going to oppose
and most of the Members of this House
are going to vehemently oppose any
invasion on the authority of the Election
Commission to ensure that the country
can have free and fair elections without
the interference of the executive as
thought by the founding fathers who
wanted these provisions to be included in
the Fundamental Rights as per the first
Committee which was framed for the
purposes of having the Fundamental
Rights earmarked. Sir, therefore, it is of
great importance. And now clubbing
together these two what is going to
happen, Sir, is that these delimitation
provisions which are innocuous and which
are appreciated, vetted and are to be
confirmed and affirmed and supported by
all are tagged with the provisions of
Article 324 and the curtailment of powers

[Shri Guman Mal Lodha]

of the Chief Election Commissioner. That being so, the whole matter would become a controversial issue and by that process we would be jeopardising even these provisions which are already there. So, Sir, it is difficult to understand whether there is any logic, whether there is any rationale, where there is any reason for withdrawing this Bill which is non-controversial and which has been passed there and which we are all prepared to pass it by one voice. Therefore, Sir, I would request you not to grant the leave to withdraw this Bill and I would also request that the Hon. House and the Hon. Members to kindly understand the complications which are going to take place on account of clubbing of the two.

MR SPEAKER: The leave is granted or refused by the House.

SHRI GUMAN MAL LODHA: Therefore, I would request that this Bill may not be withdrawn and I oppose it vehemently and would like that the Hon. Minister should give a second thought on it and not make non-controversial issues controversial. Thank you very much.

SHRI H.R. BHARDWAJ: I assure the Hon. Member that I am not going to create any controversy. If you allow me to withdraw, you will be happy.

SHRI LAL K. ADVANI (Gandhi Nagar): If suppose by bracketing it with the other provisions relating to Election Commission for whatever reason that Bill is not passed, what happens? Unnecessarily and needlessly you are jeopardising a very important process related to elections. I am not saying you do not bring the Election Commission Bill. You are fully entitled to bring the Election Commission Bill. We will consider it

separately. But why are you jeopardising this, that is the simple question. You did not answer it yesterday, please answer it today. If you pass this Bill and then come forth with the Constitution (Eighty Third amendment) Bill, we will consider it on merits. Some of us will oppose it, some of us will support it; whether it passes or does not pass, at least the delimitation process is not halted. After all, you should realise even after passing this Bill amending the Constitution, you have to move another Delimitation Commission Bill. That has to be done. Delimitation Commission is to be set up. It is a very elaborate process. I really fail to understand why the Government does not take cognizance of this very elementary thing. I am requesting you again for a constructive purpose please reconsider this. We can pass it in half an hour. I will appeal to my colleagues in the Rajya Sabha also to see that it is not delayed. We are agreed even to extend the Session if it is necessary for that purpose.

13.00 hrs.

But please do not stop this process of delimitation on this account. Therefore I would, through you, request the Government to reconsider the matter.

SHRI H.R. BHARDWAJ: I have already submitted that we want on the matters of electoral rule the widest consensus of this House and the Parliament as a whole. You will appreciate that we have been trying till this morning to achieve that. You will be happy to note when I make my statement that some direction we have been able to achieve and we will continue to go in that direction because this electoral rule is not a partisan issue. I agree with the Hon. Member. You kindly allow me to perform my duty to withdraw this and then my statement will come. (Interruptions)

SHRI ANNA JOSHI (Pune): That is not your duty. Your duty is to get it passed unanimously by the whole House.

SHRI H.R. BHARDWAJ: My duty is, as far as possible, to satisfy you also.

MR. SPEAKER: The question is:

"That leave be granted to withdraw the Bill further to amend the Constitution of India, which was passed by Rajya Sabha on the 29th April, 1992, laid on the Table of Lok Sabha on the 4th May, 1992 and as reported by Select Committee on the 18th December, 1992."

The motion was adopted.

SHRI H.R. BHARDWAJ: I withdraw the Bill.

13.01 hrs.

RE: CONSTITUTION (EIGHTY-THIRD AMENDMENT) BILL
(Amendment of Articles 81, 82, 170 and 324 and insertion of New Article 324A)

[English]

MR SPEAKER: The House shall now take up Item No. 10 of the Agenda.

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): As stated in today's order of business, it is mentioned that Shri Bhardwaj would move for leave to introduce a Bill further to amend the Constitution of India. The purpose seems to be also to withdraw the Bill. Why introduce and then withdraw? This is the business that is mentioned and no correction has come to us.

SHRI LAL K. ADVANI (Gandhi Nagar): Obviously this Government in this session has withdrawn perhaps half a dozen or more Bills which they had earlier introduced. Earlier Ministers could not envisage that one day they will withdraw it. The present Minister of State for Law contemplated it even in advance. So, while seeking leave to introduce the Constitution 83rd Amendment Bill, he has added 'also to withdraw the Bill'.

SHRI NIRMAL KANTI CHATTERJEE: You should give a ruling Sir. I have raised a point of order.

MR SPEAKER: My ruling is that your point of order is upheld. And it is a mistake committed and I think they have corrected it.

SHRI LAL K. ADVANI: It is a very meaningful mistake. Has the Secretariat anticipated it.

(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): As Hon. Members of this House are aware, the Government have circulated copies of the Constitution (Eighty-third Amendment) Bill, 1994 and notice of Intention to introduce the said Bill has also been given.

The Bill is in two parts, the first part dealing with delimitation of constituencies on the basis of the 1991 census and the second with certain aspects arising out of constitution of multi-member Election Commission. Some have expressed certain misgivings about the clauses in the Bill with regard to the Election Commission.

[Shri H.R. Bhardwaj]

It is widely known that, both before and after the circulation of the Bill, Government have held extensive consultations with representatives of all parties in both Houses of Parliament with a view to achieving general agreement on the proposals contained in the Bill. In the interest of reaching decisions by consensus, Government have also added a new clause in the Bill to provide for consultation with the Chief Justice of India in the matter of appointment of the Chief Election Commissioner and other Election Commissioners. In spite of our best efforts, consensus on the Bill still eludes us. The mandate of the Supreme Court in *S.S. Dhanoa Versus Union of India*, 1991 Supreme Court Page 1745 still cannot be carried out.

We cannot obviously agree to depart from the constitutional scheme. Since it appears that the Constitution (Eighty-Third Amendment) Bill may not enjoy the requisite support, hence, the Government does not propose to introduce the Bill. The legal position with regard to the transaction of the business of the Election Commission has been declared in clear terms in the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Amendment Act, 1993. That position remains valid and unaffected. *(Interruptions)*

SHRI LAL K. ADVANI: You have been pleading with the amendment. *(Interruptions)* Even now, why stop the process of delimitation? *(Interruptions)* What kind of Government is it? You carried on an onslaught against a constitutional authority for the last two months. At the end of this, you are doing this. This Government should resign rather than withdraw the Bill.

SHRI CHANDRA SHEKHAR (Ballia): Mr. Speaker, Sir, I shall like to know from you about your observation. When my friend, Mr. Nirmal Kanti Chatterjee, raised the objection, you said, it is an obvious mistake. But it is not an obvious mistake. It is a blunder not of the Government, but it is a mistake against the very existence of parliamentary democracy.

We should not take this matter so lightly. For all these months, this controversy was going on. Members after Members were pleading with the Government to see sense. They were not ready to see sense. Even just before, Mr. Advani was pleading to get the Bill endorsed that was passed by the Rajya Sabha. Mr. Bhardwaj said that he was bringing some miracle in a minute. And this is the worst miracle that has happened in the history of the parliamentary democracy.

I do not know much of it. But I have been a student of political science. If you quote any other example in the world history, I shall understand that this Government has any sense of dignity and honour about the parliamentary democracy.

Whether they pass one Bill or do not pass a Bill, is it the way the Parliament should be treated? Is it the way that the whole country should be taken to ride? Is it the way that you are going to put before the world what you are doing in this country in this supreme body?

I shall like your guidance. How long are you going to give this long rope to this Government to behave in this manner against all dignity, propriety of parliamentary democracy?

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Speaker, Sir, we are very angry over it. I do not think that such a joke has ever been played with this House and the Parliament of this country. I fail to understand how the Government * you and this House.

[English]

MR. SPEAKER: I think, it should not form part of the record.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, kindly understand my point. We are very angry over it. We are not able to control our anger. What has actually happened There is no question of withdrawing it or not. It was an old Bill which was to be withdrawing. On that our colleague Shr: Lodha Ji has said thatg we all are unanimous about the issue of delimitation. Therefore, Bill regarding delimitation should not be withdrawn. Than you expressed your side of things. The Government had already hatched a conspiracy not to allow delimitation and withdraw the Bill accordingly. Under that conspiracy, they first said the 'Bill to withdraw' and then 'Bill to be introduced'.

[English]

You know that you were not going to introduce the Bill.

[Translation]

Sometimes we do not appreciate the dignity of our own House. Mr. Speaker, Sir, I do not know what solution

to this problem would be found. You cannot find an example of such behaviour anywhere else. I do not know whether this House has ever faced such situation since Independence.

Shri Chandra Shekhar has said that such a thing has happened first time in the History of our democracy. I have come for the fifth term to this House but I have never witnessed such a gross injustice done to the House. No Minister has ever behaved like this in any democratic Parliament. It has not been done by the Minister but by the Government itself.

Sir, please call the Prime Minister to the House and ask him whether he was aware of such behaviour in the House and that they will befool us like this. Kumari Mamata Ji was requesting to speak a few words but she was not allowed to speak. (Interruptions) She has her own thinking on it. She demanded freedom of vote in the Congress Party session and that is why we appreciate her. I will not take more time of the House but would definitely like to say that we are not able to cool down ourselves. We are not going to accept such a thing. How would you like to deal with the insult shown to this House.. (Interruptions) We always talk about the dignity of the House. Who is responsible for today's act of lowering the dignity of the House? Sir, it is in your hand and therefore, we leave this matter to you.

SHRI CHANDRA SHEKHAR: Sir, with all humbleness I would like to know from the Congress Party as to what advantage they are getting and with what objective they have acted like this. I would like to know that besides murdering democracy and Parliamentary democracy

[Shri Chandra Shekhar]

what other motive can be there behind such a behaviour. With great humility I would like to request the Congress Party to give reasons for such a behaviour.

KUMARI MAMTA BANERJEE (Calcutta South): Sir, I am thankful to you for giving me an opportunity to speak here. For this I would like to congratulate Shri Bhardwaj. Consensus has not reached on this Bill, so our Government wants that there should be consensus over this. Sir, it is a very serious matter in democracy. Many of our hon. friends wanted to impeach Shri Seshan earlier but we did not utter even a single word, but they stuck to his impeachment and Constitution Amendment Bill was introduced later on.... *(Interruptions)*... First listen to me please I would certainly like to request the hon. Minister to think over the issue of delimitation but we slightly differ on the issue of multi-member Commission. I would like to submit that electoral reforms are very important reforms. We want that electoral reforms be made but if consensus is not reached it will create difficulties. The Government, therefore, should not make hurry and should hold a national debate thereon... *(Interruptions)*... I welcome the decision taken by the Government. There must be national debate and nothing should be done in a haste which may aggrieve the people of the country. We do not want to involve any politics in it. Shri T.N. Seshan is the Chief Election Commissioner at present and he may not hold this post tomorrow. But it is a fact that he has gained success in holding peaceful election. Sir, the winning election by Ms. Lovely Anand from Vaishali constituency is the loveliness of Shri Seshan...

(Interruptions)... if he would have not done this, in Vaishali*

[English]

MR. SPEAKER: This will not form part of the record.

[Translation]

KUMARI MAMATA BANERJEE: I would explain this in another way.*

MR. SPEAKER: This will also not go in record.

KUMARI MAMATA BANERJEE: I have not referred anybody's name. But it is known to all to whom I am not referring to.

Many States are facing problems in holding elections. Therefore, it was the feeling among the common people to withdraw this Bill. Therefore, the wings of the Chief Election Commissioner are not being clipped. We have discussed it in our party and we are proud of freedom and democracy in our party. Our suggestion was accepted that time and the proposal to hold national debate for eliciting the opinion of the people was accepted. The States and other parties also should be consulted and a consensus should be reached in this regard. In the absence of a consensus, it will not be good for the country.

We, therefore, support the withdrawal of this Bill. Moreover, I would like to submit that the issue of delimitation in the Presentation of People's Act should be considered. It is essential to pay

attention to the deilmitation as it has been in the case of reservation for SC/STs and minorities. I request my hon. colleagues from the opposition not to involve policies in this isuse. The powers of the Chief Elections Commissioner are not being curtailed.

The Government has entertained our suggestions and have taken this decision. You also had the same intention. Therefore, you should also welcome the step taken by the Government.

With these words, I congratulate the Government for withdrawal of this Bill.

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker, Sir, I have remained associated with Parliament, sometimes with Lok Sabha and sometimes with Rajya Sabha, since 1957. I have seen many Governments in the country. I have seen the earlier Congress Government also. But the awkwardness displayed here today is unprecedented.

Mr. Speaker, Sir, it is a special session. We are being frequently reminded that this special session has been summoned to bring about amendment in the Constitution. This Session has been summoned to discuss electoral reforms. We were even prevented from raising any other questions. Mr. Speaker, Sir, we have been emphasising from the very beginning that general consensus is must for bringing about amendment in electoral reform. Election Commission is not an individual, it is an organisation for which, prior to taking any decision, mere simple majority is not sufficient. You must be remembering that during the meeting held in your Chamber I had asked Shri Vidyacharan Shukla whether he is going

to take decision in this regard by majority. He replied in the affirmative. The issue of majority was raised yesterday also. But the Government did not calculate whether there will be 2/3rd majority or not. Even if the two-thirds majority was obtained, the decision of Parliament for making such electoral reforms would not have been proper.

Is there any political party that does not want to cooperate the Government on this issue. My complaint is that the report of the Goswamy Committee has been lying pending for four years. The money power and muscle power are on the increase. Polling booths are being attacked. Money is being wasted. The Government should amend these laws. But it has not cared at all. The present Chief Election Commissioner is a different kind of person. Although I do not agree to all of his views, yet I happened to visit the bye-elections and found that the walls were not defaced this time. The number of posters and banners was also reduced. The hon. Minister was in search of a private car and kept the official car at distance to escape the notice of Shri Seshan. A simple person has shaken the entire system. Therefore, the common man has given him full support. But the Government is amending the Constitution holding special session to curtail his powers. The Government did not boher to see whether it will get the required number of votes. Till today morning we were saying that such Bills should not be introduced. Mr. Speaker, Sir, you are the witness to this fact. The Government should have accepted at least your suggestion. You have always been emphasising that such important issues should be decided through consensus. It is the failure of the Government that it could not muster majority in its favour. I would like to state

[Shri Atal Bihari Vajpayee]

that the Government does not know even counting. Even if the Government would have got the two-third majority, that could not have helped in getting such Bills passed or they would have strengthened the electoral system, nor could that have promoted the dignity of this august House.

Mr. Speaker, Sir, what will happen now? The purpose for which this session was convened has not been served. Its final ritual was destined to be completed by Shri H.R. Bhardwaj. It might have been the writ of providence. The word, 'withdrawal' is not a mis-print here. I thought it to be a misprinted word. It was written here deliberately that you have come with your demand for its withdrawal.

The Government has played with the sentiments of the House. It has treated the House several times in the same manner, which is not conducive to the dignity of the House. Today, the Government has crossed all the limits. It has cheated the House. We must know who will bear the brunt. Had the Government wanted to do it gracefully a way could have been paved even upto this morning. The Government has failed to do even that. The Ministers are talking of consensus, but they are not making efforts in creating a conducive atmosphere to reach to consensus. An anti-climax like situation has been created in the House. Who will bear the brunt? It would be better if the Government resigns.

Mr. Speaker, Sir, our demand is that there is no need to extend this special session. The Government should adjourn the House sine die. The purpose for which this House was convened does

not seem to have been achieved. We should not waste time and engage ourselves in other work. In future the session of the Lok Sabha should be convened only after giving it a serious consideration. If the Government is lacking strength, it has no moral right to remain in power.

(Interruptions)

[English]

SHRI LOKANATH CHOUDHURY
(Jagatsinghpur): What is going on?

MR. SPEAKER: A discussion is going on.

SHRI GEORGE FERNANDES: Sir, I am on a point of order.

MR. SPEAKER: What is your point of order?

SHRI GEORGE FERNANDES: My point of order is on breach of privilege. I am on page 246 of the latest edition of this book that has been circulated today. It says:

"Presenting false, forged or fabricated documents to the House or its Committees."

It is a breach of privilege. I am reading from this book which is being an authoritative definer of the privileges of the House.

"It is a breach of privilege and contempt of the House to present false, forged or fabricated documents to either House or to a Committee thereof with a view to deceive them."

[Translation]

This decision was given by our former Speaker hon. Mavalankar in some other reference. But the important thing is that such type of documents are being put up before the House or the Committee with a view to deceive them. I would like to make two submissions. Firstly, you and we have been suspending several rules in the House. You should suspend the sub-rules to Rules 202, 222 for the people who wanted me to give you notice. You should give directive in this regard. My other submission is to safeguard the dignity of the House, you should....

SHRI CHANDRA SHEKHAR: There is no need to suspend the rule for the incident that occurs in the House. That does not apply here.

SHRI GEORGE FERNANDES: On the basis of this rule, the Government should immediately take up this issue for discussion in the House on the plea of breach of privilege or contempt of the House.

SHRI SYED SHAHABUDDIN (Kishanganj): I fail to understand what is happening here. The heading of the item no. 10 has been mentioned as 'Bill to be Introduced'.

SHRI ATAL BIHARI VAJPAYEE: You are saying so as if we have understood it.

[English]

SHRI SYED SHAHABUDDIN: The caption is 'Bill to be introduced'. Now this Bill has been circulated but has not been introduced as yet. If a Bill has not been introduced where is the question of withdrawal obviously that is a misprint. Let

the Government first clarify whether it is actually withdrawal or whether it is actually introduced.

[Translation]

SHRI LAL K. ADVANI: Mr. Speaker, Sir, it is strange. He could have urged that he is not going to introduce the Bill. The submission given by him was not necessary. But he first sought leave of the House to introduce the Bill. Afterwards, he gave a statement that he was not going to introduce it.

[English]

It was so strange that even this minor thing

[Translation]

has been bungled. Therefore the word 'poor' has been used. The word poor shows incompetency but a bungling also.

SHRI CHANDRA SHEKHAR: The matter is serious because had Shri Lodhaji and Advaniji not delivered their speeches prior to the speech made by the Minister of Law, the matter would not have been so serious. But both of them have categorically said that the clause relating to delimitation should be passed only today. Afterwards, the Minister of Law stated in his speech that he was going to say something, which will satisfy all of you. The Constitution Amendment Bill relating to delimitation has been withdrawn. It is nothing except bungling. If Shri Advaniji and Shri Lodhaji would not have delivered and the Minister of Law would have stated that the Government was going to do something to satisfy all of you and there would be a way out, one can certify it from the record, then it was all right. Shri George Sahib said that there

[Shri Chandra Shekhar]

was no need to amend the rule. You can see that all the happenings have taken place in the House in your presence. Everything is on record. The Minister of Law is my close friend. But he is supporting the wrong side. I had not expected that he would behave like this in the House. I agree that he has not followed even ordinary rules and etiquettes. He has not shown what we generally call a formality towards truth. Therefore, if we go through the speeches made by Shri Lodhaji and Advaniji and thereafter the speech delivered by the Minister of Law, we will find nothing except cheating in the matter. The version of Shri George Fernandes is correct.

[English]

SHRI CHANDRA JEET YADAV (Azamgarh): We feel betrayed and the Indian Parliament feel betrayed today and your personality is also involved in it.

MR. SPEAKER: You should not make reference to the Speaker's personality.

SHRI CHANDER JEET YADAV: I am saying in a different manner.
(*Interruptions*)

SHRI GEORGE FERNANDES:
That is meant to the Chair.

SHRI CHANDRA JEET YADAV: I am sorry...(*Interruptions*)...Please listen to me, Sir.

[Translation]

SHRI CHANDRA JEET YADAV:
Please listen to me.

MR. SPEAKER: You should come to the point. Speak against the Government.

[English]

MR. SPEAKER: I have not said anything on this point.

[Translation]

You are involving anybody in the matter. What do you mean by it?

SHRI CHANDRA JEET YADAV:
Please listen to me. How can I utter these words. It is beyond my imagination to speak against your dignity.

[English]

MR. SPEAKER: Thank you very much.

[Translation]

SHRI CHANDRA JEET YADAV: Mr. Speaker, Sir, why I said so?

[English]

MR. SPEAKER: Let us discuss the points involved.

[Translation]

SHRI CHANDRA JEET YADAV: Mr. Speaker, Sir, I am talking about the point. Had the Government through you not called for a meeting of all the parties and persuaded them, this special session would not have been convened. This is very important and special Session. Lakhs of rupees of the country and electors have been spent for this special Session. I feel that if the Government had

to do such a thing, a discussion should have been held in this session. The Government wants to evolve national consensus. It should be discussed. The demands which we have always been raising should be discussed. At least the Members should be apprised of the matter. The opinion of parties should be known. The purpose of convening a special Session is to arrive at a concrete conclusion. Even the particular subject has not been discussed.

Mr. Speaker, Sir, I would like to know as to whether the decision was conveyed to you by the Government? Has the Government or the Minister of Parliamentary Affairs shown any courtesy in obtaining the concurrence of all parties to convene this special session on the request made by the Speaker. To show the courtesy at least, it should have been informed that the Government does not want to convene this special session and does not want to introduce the Bill now. It has not been announced that the Government does not want to introduce this Bill. The Government has not only cheated the House but it has deceived even you because it has maintained the dignity of hon. Speaker. I understand that it is not a simple matter. It is a serious issue. People like me and my party wanted that full discussion should be held on electoral reforms. Electoral reforms are must. Contesting an election has become a costly affair. There is a rampant corruption prevailing in elections. Booths are captured. Therefore, it has become necessary to hold free and fair elections to maintain democracy in the country. It has become very difficult to contest an election for a poor man. All these things should be discussed. Even today a meeting was held. The Government has been giving assurances since morning. At that time the Government did not show any courtesy to indicate that it was not

going to introduce this Bill and express its inability. The Government should have issued an ordinance instead of convening a Special Session and get it passed in the House. Now this Special Session should be adjourned. The Government should express apology before the House as well as before you as it has cheated the country.

[English]

SHRI SOMNATH CHATTERJEE (Bolpur): Mr. Speaker, Sir, I oppose the motion of the Hon. Minister to withdraw the Bill..

SHRI LAL K. ADVANI: There is no withdrawal.

SHRI SOMNATH CHATTERJEE... or not to introduce the Bill.

Sir, I do not understand the agony among the friends on my right because they have been opposing this Bill tooth and nail.

Now I cannot find any consistency amongst them.

SHRI LAL K. ADVANI: I will show you what the consistency is.

SHRI SOMNATH CHATTERJEE: There is no consistency. They say that they want the Bill to be discussed. If they wanted to have a pleasure of having the Bill defeated on the floor of the House, that is different. They are opposing the Bill and at the same time they are opposing the present motion of the Minister. Therefore, I do not pay any heed to that. I know what has been happening. The BJP has been trying its best to see that some business other than these two Bills is

[Shri Somnath Chatterjee]

taken up. We all know what has been happening for the last two days here. My unhappiness is that a national commitment is being given a go-by. The national commitment is that the Election Commission will be a multi-member body. Every political party, including the highest judicial forum in this country, including the Parliamentary Committee of this House, including a Committee headed by Mr. Tarkunde, which was set up by Jai Prakash Narayanji, has said that it has to be a multi-member body. No body has said anything else. That is the commitment, which this Government had made to this House.

I have been saying that the way they have been functioning is nothing but clumsiness. If you could think that this was the position that we arrived at, how do you keep this commitment, national commitment, which is a national consensus? I am very sorry to say. It is very easy for you to allege that one is trying to clip the wings of a person. Now, an individual is going to decide whether the organic law of this country could be amended or not. And what should be the organic law of this country will be dependent on one person.

We also want free and fair elections. We have complimented the Chief Election Commissioner. This time everybody has admitted that everywhere election was better performed. We are happy because the people, who used to allege that in West Bengal there was rigging by CPI(M), cannot say that now, our votes have increased. *(Interruptions)*

KUMARI MAMATA BANERJEE:
Everytime they are saying that...
(Interruptions)

SHRI SOMNATH CHATTERJEE:

The Chief Election Commissioner could not perform only in West Bengal. Therefore, the position is this. Now, what will the Leader of the Opposition say? Did he support the postponement of elections in UP till September? Did he support the postponement of elections in Punjab? What were the grounds that were given? Why did you go and surrender before the Supreme Court? Therefore, a palpably wrong and anti-people decision had to be corrected, rectified by the Supreme Court of India. Elections are held in this country only under orders of courts. Somebody is giving diktat after diktat. And whether parliamentary democracy will be existing in this country is dependent on one individual. If the future of the parliamentary democracy is made to depend on one individual, however high and mighty he may be, this is not a national commitment and this is contrary to the national commitment. Therefore, what I wanted to say is that it is a very sad day. Today, what is coming under great pressure, greatest of pressures, and danger is the future of parliamentary democracy in this country. Whether there will be elections next year, nobody knows because this gentleman has said that there will be no elections next year unless the entire people get the photo identity cards. This is most unfair. Nobody has opposed the issue..
(Interruptions)

SHRI HARIN PATHAK
(Ahmedabad): The Government is betraying the whole nation. *(Interruptions)*

SHRI SOMNATH CHATTERJEE:
Your votes have gone down now. You know that. *(Interruptions)* We have supported the issue of identity cards.

The only question is of logistics and of funds. Everybody knows that..

(Interruptions). I charge that this Government has failed there. If they had pursued with this Bill. I am sure, that would have shown to the people of this country who are the persons or the parties which are against this national commitment. Then the people would have decided for themselves. Why should they not introduce this Bill? Why should they not ask the Parliament to express its views on a very very wholesome provision that was going to be introduced? I am sorry to say that they have let down the Parliament. I am sorry to say that they have let down the very basis of the combined decision of this Parliament as expressed through the Dinesh Goswami Committee's Report. Therefore, so far as we are concerned, we shall oppose the proposal not to introduce this Bill and we request the Government to introduce this Bill.

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Mr. Speaker, Sir, I rise to express that this Bill will remain as a black Bill in the annals of the Indian Parliamentary history. Today we have witnessed a different situation. The Hon. Minister for Law and Justice had assured this House that the provisions which were there in the Bill that he was withdrawing, will be there in the next Bill that he is going to introduce. Surprisingly, he does not have the moral courage to introduce the Bill. This will be nothing short of cheating this House. This clearly shows the scant respect of this Government for the highest body in this land. He has mentioned that the Government had tried for a consensus. If the Government has got a real commitment for democracy and respect for others' views, it would have come forward with the proposals which were suggested by the Dinesh Goswami Committee. At that time, this party was in the opposition. It was the main Opposition

Party, and the National Front Government at that time had got the magnanimity to accept the suggestion that in the matter of appointment of the Chief Election Commissioner, along with the Chief Justice, the Leader of the Opposition should also be consulted. If this Government had now come forward with such a provision, all the parties would have supported that. But they do not have any respect for the Opposition. They do not have any value for the Opposition's point of view. Even if the Government has failed to reach the consensus, at least they must have the courage to introduce the Bill. Let the Bill be discussed and let the opportunity be given to various political parties and the Member of this august House to discuss the provisions of this Bill. Even that they could not do. We feel that through this, the Government wants to do something which they had done at one point of time. When a High Court had struck down the election of the highest individual in this country, an effort was made in this Parliament to nullify that decision during the Emergency. Similarly, now to undo the Supreme Court's interim order, they want to bring this Constitution Amendment Bill, giving equal rights to the Election Commissioners with the Chief Election Commissioner. In article 324, the Constitution itself provides for scope for a multi-member Commission. Some of the Opposition parties have opposed that. We do agree that there may be some arbitrariness in the decision of the Chief Election Commissioner. Sometimes he must have exceeded his limits. But one thing I would like to say in this august House that because of some of his decisions, elections could be conducted comparatively in a better manner, comparatively with less expenditure, for which the credit should go to him. That we have to accept. The people of this country are also well aware of that.

[Shri Sobhanadreeswara Rao Vadde]

So, in this context we demand that the Law Minister should resign forthwith because the day in which he has let down this House, he does not deserve to continue in this Government. That is the minimum we expect from him and this Government.

SHRI PAWAN KUMAR BANSAL (Chandigarh): Mr. Speaker, Sir, honestly I fail to appreciate the rationals and even the bonafide of the indignation expressed over the decision of the Government not to introduce a Bill which was, otherwise circulated.

Sir, during the last two decades, if I am not mistaken, the different parties, from time to time including Advaniji himself, have raised the question of desirability of having a multi-member Election Commission. The Government, in order to ensure that this decision is given a constitutional mandate, brought about the present Bill. (*Interruptions*). If you try to understand what I am saying, you will not say this.

Sir, since yesterday, as the Hon. Minister for Law said, an effort was being made to arrive at some consensus. If the Government has taken a decision not to introduce the Bill, I with utmost humility, would say that it is in deference to the wishes of the Members of the Opposition. It was a question raised by the Members of the Opposition. There were different parties who wanted this provision to be brought about. For the last three years we know that we do not have two-third majority and so, we would not rush to bring about a Constitution (Amendment) Bill, unless there is some sort of consensus amongst the Members cutting across the party lines.

Sir, I do not want to name anybody and today, if any party or any group of Hon. Members of this House decide not to support this Bill, in that situation if the Government comes to the conclusion that the Bill need not be introduced, I am just august with all that is being done here. In fact, as I said, this is in deference to the wishes of this House that the Bill is not being introduced. I am again aghast to tear some members say that the Congress, perhaps, is wanting to bring in some provision which is not for electoral reforms.

Sir, kindly look at the Representation of the People (Second Amendment) Bill. What are we doing? The Government in power is wanting to give a statutory mandate to the various provisions which exist in the model code of conduct. Shri Vajpayee, in his inimitable style, was referring to the convoy of cars. It is the Congress Government which wants to put an end to it and therefore, that provision has been introduced here. Now, what is being made out here? Instead of a campaign period of 20 days, the Government wants to reduce the period to 14 days. Does that not mean cutting down of the expenditure of elections? What are we trying to raise here? What are we trying to say? These people, perhaps, wanted the Government to fund the elections. The Congress is firmly of the opinion that the exchequer cannot be burdened further with that. When we cannot arrive at some sort of a consensus to cut down the expenditure otherwise, it would not be advisable for us, sitting here to burden the exchequer.

(*Interruptions*)

SHRI SOBHANADREESWARA RAO VADDE: It was there in the First Amendment Bill.

SHRI PAWAN KUMAR BANSAL:

Sir, it will not be advisable and we will then be betraying the people of this country if we say that we want to contest our elections at their cost. The Prime Minister objected to that clause. For political reasons, we are trying to paint a picture as if the Government is not in favour of electoral reforms. I would urge this hon. House and I would urge the hon. Minister that the Representation of the People (Second Amendment) Bill which has been introduced yesterday must be taken up in this House and must really be disposed off, because that Bill, besides bringing about various electoral reforms, is, in fact, in deference to the decision of the Supreme Court also which has clearly laid down as to what secularism means, as to what are the ethos of India and as to what must be the conduct of the political parties if they want to contest elections.

Sir, this Session has been called for a particular purpose and that purpose is not defeated. With all respect to the hon. Members who have spoken earlier, I do not want to dwell at length on that, but I do want to say that even now we must proceed with the Representation of the People (Second Amendment) Bill and pass that.

Only then, the communal forces which are raising their head, which are polluting the social environment, which are polluting the election process will really be put under check.

[Translation]

SHRI RABI RAY (Kendrapada): Mr. Speaker, Sir, I have to say it with great pain that whatever happened here before you today will go down in the history of our Parliament as a black day. Without

dwelling at length I would like to submit the two words i.e. illmanner and cheating uttered by our erudite members of Parliament have been correctly used and the Govt. has exceeded all limits.

I recall the day when on my first election to the 4th Lok Sabha, the then Speaker condemned the action of a police personnel before the Bar of the House for his rude behaviour with an MP at Nagpur.

You are the protector of our rights. This should not be referred to the Privileges Committee because the House has been deceived in your presence. Our friends sitting on the other side, I am ignoring the Hon. Minister even the ordinary workers of Congress Party want to uphold the democratic values in India. In the capacity of Members of Parliament, we have some responsibilities. The Cabinet Ministers of the Government may voluntarily prescribe any punishment for themselves. I do not resort to any diplomatic manner in saying that they should be given some punishment. The democracy will die its own death if the punishment is not awarded. I say that the action of a police personnel was condemned in the Parliament during the 4th Lok Sabha. The criminality resorted to today far exceeds that act. I do not ask you to prescribe the punishment but say that they should ask their conscience what punishment they deserve.

[English]

MR. SPEAKER: I respect you very much. I will appreciate you not to tell me what I should do or I should not do. But I will appreciate, if you can say what can be and could be done under the law.

SHRI RABI RAY: I take a cue from your saying

[Translation]

I am expressing my personal opinion. In our opinion the Prime Minister should tender an unqualified apology because he is the leader of Cabinet, leader of the House. I feel that

[English]

that will meet the requirement of the day.

[Translation]

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, I was not surprised over what happened in the House today that made Shri George Fernandes angry, Chandra Shekhar Ji gave countless examples, Atalji termed it as ill-manner and deception but I was pleased because our present Prime Minister is blessed with two strong arms—one, Manmohan Singhji to set right the economic world and the other Shri Shuklaji to reform the political world. A Shukla factor has entered into the country's politics, the whole body politics. In other words, there has been a Shukla era. Those who were engaged those days in parleys by Shuklaji and were not even given an inkling of the real intention, should feel sad. I am not at all pained because I presume that this Government and its agents cannot be expected to behave in a different manner. You have asked us what can or could be done. My suggestion is to get the House adjourned sine-die here and now.

MR. SPEAKER: You are only giving a suggestion and not pointing out the law under which it can be done.

SHRI NITISH KUMAR: Adjourn the House Sine-die.

MR. SPEAKER: Is that what the law says?

SHRI NITISH KUMAR: It is a suggestion.

MR. SPEAKER: I don't go by suggestions. We have to go by what the law says.

[English]

SHRI INDRAJIT GUPTA (Midnapore): Sir, as you are well aware, for the last two or three days quite detailed and extensive consultations have been taking place, sometimes in your Chamber also, between the Leaders and spokesmen of all the Parties whom you invited kindly, to give their views on how this very important Constitution Amendment Bill, how it should be dealt with and how we should try to ensure a smooth passage for it. After all, that was the purpose for which this Session was called. It has received extensive publicity. The pros and cons of different provisions, different clauses and all that, in this Bill have been argued, advocated, not only in this House but outside, not in the House in the sense that the Bill never came here. We were waiting for it to come up for being taken up for consideration but it was being discussed outside, in other forums, outside the floor of this House. The Hon. Minister of Law today has suddenly performed a sort of a vanishing trick. The Bill has disappeared.

The Bill came, it was listed in the Order of Business that it was going to be introduced and in the last minute, it is being withdrawn, not going to be introduced.

AN HON. MEMBER: It will be introduced tomorrow.

SHRI INDRAJIT GUPTA: No I am not prepared to reconcile myself to this state of affairs that there is no alternative, because the Government in its own wisdom — I do not know, they never gave any explanation — has perhaps made a calculation that there is some risk in trying to get this Constitution Amendment Bill passed, if it does not muster two-thirds majority in both the Houses. May be that is their calculation. Even if that is their calculation, they should have come before this House and made some statement because everybody knows that for the last two or three days, the Hon. Minister for Parliamentary Affairs, the Minister of State for Law and many other people, have been having extensive discussions and consultations with the Opposition parties. What were these consultations about? Was it whether to introduce the Bill or not to introduce the Bill? It was regarding certain features, certain points, certain provisions, in the law on which there may be some shades of difference. There were shades of difference. Why should there not be? There are many Parties in the House. So, these matters were being discussed.

I had very humbly suggested to you in the first meeting which you had called in your Chamber that this Bill is likely to engender rather high feelings and some strong sentiments in the House. The reason for it is very simple. I do not want to go into that very much because it is being stated here many times. The whole background of this Bill and the whole atmosphere in which the discussion would have been held, if it had been allowed, is being dominated by the question of the present incumbent of the post of Chief Election Commissioner. That is a fact. There is no doubt that he has been

behaving, from time to time, in the **most** arbitrary, illogical and high-handed manner. There is no doubt about it. **Many** people in this country who did not like his behaviour like to protest against it.

14.00 hrs.

They like to have him pulled up somehow or the other. But that was not the case always with all the parties here. There was a time when this gentleman was also acting in an equally high-handed manner. But those actions of his were helping the ruling party. At that time, the ruling party never bothered. Somebody mentioned just now that famous case of cancelling the Punjab elections just a few hours before the polling was to begin because the ruling party did not want the election in the Punjab at that time. So many other examples can be given. Rather, at that time, it was some Members of the Opposition party or parties who thought that he should be impeached. *(Interruptions)*

It is true that it is not the ruling party. But it is a fact that it was your party which did come out openly against the elections.

Sir, I do not think it is correct at all to take up a Constitutional Amendment Bill in relation to a particular individual. **He** may be good, bad, indifferent doing many wrong things, many right things. Many people in this country also believe that he has been doing some good things. There is a public opinion in this country, right or wrong, based on the experience of the recent elections which were held. After all, these bye-elections were held in 10 States. There is a feeling, there is a public opinion that right or wrong he has been trying to clean up this whole process of election which has been marred by so

[Shri Indrajit Gupta]

many malpractices and so many corrupt things, muscle-power, money-power etc. He is not a genius. He is not a magician. But the fact remains that during the last round of election we had a peaceful election; we never had such a peaceful election for a long time. It is a fact that no complaints were received of violence, of rigging, of booth-capturing - all these things to which we have become so accustomed. So, there are two sides of the coin. There is one public opinion which is in favour of allowing him to continue these measures. There is another opinion particularly among political parties that he should be curbed from exercising his powers in this excessive fashion and wayward fashion. But a Constitutional Amendment Bill is being brought in relation to an institution. The institution of the Election Commission, in our Constitution, occupies a very prestigious place, a very strong place and will continue for a long time to come. This incumbent who is there at present will not remain for ever. He has, I believe, got another two years to go. After that, somebody else will become the Chief Election Commissioner. Then, will the law be changed again? It is certainly not so from this point of view, my party had thought and even now it thinks and I have suggested in your meeting that after all this Bill has been brought forward now. For a long time, the Government did not bring in such an amendment. Now, they have brought in such an amendment. It cannot be said that Members of this House have had ample opportunity and time. The Bill, as amended, was circulated only three days ago. It cannot be said that the Members have had ample time and opportunity to go into all the various clauses. There are two Bills. The two Bills were to be taken up one after the other — the Constitution Amendment Bill

and the Representation of the People Act Amendment Bill, which is also a very important Bill. It has a direct bearing on the election. Only the two together can make some material difference to the conduct of elections in this country. Now, we suggested and I am still suggesting that this is not the alternative with which Shri Bhardwaj has cavalierly come before this House that he has decided that now there is no need to introduce the Bill and so he is not introducing it. People should be given an opportunity to study these Bills, to discuss them further, to try to define and refine the various provisions in the Bill. It is not impossible that a proper consensus can be reached.

The next session of Parliament, the Monsoon Session, I believe, will be held round about, by the end of July. So we have a month and a half to go. What is the tearing hurry that this Bill must either be passed just now or if the Minister thinks, it cannot be passed, then it must be withdrawn. In this time of a month and a half, it could be referred, both the Bills could be referred, if necessary, to a committee of both the Houses. Let the Members have time to study and go into it in detail and the committee could be directed to come with its report by the time of the next session which has only one and a half months to go. I am sure, if this exercise is done and can still be done, then there is no reason to think that a consensus cannot be reached because on so many basic questions there is unanimity in the House. No body has disputed this multi-member Commission. In fact, we have got multi-member Commission at present, though it is not able to function. It is envisaged in the Consultation and in actual practice, the multi-member Commission is there. So there were some questions of its functioning, its composition, its

appointment, its duties, its responsibilities, how they are to be discharged, what is the best way of framing the rules for the conduct of the work of the Commission etc. Are all these matters such that they cannot be resolved through further discussion and exchange of opinion? I think, it can be done, it could be done. If the Minister has taken the courage in his hands, if he feels that it cannot be taken up now for discussion and voting, at least they could have said that the Government would like it to be sent it to a committee for a more extensive and elaborate consideration in the committee and then come back to the House after a month and a half. But this is a kind of wrecking operation. This is a wrecking operation. What has been done here today is a wrecking operation, with no alternative suggested for future, just blank. The whole question of electoral reforms now should be just resigned to the limbo, I do not know for how much indefinite time to come. The other Bill is there. The other Bill should be taken up definitely. I do not know what they intend to do. They have not said anything. They may want that either both the Bills should be taken up or they should not be taken up. I do not know what the Government's view is. Therefore, I join with all my friends on this side of the House. The BJP from time to time has been taking contradictory stand. They stand by the Dinesh Goswami Report which is signed among others by Shri Advani. It commits him to support all those things which are there in the Dinesh Goswami's recommendations. They should not now try to revise their stand or back out from any of those things. However, I feel, I suspect that the real reason for the BJP's quarrel with this legislation is not this Bill but the other Bill, the Representation of the People (Amendment) Act because it contains those provisions regarding deregistration of parties which mix up religion with

politics or use religion for propaganda purposes in elections. That is what their main objection is. Everybody knows it. There is nothing hidden in it. They are saying it openly that because they have tried to smuggle in by the back door this provision about the religion. Therefore, they are totally opposed to it. We are all in favour of that Bill. It was discussed last time. There was a Select Committee which went into the whole question of religion and politics and secularism and all that. Report of that Select Committee is there. It was not legislated. True. But a very cogent and a very essential part of that has been incorporated in the Representation of the People (Amendment) Act. They are opposed to it. And because they are opposed to that, they are trying to oppose this one also. But they are committed to this multi-member Commission as all of us are. *(Interruptions)*

AN HON. MEMBER: Shri George Fernandes is opposing that.

SHRI INDRAJIT GUPTA: As far as I know, Shri George Fernandes is not opposing this. He may be against many other things. He may be against any other thing. In any case, I would say that this is a very sorry pass we have come to. Now some people are talking about betrayal. Some people are saying that the whole House has been treated in a fashion which amounts to contempt or betrayal. One can take that view. I doubt whether any action will be taken because of that against this Government.

They have certainly held the House upto ridicule, I should say. You will see tomorrow what will be the reaction in the media and all that. After all, this sound and fury signifying nothing in the end, that is what has happened. The whole country, the people in the country will be

[Shri Indrajit Gupta]

taken aback completely by surprise. Everybody was waiting, expecting something, some new legislation to come, Constitutional Amendment to come. And now the whole thing is just withdrawn and we are left with a vacuum, nothing is there. So, I do not know whether it is possible for the Government now or whether they are in a mood at all — I do not know whether the Prime Minister knows what is going on here but at least these people should take your permission. Sir, if they want to come forward with some alternative proposal. They have now said that they are not going to introduce the Constitution (Eighty Third Amendment) Bill. What have they got to say about the other Bill? What have they got to say about the proposal made that the Constitution (Eighty Third Amendment) Bill should not be given up like that half way and dropped, but should be further processed through a Committee of both the Houses which can take one-and-a-half months time? The heavens will not fall, and they can come back with a considered Report so that we do not give up this exercise but can pursue it at a later stage. Why not be reasonable? I do not understand what is the meaning of this kind of an unreasonable attitude. If anything is arbitrary, they take this attitude. Who decided it, I want to know. Is it a Cabinet decision? I want to know from Shri Shukla: Is this a Cabinet decision? All through we have been told about so many Cabinet decisions regarding these electoral reforms. Was this a Cabinet decision that you should suddenly go to the House and announce that you are not proceeding further and that the whole thing is being dropped? If so, the Prime Minister should also come here and show that he is a party to it or clarify what they want. Sir, I think we should not have

this kind of farce perpetrated upon Parliament which is being exercised over this whole affair for the last so many weeks and months and particularly in the last few days. And, therefore, I would request you also to express your opinion about this whole thing that is being done here; the way it has been done here, not what has been done, but the way in which it has been done. You, as the custodian of this House, must be, I think, feeling somewhat, what shall I say, sad and sorry.

I do not know if you are feeling embarrassed, but you must be feeling sad and sorry at what is happening here and the Ministers, I think should be at least chastised by you that they should not behave in this non-serious cavalier manner and should not treat the House like this. Even now there is time. If people are interested in going through with an electoral reforms Bill, though it does not span the whole gamut of electoral reforms; but some very important things, it can still be saved, something can still be done, if there is some constructive attitude on behalf of the Government. If their attitude is one only of wrecking the whole thing, then nothing can be done except to condemn these people and pillory them before the bar of public opinion.

MR. SPEAKER: Thank you.

SHRI EBRAHIM SULAIMAN SAIT (Ponnani): Mr. Speaker, Sir, to tell you frankly, I stand to speak a few words with deep distress. I say this because I consider today, this day, to be a sad day wasted in Indian Parliament. I have never seen such a disgraceful day in the history of Parliament. I say this because I am here right from 1967; for more than 25 years, I have been here. I have never seen such a disgraceful day in this

Parliament. Today, Sir, the Government has barely let down the Parliament and has made the entire House a mockery. Sir, I do not want to go into the details, over the pros and cons of the Bill. But one thing which I must say is that until the last minute the Government gave an impression to the House that the Bill is going to be introduced. This morning we had discussions and the Law Minister got up saying that he is going to introduce the Bill.

And that Bill will be to the satisfaction of all the hon. Members of this House. But at the same breath, he has withdrawn the Bill. It is a mockery of the Parliament. I will go much more and say that the Government has played a fraud against the Constitution, against you, sir, against the House, and against the people of this country. Such a situation has developed, for which the Government cannot be forgiven.

Sir, I cannot understand why the Government has resorted to such a policy or such a behaviour. I cannot simply understand this. Till last minute, we were to understand that the Bill is going to be introduced. Now, it is not being introduced. Therefore, I say they have committed a fraud against the Constitution, against the House, against the people of this country and against yourself, Sir. Now, what should be done about this matter is something, which has to be seriously discussed. The Bill has been withdrawn. But I feel that this Bill should go to a Select Committee, as suggested by my respected friend, Shri Indrajit Gupta. And a Joint Select Committee of both the Houses can discuss this Bill, bring it back to the House in the next session, that is, in the monsoon session. Until then, the House has no other business. I think, there is no

justification for this House to continue its sitting.

Now, the other Bill is there. The other Bill is also a controversial one. There are differences of opinion about de-recognising those parties which have a religious name. Let both these Bills go to a Select Committee of both the Houses; they can come back in the next session of the Parliament. Until then, the nation can discuss both these Bills and we can formulate an opinion and arrive at the consensus. That is the only way out.

I am expressing my distress at the behaviour of the Government. I want that both these Bills should go to a Select Committee and be presented once again during the next session of the Parliament.

SHRI CHITTA BASU (Barasat): Sir, I would also like to make a point. *(Interruptions)*

SHRI SYED SHAHABUDDIN: I will make a brief point. *(Interruptions)*

MR. SPEAKER: I do not have to hear everybody to decide.

SHRI SYED SHAHABUDDIN: I will make my point very briefly.

MR. SPEAKER: Very very briefly please.

SHRI SYED SHAHABUDDIN: Mr. Speaker, Sir, just before we deliberated on item 10, we deliberated on item 9, and we allowed the hon. Minister to withdraw the Constitution (Seventy-first) Amendment Bill, that is, the de-limitation Bill. Now, that de-limitation Bill was withdrawn on his statement on the floor of

[Shri Syed Shahabuddin]

the House that the provisions of that Bill were to be reproduced in the Constitution (Eighty-third) Amendment Bill. Now my point is this. He withdraws the Constitution (Seventy-first) Amendment Bill and again refuses to move the Constitution (Eighty-third) Amendment Bill. I move that the House should now rescind the permission to the hon. Minister to withdraw the Bill. And, therefore, the Constitution (Seventy-first) Amendment Bill, that is, de-limitation Bill, should spring back to life and we should consider it.

SHRI LAL K. ADVANI: Mr. Speaker, Sir, in this matter, when my colleague and Shri George Fernandes specifically referred to the fact that this House has been deceived.

[Translation]

He used the words deception, deceive and also quoted 'Kaul and Shakdhar'. That has some relevance in this context. In rule 110, three reasons are given whereunder a Bill can be withdrawn.

[English]

I quote Rule 110:

"The member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that —

(a) the legislative proposal contained in the Bill is to be dropped; or

(b) the Bill is to be replaced subsequently by another Bill

which includes all or any of its provisions in addition to other provisions;

(c) the Bill is to be replaced subsequently by another Bill which includes all or any of its provisions in addition to other provisions."

Part (c) of Rule 110 is relevant here, whereunder Shri Bhardwaj has moved for leave to withdraw the Bill. As this entire House knows, we oppose it. My colleague Lodhaji opposed it and pointed out to the great injustice that would be done to the cause of poll reform if this delimitation process is not initiated. At that time, we also felt that the other Bill may be passed or may not be passed, may get the requisite majority or may not get the requisite majority. So, our plea was simple. Why are you jeopardising this Bill. The fact of the matter is that he has already come prepared with a statement that they are not going to introduce the Bill. Nevertheless, he made all the Members of this House feel that the Bill in respect of delimitation will be passed as part of the Eighty-third Amendment Bill. If this is not deception, if this is not *dhokhadhari* what else is it?

Therefore, the proposal of Shri Shahabuddin that the House should reconsider that proposal and consider whether that particular Bill on delimitation should be considered or not would be in the fitness of things.

[Translation]

SHRI RAM VILAS PASWAN (Rosera): Mr. Speaker, Sir, from the Government's move for leave to withdraw the Bill, I suppose that its intention is not bonafide. In my opinion, had the Government made a new law full of

lacunae, then one thing was sure that the Government would lose the power of appointment. I am saying this because the Government cannot make this excuse and I do not know what the BJP intended to do. There were no two opinions of the National Front or Left Front about the mode of appointment. That was sufficient for two-third majority. There was a dispute over conferring equal power to all the three Election Commissioners. But the National Front and Left Front had no two opinions on the mode of appointment that there should be a Chief Justice and two senior Judges and also that the opposition parties should be consulted on it. Therefore, this was sufficient for the Government. Similarly, there was no two opinions on the issues of State funding and the identity cards. There was difference over whether the Chief Election Commissioner should be given priority or whether special rights should be given or not. I would like to warn my friends from the BJP that the Government will resort to blackmail which will jeopardise the issue and the party is preferring arguments in its favour. This is a very shrewd Government. The Government will blackmail you when this matter comes up tomorrow.... (*Interruptions*) I urge that the Government should not take this guarantee whether it will remain in power after 1996 and whether we will be MPs. In the Law in the offing, it is not going to effect the Chief Election Commissioner upto 1996 and one who is appointed will continue for five years. We are thinking of future and are going to lay its foundation. We honestly wanted that... (*Interruptions*). We wanted that powers be conferred on such a person who can honestly conduct elections. The government has recognised that power is slipping out of their hands. The Government had tried to put a veil on the very same lacunae in the name of opposition by withdrawing the Bill and thus washing its hands off whatever

little reform it could make at the eleventh hour. Shri Shukla ji is smiling and Shri Bhardwaj ji is keeping quiet. You had no two opinions on a multi-member Election Commission and on mode of appointment of Commissioners. You could have got it passed in both Rajya Sabha and Lok Sabha by mustering two-third majority.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): Sir, I would only respectfully submit one thing. A lot of things have been said by very senior Members of this House. I would only say a few things by way of explanation. The entire Opposition knows the fact. Without blaming any political party including the BJP, Janata Dal, CPI and CPI(M), we are constantly in touch with them through various meetings and their viewpoints have been accommodated from time to time. One amendment that I incorporated in the 82nd Constitution amendment was contained in the 83rd Amendment Bill. The amendment relating to the Chief Justice was included for the first time on the suggestions made in one of these meetings with all Party leaders. Today also, we had a meeting with them. Here I am not referring to the meeting in your Chamber because that would not be proper. After that we had a meeting this morning with the Minister of Parliamentary Affairs and we called almost all the political parties who were very generous and who were giving us a helping hand in getting this Bill passed. The stand taken by the BJP is very clear. They are totally opposed to it and they have given their reasons outside Parliament and within Parliament as well. I impute no motives to them. We did discuss the issue with them this morning also. All the major political parties and legal luminaries were very

[Shri H.R. Bhardwaj]

kind to give suggestions. We hold the view that a multi-member Commission with equal powers for all the Members is necessary so as to decide the cases properly in the light of the Supreme Court's decision in Dhanoa's case. The view that we hold may not be acceptable to the BJP. That spirit was not acceptable to quite a few of us. This is not a matter where we can decide the issue in partisan manner. As already submitted, we do not have two-thirds majority in either of the two Houses. So, it becomes incumbent upon us to arrive at a consensus. Chandra Shekharji seems to be annoyed with me these days. I don't know why I will get in touch with him later.

SHRI CHANDRA SHEKHAR: I am not annoyed with him but with his behaviour as Law Minister.

SHRI H.R. BHARDWAJ: He has always been very affectionate to me. Perhaps I have not met him for quite a number of days. On an earlier occasions, he himself said that we should not tinker too much unless there is a consensus. I may submit here that it is only in total deference to the wishes of these stalwarts and senior parliamentarians that we proceeded in the direction of arriving at a consensus. But as an amateur like me cannot develop a consensus. I concede that. But I did try to attempt this and it has been reflected in the speeches of all the hon. Members from the Opposition. As you are aware Sir, it is a vital decision. Nobody has given a go-by to electoral reforms. We are very much in the midst of the process. I reiterate that I have never tried to mislead anybody on any issue at any point of time. All these aspects regarding the electoral reforms, delimitation, etc. which are in the People's Representation Act are very relevant. We

will discuss them but not in this spirit when you impute motives to me or to anybody else. I am very sorry. I do not deserve these imputations. Therefore Sir, I submit that my proposition and my motion on not moving this Bill is totally in deference to their wishes and it is certainly not on my own volition.

MR. SPEAKER: Bhardwaj ji, there is one point on which I think you should enlighten the House and me also. That point is, when you proposed to withdraw Constitution Seventy-First Amendment Bill, you said in the statement that some other Bill would be introduced and you mentioned that the Eighty-third Constitution Amendment Bill would be introduced.

Probably that statement could have been deleted while asking for the withdrawal of the Bill. If the statement was not deleted — and that statement remains — and then you do not introduce the Bill, how do you reconcile these two things?

SHRI H.R. BHARDWAJ: The question of delimitation is still open. I will bring a Bill in this regard. I am not denying that I will not bring a Bill on this issue.

MR. SPEAKER: When will you bring it?

SHRI H.R. BHARDWAJ: Whenever the Chair directs we are ready to bring a Bill on delimitation.

(Interruptions)

[Translation]

MR. SPEAKER: Please sit down. I am not going to listen to you every time.

[English]

I am thankful to you for good suggestions but do not jump up every time, please.

Let me understand how do you reconcile these two things?

SHRI H.R. BHARDWAJ: They were two separate Bills — Seventieth Amendment Bill and Seventy-first Amendment Bill — but they were put together with the hope that it will be passed with consensus because everyone was interested in the multi-member Commission. So, my introduction was contingent upon the first one that I should have the majority. As a matter of fact this was the reason why I did not mention that I am withdrawing the delimitation part also. But, that does not mean that we are going to consider the delimitation part at any time or in any bill.

MR. SPEAKER: In that case the best course would have been not to withdraw the Seventy-first Amendment Bill and not to introduce the Eighty-third Amendment Bill.

SHRI H.R. BHARDWAJ: That is why, Sir, I am submitting that let the House tell us when delimitation part is required. We will consult our party and then bring a Bill in this regard.

MR. SPEAKER: No, no. Now, this is a matter with the Parliament. Please do not feel offended if we are really trying to understand it. Shri George Fernandes was well within his right when he said that here is a statement made by the Minister saying, "I am withdrawing the Bill. And, I am introducing the Bill." But, immediately within five minutes a position develops in which the Bill is not introduced. You have

expressed your views that you are not introducing the Bill. It would have been all right even if you would have kept quiet.

SHRI H.R. BHARDWAJ: Sir, we have given reasons for not introducing it.

MR. SPEAKER: Bhardwajji, I think probably you were in a hurry meeting the people.

(Interruption)

SHRI H.R. BHARDWAJ: I am creating no aibis. I am totally in your hands.

SHRI GEORGE FERNANDES: I have here with me the English Order Paper for the day. Item No. 10 is, Bill to be withdrawn and Bill to be introduced, where it is also mentioned that Bhardwajji has to subsequently withdraw it also. And, in the Hindi Order paper it is written.

[Translation]

"Bill to be introduced" and below that it is written that he will introduce the Bill.

[English]

In other words the Minister will introduce the Bill. So, in Hindi Order Paper you have said that he will introduce the Bill while in English Order Paper it is mentioned that he will withdraw the Bill. It is important because it shows how deep was this conspiracy.

(Interruptions)

MR. SPEAKER: You have made a very good point, now, let us not go into these small details.

SHRI GEORGE FERNANDES: No, Sir, I am not on the semantics or typographic errors.

MR. SPEAKER: It may be a mistake.

SHRI GEORGE FERNANDES: No, Sir, I am sorry.

MR. SPEAKER: Now, the House has come to the conclusion that Constitution (Seventy-first Amendment) Bill would not have been withdrawn with an assurance that Constitution (Eighty-third Amendment) Bill would be introduced. I am grateful to Mamta Banerjee, Indrajit Guptaji, Shahabuddin ji, Advaniji and other Members also who are trying to find a solution to the problem. At the same time I do feel that if this could have been avoided it would have been better. It has become so complicated and so clumsy that probably nobody feels happy about it. It could have been avoided. But, having found ourselves in this situation it should be within the wisdom of the House to put the record straight and come out in such a fashion that we appear to have rectified what we should not have done. The main objection is to the withdrawal of Constitution (Seventy-first Amendment) Bill.

If you had not withdrawn it and not moved the Eighty-Third Constitution Amendment Bill that also would have been all right. But having withdrawn that with an assurance, the complication has arisen. I would seek the guidance of the Members and my final verdict on this would be given after the interval, after consulting all the Leaders of the Parties.

The House stands adjourned to meet again at 3.30 p.m.

14.36 hrs.

The Lok Sabha then adjourned for Lunch till Thirty Minutes past Fifteen of the Clock

15.35 hrs.

The Lok Sabha re-assembled after lunch at Thirty-Five Minutes past Fifteen of the Clock

[MR. SPEAKER in the Chair]

RE: CONSTITUTION (EIGHTY-THIRD AMENDMENT) BILL
(Amendment of Articles 81, 82, 170 and 324 and Insertion of New Article 324A)
— Contd.

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Speaker, Sir you can adjourn the House under rule 15.

MR. SPEAKER : I know.

SHRI GEORGE FERNANDES: Then get it adjourned.

[English]

SHRI LAL K. ADVANI (Gandhi Nagar): The constitutional requirement if it is there, about the Ordinances, that can be completed and then the House may be adjourned *sine die*.

[Translation]

SHRI GEORGE FERNANDES: The ordinance can be brought again tomorrow.

MR. SPEAKER: Shri H.R. Bhardwaj, do you want to say something?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): I would very humbly add a few things to what I said earlier about the withdrawal of the Constitution (Seventy-first Amendment) Bill. I am not introducing the Constitution (Eighty-third) Amendment Bill. There is a gap and my submission to the House that I am incorporating the Constitution (Seventy-first) Amendment Bill in the Constitution (Eighty-third) Amendment Bill was made on the floor of the House. So, to that extent I owe an explanation to the House and I say, Sir, that I had absolutely no intention of misleading the House. I was genuinely feeling that I would get the consensus and the support of the majority and introduce it. I could not introduce it for which I am very sorry.

I am firmly committed to bring the delimitation measure to the House. As and when the House wants it can be brought and passed unanimously because on that there is no controversy. That is not a controversial measure.

I am entirely in your hands. As I said earlier, there is no alibi on this issue. No plea can be made on this issue because it is before the House that everything had happened.

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): You give the direction now, Sir.

SHRI LAL K. ADVANI: Let us proceed with the Ordinances.

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, it was confined as to how did that Bill come up and how it was withdrawn but what about the House having been deceived. He has expressed his regrets only for the mistakes committed by him but Mr. Speaker, Sir, we are not ready to agree to that. The House may agree but I do not.

[English]

MR. SPEAKER: I think Shri George Fernandes was very correct when he raised this issue. He pointed out that there was a difference in the two statements given and what happened in the House. I am aware of the fact that Shri Bhardwaj was very much harassed and he had to go from meeting to meeting talking to the people and everybody. Probably, he had no respite to think about those things and in view of the fact that he has expressed his regrets on the floor of the House in such matters we do not take any other proceedings. That should be more than sufficient. We should understand his difficulties.

SHRI SOMNATH CHATTERJEE (Bolpur): Another multi-member Bill he must bring.

MR. SPEAKER: At the same time, I am closing the matter which was raised by Shri Fernandes properly and very graciously replied to by the Minister. Even though it could have been avoided, it was not avoided. I am closing the matter there.

Secondly, as far as the electoral reforms, as a whole, are concerned, it is a matter which is nearer and dearer to the hearts of all the Members.

[Mr. Speaker]

[English]

Yet is is a matter which has to be considered very dispassionately and all views have to be taken into consideration. I am sure that all concerned will look at it in a proper manner and if possible, the agreed electoral reforms Bill, when it is possible, may come to the House. For that if the discussions have to take place between the leaders of different parties, they may take place. But I am of the firm view that on a matter like electoral reform it should be proper to take into account all views and as far as possible — one hundred per cent it may not be — we should try to evolve agreement. If it is done with agreement, nothing like that. If it is not possible, then we can try to do it.

(Interruptions)

MR. SPEAKER: I think you had given a very good suggestion, but there is one difficulty. We had obtained the permission from the other House to withdraw it. Having done that reviving it may not be possible here now. We shall have to deal with it in a different fashion. I am asking the Government to look into it as to how they can deal with it. It was a good suggestion. Mamataji had given that suggestion, your good self had given that suggestion, Advaniji also had given that suggestion.

SHRI GEORGE FERNANDES: I formally move that the House may adjourn *sine die*.

[Translation]

SHRI PAWAN KUMAR BANSAL (Chandigarh): What about the other business? Is it not a mockery to say that House may adjourn *sine-die*.

Shri George Fernandes is taking it so lightly.

MR. SPEAKER: I am sure he does not mean that. We have some business with us. Let us please transact that business. In anger we should not disperse.

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Speaker, the observations that you have made are indeed very gracious. You are trying to save us from the very unpleasant situation that has been created. We are all very unhappy with what has happened. In my personal view there is a clear case of privilege against the Minister of Law. But apart from that, I would like to have a clarification on the point whether we are going ahead with the Bill on the Amendment of the Representation of the People's Act, which has already been introduced or not.

MR. SPEAKER: On these things I will follow the rules. I do not have to give explanation for everything. Let us take up the Ordinances that are there with us. Let us consider them. Ordinances are important. If you agree we can take up the Ordinances and with agreement those Ordinances can be passed.

(Interruptions)

SHRI SOMNATH CHATTERJEE: It is a sad day for us because although we had in a combined manner decided to have this session for three days to discuss two very important Bills, the Parliament has not been able to do that. It is a definite set back for Parliamentary democracy in this country.

SHRI RAM VILAS PASWAN
(Rosera): At least for today you should
adjourn the House.

MR. SPEAKER: We have the
Ordinances. Let us go ahead with the
Ordinances.

SHRI LAK K. ADVANI: We proceed
with the Ordinances. Perhaps it would be
in the interest of all the Members if they
are apprised as to whether the House
adjourns *sine die* today itself after these
Ordinances. There are three Ordinances
and one hour has been allotted.

MR. SPEAKER: I would like to
know the Government's view.

SHRI VIDYACHARAN SHUKLA: If
the House is good enough to sit a little
late we can finish all the three Ordinances
today. I would request the hon. Members
to allow the passing of Human Organs
Transplantation Bill because it is passed
by the Rajya Sabha. That important Bill is
to be disposed of and after that we can
adjourn.

SHRI LAL K. ADVANI: I have no
objection.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: It
is very important to get that Bill passed. I
support it.

[English]

SHRI VIDYACHARAN SHUKLA:
We can dispose of these three
Ordinances and that Bill which has been
passed by the Rajya Sabha and we can
adjourn *sine die*. We have no objection to
adjourn today.

MR. SPEAKER: I take that that is
the consensus and we proceed with it.

15.45 hrs.

MATTERS UNDER RULE 377

- (i) **Need to take steps to Arrest
Anthropogenic Environmental
Disturbances Caused by Intensified
Prawn Culture in the East
Coast Area of Tamil Nadu**

[English]

SHRI P.P. KALIAPERUMAL
(Kuddalore): Sir, the intensified prawn
culture in the east coast area of Tamil
Nadu has endangered the eco-system
and caused environmental disturbances
in that areas, particularly in the districts of
Thanjavoor, Nagal Quaid-E Milletu and
Vallalar. The growth of prawn farms has
resulted in water and soil pollution in this
area.

In the last two years, eight hundred
acres of cultivable land in Sirkali Taluk
have been converted into prawn farms.
Five thousand acres of additional
cultivable land have been purchased by
prospective prawn farmers for prawn
culture. Thus cultivable lands are being
converted into prawn farms and landless
agricultural labourers are left jobless.

The seepage of salt water
stagnated in the prawn farms causes
salinisation of adjoining agricultural lands
and render it unfit for cultivation. Even
trees like Palmyra are drying up because
of salinisation.

The drinking water sources are
being polluted by saline water and also by

[Shri P.P. Kaliaperumal]

inputs for prawn culture. As a result, the people of this area suffer from jaundice, blindness and epidemic diseases like cholera etc.

I urge upon the Central Government to prohibit conversion of agricultural lands into prawn farms and take urgent steps to arrest anthropogenic environmental disturbances in the east coast. I also request the Government to formulate a strategy to provide self-employment to educated unemployed youths by involving them in the prawn culture in the coastal wastelands of Tamil Nadu.

(ii) Need to Waive Loans upto Rs. 5,000/- taken by Scheduled Caste People from Commercial Banks in Punjab

SHRIMATI SANTOSH CHOWDHARY (Phillaur): Sir, the Punjab Government made a laudable announcement that it would waive loans up to Rs. 5,000, taken from banks by Scheduled Castes. Its aim was three-fold—partly humanistic, partly economic and partly civic. The Punjab Government has made efforts to live up to the confidence reposed by these segments of the electorate by waiving loans up to Rs. 5,000 given to them by the cooperative banks and Scheduled Caste financial corporations. However, loans given by commercial banks could not be written off as these banks do not fall within the purview of the State Government.

I earnestly request the Central Government to help the State Government to fulfil its promise by arranging the waiving of loans up to Rs. 5000 taken from commercial banks by Scheduled Caste people.

(iii) Need to Improve Telephone Services in Jabalpur Division in Madhya Pradesh

SHRI SARAVAN KUMAR PATEL (Jabalpur): Sir, I wish to invite the attention of the Government towards the fast deteriorating conditions in the telecommunication services in Jabalpur Division, M.P. Telecom Circle, especially over the past three to four months. While new telephone connections are being given and telephone network is being expanded, presumably to achieve projected targets, telephone instruments are lying ineffective.

Press is rife with reports of the troubles of subscribers, in making the telephone department respond to their complaints. Often the subscribers find themselves duped when they receive exorbitant telephone bills, which they are made to pay through their nose. PCOs provided in rural areas are not functioning properly.

I would, therefore, urge upon the Government to cause a thorough probe into the working of Jabalpur Telecom and ensure efficient services, while expanding the telecom network, particularly to rural areas, as per plans.

(iv) Need to sanction Adequate Funds for Expeditious Reconstruction of major bridges damaged due to Floods in Ganjam District, Orissa

SHRI GOPI NATH GAJAPATHI (Berhampur): Sir, I wish to draw the attention of the Union Ministry of Surface Transport to the inordinate delay in the repairs of six major bridges damaged by the devastating floods in Ganjam District of Orissa State in the year 1990. The major road bridges have not yet been repaired and renovated, despite the

assurances given by the State Government from time to time.

girls to go to schools situated at such a long distance.

The Orissa State Government has requested for a loan assistance of Rs. 33 crores from the World Bank, for the renovation and repairs of these bridges. Unless adequate funds provision is made for these projects, repair and construction work cannot be completed in time. This will add further misery to the affected people of Southern Orissa.

I urge the Union Government to sanction adequate funds expeditiously for completion of reconstruction of the six major bridges in Ganjam District within the time frame, simultaneously ensuring that funds allocated for this needy project are not diverted to other projects.

- (v) **Need to provide adequate funds to State Governments for providing better Education to Girls in the Rural Areas of the Country**

[Translation]

SHRI SURENDRA PAL PATHAK (Shahabad): Mr. Speaker, Sir, even after 47 years of Independence proper arrangement has not yet been made for education of girls in many villages of a country where 76 per cent of population live in villages. Till now even primary schools have not been provided in every village. In such villages, it is very difficult for girls to go to other villages for schooling and in the absence of such facility they remain illiterate.

Similar is the condition of junior high schools and Secondary schools. High schools and Secondary schools are situated at a distance of 7 to 8 kms. from the villages and are confined to big towns and cities only. It is not possible for rural

Such girls, due to lack of education, not only remain deprived of playing a role of enlightened citizen, they are also not able to raise the standard of their respective families. The boys get education in such far away schools according to their capability and later on that avoid to get married to such illiterate girls which creates imbalance in the society.

Therefore, I request the Central Government to provide adequate funds to State Governments for opening good schools for girls and constructing hostels for them where free education and free lodging and boarding facilities should be made available to the girls so that rural girls could also be educated.

- (vi) **Need to provide Telephone Facility at Muradnagar Town in Ghaziabad District in Uttar Pradesh**

DR. RAMESH CHAND TOMAR (Hapur): Mr. Speaker, Sir, Muradnagar is a small industrial town in my Parliamentary constituency Ghaziabad which is gradually developing as a industrial town. This town is situated 11 kms. away from Ghaziabad and 10 kms. away from Modinagar but due to non-availability of local telephone facilities people are facing a lot of difficulties there.

Therefore, I request the hon. Communication Minister to provide local telephone facility in view of the importance of this town so that this problem of local people could be solved.

(vii) Need to ensure strict enforcement or provisions of the Child Labour (Prohibition and Regulation) Act

SHRI RAMASHRAY PRASAD SINGH (Jahanabad): Mr. Speaker, Sir, child labour is a punishable offence but this law could not be enforced properly. It becomes more painful when children in the age group of 5 to 14 years feed their parents by working in carpet industry, hotels, tea-shops, residential houses, motor garages etc. Such small children generally belong to very poor families where their parents are unable to upbringing them. In fact the child Labour (Prohibition and Regulation) Act is not very effective to deliver justice to the child labour.

Therefore, I request the Central Government to conduct a survey to find out the number of child labourers in the country and they should be freed from their jobs and residential schools should be constructed for their free education in each division and sub division and the Government should bear the entire expenditure of their education. Even after making such arrangements, if parents of child labourers do not educate them, then law should be enacted to penalise such parents.

(viii) Need to link Brahmaputra River with Ganga at Farakka through a canal to augment the Water Flow into the Farakka Barrage

[English]

SHRI SANAT KUMAR MANDAL (Joynagar): Sir, the construction of the Farakka barrage was primarily aimed at stopping the Hooghly from being silted. Ironically at present, West Bengal is left with nothing but the silt; so much so,

leave alone irrigation, Calcutta Port which needs a minimum of 40,000 cusecs in the pre-monsoon months to barely stay alive, gets a paltry 20,500 cusecs from Farakka with the pattern of water usage in the upper reaches of Ganga, especially in Uttar Pradesh and Bihar having changed dramatically with consumption going up every year.

I request the Central Government to link the Brahmaputra with Ganga at Farakka through a canal to augment the water flow into the barrage and it would more than take care of both Bangladesh and Indian interests. Bangladesh should be convinced of this being the most feasible and effective solution to increase the availability of water.

15.58 hrs.

**STATUTORY RESOLUTION RE:
DISAPPROVAL OF MANIPUR
MUNICIPALITIES ORDINANCE 1994
AND
MANIPUR MUNICIPALITIES BILL**

[English]

MR. SPEAKER: Now we take up items 12 and 13.

Shrimati Shiela Kaul.

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI SHEILA KAUL): Mr. Speaker, Sir, this House is fully aware that as early as in 1989, the then Prime Minister, Shri Rajiv Gandhi, committed as he was to strengthen democracy at the grassroot level, wanted to accord constitutional status to the Panchayats and Nagarpalikas. As a result of wide ranging discussions, the Government of India introduced the Constitution (73rd Amendment) Bill, 1991 relating to Municipalities in the Lok Sabha

on 16th September, 1991. The Bill was passed by Lok Sabha and the Rajya Sabha in their Winter Session of 1992. After the Bill received the assent of the President, it was published as the Constitution (74th Amendment) Act, 1992.

The aforesaid Act introduced a new part, namely, Part IX-A in the Constitution. This Part deals with the issues relating to Municipalities. The provisions of the Constitution (Amendment) Act inter alia provide for constitution and composition of Municipalities, reservation of seats for Scheduled Castes/Scheduled Tribes and women, constitution of Wards Committees, fixed term of five years and re-election within six months from the date of dissolution, powers, authorities and responsibilities of Municipalities, power to impose taxes and fees, constitution of Finance Commission and State Election Commission, constitution of District Planning Committee and Metropolitan Planning Committee etc.

16.00 hrs.

Article 243 ZF of the Act provides that any provision of any law relating to municipalities in force in a State immediately before the commencement of the said Act, which is inconsistent with the provisions of the Part IX-A of the Constitution, shall continue to be in force until repealed or amended by competent legislature or until the expiration of one year period from the commencement of the said Act whichever is earlier. In view of the commencement of the Constitution (74th Amendment) Act, 1992 from 1st June, 1993 the period of one year stands expired on 31st May, 1994.

Some of the provisions of the Manipur Municipality Act, 1976 which was in force up to 23rd May, 1994, were

inconsistent with the provisions of the Constitution (74th Amendment) Act, 1992. In order to implement the above Act, the State of Manipur prepared a comprehensive new legislation namely, the Manipur Municipalities Bill, 1994 replacing the Manipur Municipality Act, 1976.

The State of Manipur was brought under the President's rule on 31st December, 1993 under Article 356 of the Constitution. The powers of the Legislature of the State of Manipur have been declared to be exercisable by or under the authority of the Parliament.

The proposal received from the Government of Manipur to make a comprehensive legislation on municipalities in Manipur in conformity with the Constitutional provisions was examined in my Ministry and it was decided to introduce a Bill to that effect in the Budget Session of Parliament. As the above Bill was to be examined in detail, the same could not be introduced in the Lok Sabha during the Budget Session due to paucity of time. Since the necessary legislation in respect of the Manipur Municipalities was required to be enacted by 31st May, 1994 it was felt expedient to promulgate the necessary Ordinance.

In view of the above, the Manipur Municipalities Ordinance, 1994 enabling the Government of Manipur to constitute the Manipur Municipalities in accordance with the provisions of the Constitution (Seventy Fourth Amendment) act, 1992 was promulgated on 24th May, 1994. It is now proposed to replace the Manipur Municipalities Ordinance, 1994 by an Act of Parliament. The provisions of the Manipur Municipalities Bill, 1994 shall extend to the whole of the State of Manipur except the hill areas to which the

[Shrimati Sheila Kaul]

Manipur (Hill Areas) District Council Act, 1971 extends to any area which is included in a cantonment under the Cantonment Act, 1924 by virtue of exceptions provided in Article 243 ZC of the Constitution and Clause 1(2) of the present Bill.

The main provisions of the aforesaid Bill are as follows:-

- (i) Constitution of 3 types of Municipalities viz., Nagar Panchayats for transitional area, Municipal Council for Smaller urban areas and Municipal Corporation for larger urban areas;
- (ii) Composition of Nagar Panchayats and Municipal Councils with elected persons and persons having special knowledge and experience in Municipal Administration;
- (iii) Wards Committees will be set up in respect of Municipalities having population of 3 lakhs or more;
- (iv) Reservation of seats for SC/ST in Municipalities in proportion to their population;
- (v) Reservation of not less than 1/3rd of the total number of seats (including that of reserved seats) for women;
- (vi) Reservation of Office of Chairpersons of Municipality for SC/ST and Women in the manner prescribed by the State Government.
- (vii) Fixed term of 5 years and limiting the period of dissolution of Municipalities to six months;
- (viii) Setting up of State Finance Commission to review the financial position of the Municipalities and to make recommendations to the Governor;
- (ix) Setting up of State Election Commission for superintendence, direction and conduct of elections to the Municipalities;

Setting up of District Planning Committees to consolidate the plans prepared by the Panchayats and the Municipalities in the District and to prepare a draft development plan for the District as a whole; setting up of Metropolitan Planning Committees to prepare draft development plans.

The Bill seeks to enact a comprehensive legislation on Municipalities in relation to the State of Manipur on matters mentioned above.

Sir, I beg to move:

"That the Bill to provide for constitution and organisation of municipalities in the Urban areas of Manipur and for matters connected therewith and incidental thereto, be taken into consideration."

MR. SPEAKER: Dr. Laxminarayan Pandeya to speak. Are you keen on moving the Statutory Resolution?

DR. LAXMINARAYAN PANDEYA (Mandsaur): Yes, Sir, I beg to move:

"That this House disapproves of the Manipur Municipalities Ordinance,

1994 (No. 6 of 1994) promulgated by the President on May 24, 1994."

[*Translation*]

Mr. Speaker, Sir, the Bill which has been brought by the Government, could have been passed in the previous session but it shows the way and style of functioning of this Government. The Government has itself admitted in the reasons for ordinance that the proposal has been received from the Government of Manipur to make a comprehensive legislation on Municipalities of Manipur in conformity with the Constitutional provision and proposal was examined in the Ministry of Urban Development and a decision was taken to move a Bill in the Budget session to this effect. When the decision had already been taken, then why the Bill was not brought at that time and why it is being brought now?

16.06 hrs.

[SHRI NITISH KUMAR *in the Chair*]

The House was not prorogued and it was to reassemble on 13th. But for promulgating some ordinances, the House was prorogued and some ordinances were promulgated whereas the Government had enough time to bring legislation to this effect in the House.

Mr. Chairman, Sir, it is true that in the present Bill there are provisions for constituting Municipalities, Municipal Corporation and Nagar Panchayats and that may improve their condition but is it possible to enforce these provisions in the prevailing circumstances there? The situation in Manipur is not good at present and it was said at the time of extending President's rule in the State that the situation there was not normal. The recent

conflict between Naga and Kukies has increased caste-hatred. Broad day light murders are being committed there and several persons are getting injured in these incidents. Probably Shrimati Sheila Kaul and Shri Chavan Ji are also aware of the prevailing situation in the State. ULFA and other terrorists are attacking the police convoys in a broad day light and trying to kill them.

It is true that the aim behind bringing this Bill is your commitment to implement Panchayati Raj but is it possible to implement these provisions under the prevailing circumstances? I think, it is not possible and that is why there was no need for promulgating this ordinance because till now many other States have also not given their acceptance to it.

The situation of Manipur becomes clear from the recent incident in which 3 Jawans of Manipur Rifles were killed. The NSCN looted arms and ammunitions. 25303 rifles, 2 machine guns, 2 explosives, 11 hand grenades and 2000 rounds of ammunitions were looted. This was done by 50 guerillas who encircled the police station and injured the police officers. This is the situation in the State. I think under such circumstances, these provisions cannot be implemented there. The State Assembly has been suspended there and former Chief Minister, Deputy Chief Minister and others are giving different statements. The former Chief Minister blames the Deputy Chief Minister and sometime Governor supports the Deputy Chief Minister and sometime Deputy Chief Minister gives his clarification. The Chief Minister says that he has not supported Naga rebels. But it is being alleged that he is giving support to them and that is why forcible

[Dr. Laxminarayan Pandeya]

conversion is taking place there. They are being told that being Adivasis they do not have their God as such. In this way they are being misguided. This is something which needs to be looked into. They are agitating and demanding autonomy. North Kachhar Hills in Assam has become a sanctuary for them. A parallel Government is running there, which advocates that border should remain opened for free trade and there should be no check on it. It is a feeling of separatism whereas there should be a spirit of nationalism among the people. First of all national spirit should be inculcated among the people only then other things like laws relating to Panchayats, Municipalities or Corporations can be implemented. There was no need to promulgate ordinance. But such an ill trend has started that the Government promulgates ordinances for the purpose which can be done in an ordinary way but the Government wants to do them through ordinances.

[Translation]

Taking into account all aspects of this Bill, the Nagar-Palikas and Nagar Panchayats will have an Administrator as well as a Body. Women will also be represented in it and certain number of seats shall be reserved for Scheduled Castes. Your intention behind this arrangement may be bona-fide. A few days ago, a discussion was held to extend the term of President's Rule in Manipur. At that time, Shri Chavan had said that he was trying his best to restore normalcy in the State. That is why, the legislative Assembly has been kept in suspended animation so as to restart the political process there. They have been demanding State autonomy and more

powers. The Naga insurgents are spreading caste conflicts in the State. Necessary steps are required to be taken in this regard. Therefore, I am sure that the hon. Minister will reply to these points.

[English]

MR. CHAIRMAN: Motions moved:

"That this House disapproves of the Manipur Municipalities Ordinance, 1994 (No. 6 of 1994) promulgated by the President on May 24, 1994."

"That the Bill to provide for constitution and organisation of municipalities in the Urban areas of Manipur and for matters connected therewith and incidental thereto, be taken into consideration."

PROF. M. KAMSON (Outer Manipur): I thank our hon. Minister for introducing this Bill to convert the Ordinance into Bill as it is just necessary as she has explained.

Now as you know, Manipur is under President's rule and such acts are very necessary for development in the various parts of the country, that means, we would like that this Bill should come in this manner and Manipur should not be left lagging behind when other parts of the country have got their panchayats and nagarpalikas.

There are some points which I may highlight to the Minister. Of course, I am not asking for any sort of amendment. But I just want to remind the authorities concerned because it is not very much necessary for the Centre also to take much time in this matter. If this Act is there, and when the Assembly is restored in Manipur, when the popular Ministry is

formed in Manipur and if there are any loopholes or defects in the Bill, it can be amended by the people themselves through their Assembly. So I do not like to pursue much about this thing.

But at the same time I would like to highlight something that in some section where Governors are given the power to decide the size of Nagarpanchayats or municipalities on his own, something like that, by the Government, I think, if some maximum and minimum limits are given, not only in the case of Manipur but for all over the country, there will be certain uniformity in that. Supposing in some parts of the country this Nagarpanchayat has got a small size or a bigger size than in other parts of the country, then there will be no uniformity in this matter. Therefore, from Bill to Bill, from State to State, if the Governor has got discretionary powers to decide their number then some States may have only five members in the Nagarpanchayats or some States may have 20 members in the Nagarpanchayats or some States may have only 10 members in the Municipal Council or Manipur can have about 30 members in the Municipal Council. Therefore, some sort of uniformity must be there. So, I would like to give this suggestion in general to be made applicable all over the country because we are on the verge of implementing both Nagarpalika and Panchayat system all over the country under the Eleventh and Twelfth Schedules. This is my humble suggestion which may be taken into consideration by all concerned.

Another thing that I would like to highlight is about this Nagarpanchayat or what you call Municipal Council under this Act as well as the Panchayats under the Acts which have been passed during the Budget Session. At that time, I could not have the opportunity to discuss this

because the Panchayat Bill relating to Manipur was passed in a hurry, in a little hasty manner because of time factor and I can understand that. So, I would like to take this opportunity, just to touch over that because these two are parallel Bills under the same Act. The Panchayati Act as well as the Nagarpalika Act under the Eleventh and Twelfth Schedules of the Constitution are going to be implemented all over the country. Now the entire surface of the India will be covered either by an urban authority under the Nagarpalika Act or by rural local bodies under this Panchayati Act.

As far as North-Eastern region is concerned, I would like to point out here that there are some regions where neither this Panchayati Act nor this Nagarpalika Act which have been incorporated in the Eleventh and Twelfth Schedules of the Constitution is applicable. The Minister has also said that according to the provisions of these Acts the Scheduled Areas will not be covered. Scheduled Area means, in general terms, the hilly districts of the North-Eastern India. Here, neither this urban body nor this rural body will be there. So, the question of consideration should be there. It is a very serious matter. After some time this will be another issue for the North-East people to raise their voice to say that they have been neglected, that they have been alienated, that they have not been given the facility or the benefit of grass-root democracy or power to the people. This would be the claim of the people unless we examine this issue today. Therefore, my point is that a study team or a commission should be constituted by the Centre to study which type of body should be there parallel to this Nagarpalika Act or Panchayati Act being implemented all over the country, especially in the hilly areas of the North-East. I will give you one very clear example. In the hill district

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of Manipur, which I represent, there is neither Nagarpanchayat nor Panchayat nor Council under the Sixth Schedule. So, the entire surface is supposed to be covered either by the Sixth Schedule or the Eleventh Schedule or the Twelfth Schedule. You cannot have any blank spot there. Why have we left a blank spot in the hill district of Manipur is the question now. So, I draw the attention of the Ministries concerned, not only of the Urban Development, but also of the Rural Development who is concerned and also, at the same time, the hon. the Home Minister who is also here because he is concerned with the Sixth Schedule. As far as the Eleventh Schedule is concerned, it is the concern of the Rural Development Ministry, as far as the Twelfth Schedule is concerned, it is the concern of the Urban Development Ministry. So, these three Ministries have to see which part of the country is left blank so that in future people will not complain against the Government's laxity or some sort of negligence. This is my point. I repeat again that in the five hill districts of Manipur, we have been demanding for the last 20 years to extend the provisions of the Sixth Schedule, but the demand for an Autonomous District Council has been denied so far.

Now it has come at a time when this area is only a blank spot where you do not have any of the three constitutional provisions for the people in the name of democracy at the grassroot or giving power to the people. Earlier the Sixth Schedule which is called the Autonomous District Council was supposed to be a special provision of the Constitution, a constitutional measure, a constitutional instrument for special development of the socio-economic condition of the backward areas of the hill, particularly of the eastern

region. This was conceived and thought of by the farmers of the Constitution who had got a farsighted vision. I thank them again today taking this opportunity for their vision for the future of the country that they had provided this Sixth Schedule for the backward areas. Unfortunately this was not given to a particular area, that is the hill areas of Manipur so far. So this is the first point where I shall point out that this is a sort of oversight, if not intentional negligence. I must draw the attention of our hon. Home Minister that he should kindly take up this matter immediately before the Panchayat Bill and the Nagar Palika Bill are implemented. Both of this should come together so that there will be no loophole where people will criticise us again.

I must also mention that the present Prime Minister Shri P.V. Narasimha Rao, when he was the Home Minister in 1984, on the floor of this House had assured us that Manipur hill areas will be given the Sixth Schedule, that means extension of the Sixth Schedule, that means Autonomous District Council. It was in 1984 that our present Prime Minister, when he was the Home Minister, had assured us. The subsequent Home Ministers have kindly assured us and had given good words to us. But unfortunately by oversight I should say they have neglected this part. Now I remind that if you leave blank this area, it will be a big thing and it will be difficult for the Government to defend it in future. This is one point which I would like to highlight to the Ministry concerned.

The second thing I would like to point out is that the proposed Special Commission to study this problem is there. In the North-East, in Arunachal Pradesh there is the Panchayat System. This is the only hilly State where Panchayat system is there. Earlier their Panchayat system

was under the State Act. It was all over the State. Now it has come under the Constitution as a constitutional body with a constitutional status in Arunachal Pradesh. I believe that it will accept Panchayat as it has been wanting to do so. But in the case of other States, in Assam we have got Sixth Schedule in hilly areas and Eleventh Schedule in the valley areas of Assam and the Twelfth Schedule in the urban areas, towns and municipalities. In Tripura the hilly areas will be under the Sixth Schedule and the plain areas under Panchayat. In Meghalaya there is the Sixth Schedule all over the State. They have got three districts Khasi, Garo and Jaintia districts. Unfortunately or fortunately at that time they had implemented the Sixth Schedule in the entire State. At that time we thought that in a tribal State, a hill State, why they should apply the whole Sixth Schedule in the entire State. Because originally the Sixth Schedule was intended by the farmers of the Constitution to be only in certain parts of the State where minorities live, who cannot have access in the State fully and who cannot have sufficient benefit out of it, just as in Mizoram today. In Mizoram Pawi District, Lakher District and Chakma District have got Sixth Schedule, Autonomous District Council, whereas the rest of Mizoram, though it is a hill State, there is no Sixth Schedule, Panchayat nor anything. Now I come to that point. In the case of Mizoram and Nagaland where there is no Sixth Schedule, in Nagaland there is no Sixth Schedule and no Panchayat, nothing of the sort, a question comes. Because of the present Act under the Eleventh and Twelfth Schedule, the entire surface of the country is covered by one constitutional local body, either rural body or urban body, that is Panchayat and Nagar Palika. But in Nagaland there is neither Eleventh Schedule or Panchayat nor Twelfth Schedule or Nagar Palika so far.

In that case, would the people in Nagaland or in Mizoram be given the opportunity, the facility and the benefit of the concept of power to the people or democracy at the grassroot which was first conceived by Shri Rajiv Gandhi? Of course, originally, it was Mahatma Gandhi who said about *Gram Rajya* India has been known for centuries and thousands of years about this thing. But in modern age, Gandhiji conceived it. Rajiv Gandhi tried to concretise it. But unfortunately he could not. Then, during the present regime of Mr. P.V. Narsimha Rao, it has been brought to light, that is, this Bill has come into existence. Therefore, the question has come, it is a new question coming up because of the new situation that whether in Nagaland, which has not been having any sort of council or body, should be given this or Mizoram should be given this or not because they have got the traditional system of village. How do you adjust the panchayat or village council or traditional system to the new panchayat system? How would you adjust it to the new Nagarpalika Act? For this matter, a detailed study is necessary. Just having a speech for a short moment will not do. Therefore, I suggest once again that some sort of study commission should be there to go through all the details of the North-East. It is said that we have got grassroot democracy through the eleventh and twelfth schedules which would cover the entire country. There is nothing like that. There is some loophole somewhere. That is my intention in pointing it out.

I once again request the Home Minister and the Minister concerned that this should be studied well. I would just like to cite one example. In Manipur, Chorchandpur district is under the Hill Scheduled Areas. The headquarters is also called Chorchandpur. About four or five years ago, they established one small

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township and a small town committee was set up. In course of time, the working of the town committee into conflict with the original style of village administration and district administration under the Council Act. Therefore, they had to abolish it again. It is a story which happened four or five years ago. You can find it out from the record. This sort of conflict is there. If you establish Nagarpalika or some sort of an establishment within the scheduled area which is covered by autonomous district council, it is very difficult to adjust. This is my point.

I have already mentioned about this Act. But at the same time, I would just like to add something more. I would like to draw the attention of the Home Minister to the situation in Manipur as well as in the North-East. Only yesterday, perhaps he has read a newspaper-item saying that the Naga movement is spreading like anything. They have established some sort of an office at Geneva, at Bangkok and at other places. It is spreading like anything. It is the main cause which has given birth to so many outfits of extremism in the North-East.

I have already spoken here. The Home Minister may kindly see that the Naga problem is dealt with properly — politically, by negotiation, by discussion. I would not say that you should neglect others. ULFA is being tackled like that. We have to tackle all the insurgencies. The Naga problem has been there for more than half a century. I just remind about its importance.

[Translation]

MR. CHAIRMAN: One hour has been fixed for this Bill. We have already

discussed over half-an-hour. So, keep that in mind. One more Member from Manipur wants to speak on this Bill.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Chairman, Sir, I would not like to take much time of the House. It is good that the hon. Home Minister is present in the House during the discussion on this Bill. However, I think that he has come here with another Bill.

This Bill is related to such a State where there is no government at the moment. This State is placed under President's rule. A few days ago, I was in Manipur. There was a rumour that the Centre is thinking of re-installing the same government which it had dismissed earlier. There is a great resentment and anger in Manipur on this issue because it is neither a question of internal bickerings of any party nor the issue of leadership. It is the internal fight for leadership of that party which has forced the people to go underground and thus, unleash a reign of terror in the State. Under these circumstances, if the Union Government takes steps in the direction of implementing the proposal to reinstall the same government in Manipur, its repercussions will not be good for Manipur as well as the whole nation.

Sir, sometime before, during the discussion on Manipur, I had raised a question in this very House. It was regarding the report of the Governor of the State. He had levelled some serious allegations against the former Chief Minister of that State who has been a Member of this House in the first Lok Sabha and is one of the important leaders of the Congress Party in Manipur. If these allegations are true and the person is guilty then action must be taken against him. There should not be any consideration even if he is a powerful

political leader. He has been charged with having close links with the underground outfit of insurgents who is unleashing a reign of terror. If the allegations are baseless, as has been claimed by the guilty in writing to the hon. Home Minister as well as some other including me, it should be investigated how did the Governor send such a report to the Centre? In such a situation, it becomes necessary to take action against the Governor also. I am sorry to say that the hon. Home Minister has not taken any action on this report so far.

Mr. Chairman, Sir, in Manipur, an atmosphere of tension had been prevailing for the last many days between Nagas and Kukis. Both the communities were resorting to killings and demolishing the villages. This chain of events have not ended yet and the tension is still prevailing there. It is regretted that no initiative has been taken by the Government so far in the direction of resolving this problem by resetting those people who have fled their villages and have been living in camps and elsewhere with the people of their communities. Only the jawans of Assam Rifles, Border Security Force, Central Security Force and other para-military forces have been deployed there to have a complete sway over the people.

It is beyond my comprehension that even in such a situation, the Union Government is going ahead to get a legislation passed through this ordinance so as to hold elections to Panchayats and Nagar Palikas there.

Therefore, first of all, I would like to say that the Government must take an initiative to bring normalcy there and remove the atmosphere of tension between Kukis and Nagas as well as between hill people and the people living

in plains. Under such an initiative, it is not necessary to project the thinking of military and other people.

Mr. Chairman, Sir, my other point is that we have border disputes with many neighbouring countries. The Kashmir issue is there for a long time. We have border dispute with China and Burma, which is now known as Myanmar. I do not understand why our Government is dragging its feet in resolving these disputes. There is a village called Molcha which is situated within India's border but Burmese army is occupying this village. It is not in the sense that the army is camping there but they are using the road which was constructed by the Britishers as a short-cut route to move from one town to another. Today, a part of this road passes through Indian border. It is a village namely Molchhal through which a part of this road passes. The people of this village are constantly being oppressed by the military personnel of Burma. Whenever they wish, they stop and collect taxes without producing any government receipt book or summons. They indulge in such acts at gun point. There is an Indian police post located in that village but it is helpless. When 50 military personnel of Burma come there and collect the money by beating up the villagers, a handful of policemen cannot do anything.

Mr. Chairman, Sir, I would like to know whether there is any dispute on the issue of this road? If so, why is it not being resolved? If a road passes through our territory and even when the people of Burma are required to use it, are you going back from staking a claim over this? I do not say that the Government should forego its claim over this road but if it belongs to India, what right they have got over it? I know that when the issue of Aksai Chin was raised, our hon. Prime

[Shri George Fernandes]

Minister had said that though not a single blade of grass grew there and it remained uninhabited, yet we love our soil and are ready to offer it for use to others. Now, when the military personnel of Burma harass the people of Molchhal village, this matter should be raised with Burma because Molchhal is a village of India. If this road becomes a cause of strain in our relations with Burma, it should be made clear to Burma that they should construct another road for itself. However, it should have been made clear to them in 1947 itself. As this issue raises many other questions the Government of India should speak with open mind to Burma Government in this regard.

Mr. Chairman, Sir, during the last three weeks, Burmese army has advanced very near to the border of this town. The Sub-Postmaster of Changpol village, Shri Jangpang has been abducted by the military personnel. There is another village named Khokhang, adjacent to Changpol. The Chief of this village has also been abducted. Two people of another village called Seach Tannolpal have also been abducted. Thus, in all, four people have been abducted. They have detained them in their tents. Now, everyday, military jawans of Burma come to the village and demand Rs. 2000 to Rs. 4000. On the one hand, they have abducted our people and on the other hand, they are demanding money.

Mr. Chairman, Sir, the abducted people are given food by their relatives daily. In this regard, complaints were made to the Governor but nothing was done by him also. Further, the concerned authorities were also apprised of the situation but nothing was done from their side also. I am not able to understand why the Government have no concern for

the land and the people living there? Though, this land is being used as a conduit for carrying on our trade relations with Burma yet smuggling is also taking place through this route. The trucks come from the other side and whatever they wish, they take away with them. Today, we are talking of holding elections to Gram Panchayats and Nagarpalikas there. I do not understand what kind of an election is going to be held there when we are not even able to protect our citizens from the atrocities committed from the other side of borders.

In the end, I would like to speak about an incident which occurred at Ukroor on 9th May. There is a military camp in Ukroor. There, on this day, one Major and perhaps, one Captain were strollings. Somebody opened fire on them and the major fell down. This happened in a town located on the road in front of the military camp. In a few minutes, the jawans of army came out of their camps. They went to the village and started damaging the houses. Whosoever came in front of them, had to face their fire. Again, the jawans opened fire. In this incident, the sister of a worker of Janata Dal, an old-age person and a jawan were killed. Three people died of the bullets of the military jawans. The people had to trudge a distance of three kilometres before they were taken inside the camp. There is a great resentment among the people. A meeting was called in which the people from nearby villages also participated. No body know who killed the officer. If some stranger opened the fire then he must have been a terrorist. Otherwise, why an ordinary person will open fire on a military officer. But, if the military personnel resort to pulling down the houses of two thousand people, then they themselves are laying of the foundation of terrorism there. I regret that sometimes, military also exceeds the

farthest limit. But, does the Government not receive such information? Is it not supposed to take steps even after receiving the information?

Today, Manipur is facing such a situation that sometimes, we realise in this House that as if the originator of Panchayati Raj was born in India just 5-7 years ago. We are being told again and again as who has brought the Panchayati Raj? We know since when it is in force and how did the previous Government implement it in the whole country. They tried to make ineffective the law enacted in Karnataka. Therefore, I would not go into the details of this dispute that who is and to what extent he is attached to Panchayati Raj with his heart, soul and mind. Let the Government pass this Bill but I am not sure if the Government would be able to do anything new in Manipur and handover the power to the people.

With these words, I request especially to the hon. Home Minister that he should take concrete action on the points raised by me and do his best to bring the situation under control.

[English]

SHRI UDDHAB BARMAN (Barpeta): We are discussing the Manipur Municipalities Bill here in Parliament, away from Manipur by thousands of Kilometres because the State of Manipur is under the President's rule. The entire House is well aware why the President's rule was promulgated in Manipur.

It is known that because of the infighting in the Congress (I) many extremist organisations are being encouraged. There were clashes between the Kukis and the Nagas. There were some communal clashes. There was also

a spurt of activities of Meitei extremists. Because of the dissensions and disunity inside the Congress (I) and its allies and also extremist activities in the State of Manipur an elected Government could not continue. But still the Assembly is kept in animated suspension allowing scope for horsetrading which is very repugnant. But the people of Manipur are suffering like anything. There are no roads, no railways, and no development. They are far away from the mainland of the country and the people of Manipur always feel that they are being deprived, in every sense of the term and the sense of deprivation is being utilised by the extremists.

One thing is, the NSCN the National Socialist Council of Nagaland is creating havoc not only in Manipur but also in some parts of Assam. They are penetrating not only into some parts of Assam but also into Tripura. They are working as the fother organisation of extremists, combining all the extremist organisations in the North-East and all the extremists are utilising the sentiments of the people of different States of the North-East that they are being deprived and exploited by the centre. There are a lot of killings, kidnapping and other criminal activities carried out by the extremists not only in Manipur but also in the other States of the North-East. But this sense of alienation should go. It should be removed from the minds of the people. And for this there should be not only developmental works, but also efforts should be made so that their confidence can be restored. For this the entire population of not only of Manipur but also of the North-East should be associated with the different forms of democratic functioning, not only administration but also in the economic development.

Here we are going to pass the Bill. But only enactment alone will not do.

[Shri Uddhab Barman]

There we have got lot of experiences how one-sided work is being done in different States of the country. In Assam also we have different experiences. The Panchayats there think that they are elected by the people. But they are not given the powers and rights. Many central programmes have been given to the contractors. The officials organise them. Money is sent by the Centre but there is a lot of corruption. Corrupt practices are rampant there not only in Manipur but also in some parts of Assam also. There is an LOC scam there and lot of money is being looted. All these things are there.

So, what I say is, that not only the enactment but also a proper implementation of the Act should be there so that the entire energy of the people of the rural areas and also of the town areas can be harnessed and they also have a sense of participation in every aspect of the national life. This sense of participation should be created and all efforts should be done for it.

At the same time there is a problem of the tribal communities there. They also should get something so that they feel that they are also a part and parcel of India.

And for this, the Centre and all other political parties should think whether the Sixth Schedule can be given or not. A study should also be made so that the entire programme of that area can be looked into and proper steps can be taken. By this way, the tribal population in Manipur also can be brought to the mainstream.

Insurgency problem is there. And this insurgency problem is being utilised by some vested interests there. So, what

is needed is to gain the confidence of the people so that the extremists can be isolated. And for this, not only enactment of law but also ensuring the democratic participation of the people is necessary. I think, the Government should take necessary steps keeping in view all these aspects.

With these words, I conclude my speech.

SHRI YAIMA SINGH YUMNAM
(Inner Manipur): Mr. Chairman, Sir, I rise to support the Manipur Municipalities Bill. I consider that it will be to the great interests of the people of Manipur if this Bill is passed and implemented.

Sir, as you know, there has been seven Municipalities and 21 Small Town Committees; they are under notified areas of Manipur. I think, this Bill when enacted will cover all these seven Municipalities and 21 Small Town Committees.

I understand that this Bill is brought just to satisfy the provision of the Constitution, as explained by the Parliamentary Minister in charge of the Bill. I need not go into it.

Under this Bill, there are new provisions, which, I consider, are very important. There is a proposal for setting up State Finance Commission to review the financial position of the Municipalities and to make recommendations to the Governor on matters relating to finance.

When the question of extension of President's Rule in Manipur was discussed, the hon. Home Minister also mentioned that because of financial indiscipline, there has been difficulties in granting more financial assistance. I still took it to my heart. Now, for the

Municipalities, if you could have State Finance Commission, then it will help very much in giving financial assistance to the State of Manipur for the development of Municipalities and Small Town Committees and also it will give much help to the administration in general.

Secondly, there is a proposal for setting up District Planning Committees. It is very important.

Under the Panchayati Raj Act, the municipalities and town committees have not been functioning properly. There has not been proper planning and because of that developmental works under these municipalities and town committees are suffering. Now, when the District Planning Committee is constituted, it will help very much in taking up developmental programmes under the jurisdiction of these municipalities. There are also Metropolitan Planning Committees for which the Minister incharge has explained. Again, there is a proposal for an Election Committee. It is also a very good proposal. So, considering all the news provisions, I would like to present that the Bill will serve the purpose to the advancement of the people of the State of Manipur. But the important question is whether the benefits will be made available to the people quickly or not. When the Ordinance was promulgated, I thought what was the necessity of issuing such an Ordinance at a short notice. The present law and order situation in the Manipur State, I think, does not permit holding panchayat elections. I met Advisors to the Governor and other important officials of the State and discussed as to whether elections can be held and whether the atmosphere is conducive for elections or not. All the officials were of the same view that the present situation is not conducive for elections. But in a larger sense the

Ordinance was promulgated just to satisfy the provisions of the Constitution Amendment. So, I appreciate it. Now, when the situation is not conducive for elections, the people will not get benefit of this Act immediately. I understand that it will take a long time. Until the popular Government is restored and normalcy there is fully restored, there cannot be any panchayat or municipal elections. It was agreed upon by the Government also. It is the present position there. However, I would like to place before this House that if the popular Ministry can be restored quickly and if the normalcy is returned there, then only the panchayat elections can be held and the people will be benefited there.

17.00 hrs.

The earlier speaker, Shri George Fernandes has also described the present situation. Although there is full for the present, I can say that normalcy is returning slowly, and I think normalcy will return fully after some time. But how much time it will take, that is the question. For that, I am proposing that let us offer general amnesty to these underground organisations or extremists or insurgents, as we call them. Let us try this in Manipur. I can assure that at least these Metal insurgents will respond to it, though I cannot say the same about the NSC; But if we can bring these Metal extremists overground by offering them general amnesty and after that by assuring rehabilitation and employment, which should also be a part of the general amnesty, I think it will be a great success. After that you can have political dialogue with the organisation to come overground. For NSC, there is no other means except to disarm their contingents with the force of our army or security forces. Only after disarming them, we can have talks with them, political or otherwise. So, it will be

[Shri Yaima Singh Yumnum]

better if general amnesty is offered to them also. If the miter insurgents come overground in response to that and after that if you provide rehabilitation, employment and other amenities to them, it will be a great success.

In the present situation, I would like to propose to the Union Government, particularly to the Home Ministry, that the time has come for the restoration of the popular government in Manipur. That is my earnest proposal and I hope that it will be considered very seriously by the Home Ministry.

Now I come to the problem created by intruding into Molcha by the Burmese. Molcha, as referred to by George Fernandes Ji, is a part of India and a part of the State of Manipur but it is referred to as being under the control of the Burmese Government, that is, the Myanmar Government. It is a fact. Some years back, the representatives of the Union Home Ministry and the Chief Secretary of Manipur and some other officials went to that site to find out the fact and there might be reports on that. I would like to urge upon the Home Ministry to look into that and try to settle the dispute in that area so that there may not be further problems there. As a matter of fact, the people of Manipur, particularly these youngsters or these insurgents who are underground, are very annoyed on account of this also. They think that the Indian Government is going to surrender a certain part of Manipur to Myanmar.

So, that is also one reason for their annoyance. So, I would like to urge the hon. Minister to look into it and settle it with that friendly country. It will be rather too late if we do not take it up earnestly very soon.

I would like to refer to another point, that is, about the extension of the Panchayati Raj Act or the Nagarpalika Act or the Autonomous District Council Act in the tribal areas of Manipur. It is a matter in which the Government must give a deep thought because it will be too late if they delay it. At the moment, there are District Councils which are looking after the development works of five districts. Although there are five districts, these District Councils are there in other areas also. So, I would like to know whether the Union Government is prepared to extend the Sixth Schedule in the tribal areas of Manipur and whether the Nagarpalika Act or the Panchayati Raj Act will be extended to those areas. But I have proposed for the extension of the Sixth Schedule to Manipur also, because at the moment it will greatly help the development of the tribal areas of Manipur. I would like the Union Government to look after that. I would also like to propose or support the extension of the Sixth Schedule to the hill areas of Manipur. This is my strong opinion.

Lastly, I will come to the present political situation in Manipur. In Manipur, we have tried to combat insurgency of the Naga extremists by keeping our Armed Forces. We are successful to some extent. But as Shri George Fernandes has just mentioned, sometimes the excesses of the Army create some problems. Sometimes, the police, while exercising their powers, are committing some excesses and when persons are arrested and kept in police custody, there are deaths under police custody. On account of that, there were many bandhs in Manipur. It has to be looked into very strictly so that there may not be excesses by the Armed Forces. Sometimes, the people are feeling that the Human Rights are abused there. I also sometimes

wanted to bring those facts before this House. But because of some considerations I never raised it here.

As a matter of fact, because of the excesses committed by the Armed Forces and the police forces, the Human Rights have been abused there. I would like to request the hon. Home Minister to look into that very seriously because it may create more trouble there.

So, with these words, I would like to support the Bill wholeheartedly and I hope that elections to the Panchayats and the Municipalities will be conducted, if it is possible, within six months.

17.10 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

When there are no elected representatives in the municipal council, the authority is with the administrators. They are not very much interested in taking up developmental work. The best thing would be to have the elections conducted at an early date.

With these few words, I thank you very much.

SHRI KABINDRA PURKAYASTHA (Silchar): Mr. Deputy Speaker, Sir, we are discussing the Manipur Municipalities Bill, 1994 which is to replace the ordinance promulgated on 24th May, 1994, when the State of Manipur was under the President's rule. It was brought under the President's rule on 31.12.1993. The Bill has been brought to supersede the then municipal council Act of 1976 and for strengthening of the local self-government. This Bill has been brought before Parliament and the provisions

sufficient for running and maintaining municipalities. But is simple promulgation of ordinance or enactment of law is not sufficient for implementation, the situation prevailed in a particular State is also to be taken into account? So long as a State is not normal, so long as there is no peace and tranquility and the people are not in happy mood, this Act cannot be implemented and that will have no impact on the people. This is the case with the State of Manipur. Practically, Manipur is a troubled State in all respects, politically, economically and socially. The state of affairs in the State of Manipur is something else. It is very surprising that the State of Manipur was brought under the President's rule and the Assembly is kept under suspended animation. When there are only 13 Members from the ruling party in a House of 60 Members, there is no chance of again reinstatement of a popular government. When all the political parties except the Congress are also demanding that this Assembly should be dissolved and fresh mandate should be taken, the Government is not taking any decision in this regard. I feel, this is also one of the reasons for the anguish of the people of Manipur.

MR. DEPUTY-SPEAKER: Kindly conclude. The time allotted was one hour only.

SHRI KABINDRA PURKAYASTHA: Secondly, I must say that the state of affairs in the State of Manipur is particularly very serious because of secessionist or insurgency activities which are going on in Manipur since long and this is also because of the partisan and discriminatory attitude of the State Government towards the youth of Manipur who are not feeling secure. The sentiment in the minds of the youth of Manipur is that they are not secure in India and they

[Shri Kabindra Purkayastha]

to them and there is also a mentality amongst them that the portion of territory of Manipur State has been taken away by Burma. One place has been given to Nagaland. Not only this, Compensation was not given properly to the riot victims and to the cultivators whose land was submerged by Loktag Hydro Electric Project. All these things created a sense of confusion and something like anguish amongst them.

Another problem has cropped up out of issue of identity cards. Identity card is very much essential particularly to the border areas. But in the minds of the people, there is a sentiment that there is infiltration and if infiltrators are given identity cards, they will become Indian citizens and this will create a very serious problem in future and this also had created anguish in the minds of the people of Manipuri youth.

Lack of economic development not only in Manipur but in the whole North Eastern States in another cause of present dismal condition in North East. Money has been spent but work was not done. During the period from 1949, from the date of its joining India till 1971, only Rs. 27 crores was given for developmental work and only when Manipur was declared as a full-fledged State in the year 1972, Rs. 540 crores were given to Manipur between 1972 and 1982 for developmental works but it is unfortunate that this money was mostly spent for maintenance of law and order but not for developmental work. So, this is also another cause of dissatisfaction or resentment among the people of Manipur.

Manipur has become practically a
s coming from
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just adjacent to Burma and the drug trafficking and addiction in Manipur is also a very great problem to Manipur and Manipuri youth believe that high officials, even including unfortunately the security personnel, who are there for guarding the border with Burma, collude with the smugglers with the help of the powerful Ministers.

The drug and other things have come to India. In that way, this has created a very severe problem throughout the State of Manipur. It has not only come to Manipur but also through Manipur it is also being spread to other States of the North-East. In this situation, what I feel is that this enactment, which is meant for setting up of Municipalities, Panchayats etc. cannot be implemented unless a conducive situation is created. A conducive atmosphere must prevail for the proper implementation of this act. In this situation, I feel that the Government has to look into how normalcy, peace and tranquillity can be restored not only in Manipur but also in the whole of the North-East. In this connection, I must make one point. A sentiment growing amongst the tribal population of the hill State that non-tribal should be expelled from their States. Because of this, class wars and conflicts are being spread. This is creating a great problem throughout the North-East which is not in the interest of safety and security of the country. The hon. Home Minister has also heard about it; he has also visited the North-East. He has got better experience. Considering this grave threat to the safety, security and integrity of the country, I hope he will look into the matter, he will try his best so that peace and tranquillity can come back and prevail throughout the North-East. When this situation prevails there, the Municipalities Act may be implemented there. Otherwise, an enactment of this nature, in my opinion, will become

fruitless. I hope a congenial situation will prevail and then this Act will be implemented in a proper manner.

With these words, I conclude.

DR. JAYANTA RONGPI (Autonomous District): Mr. Deputy-Speaker, Sir, in my view, in the given situation of Manipur, the very purpose of this Bill that is meant to set up the municipal bodies at different levels in the State of Manipur shall be defeated. This view has also been expressed by different speakers from different political parties. I share their views and doubts. I also take this opportunity to draw the attention of this House and also the attention of the hon. Home Minister to the fact that Manipur is a typical case of mismanagement so commonly and monotonously being observed in the North-East. The popular Government is not there. It is under President's Rule. There is a general tendency to blame the insurgency problem and the law and order problem if anything wrong happens in the North-East. Being in this Parliament for the last three years, I have seen the veteran political leaders always expressing the view that the people of the North-Eastern region should be brought on the mainstream of India. It is an approach. Here, I differ fundamentally and radically. I would rather say that the ethos, the cultural, social fabric of the North-East has got the resilience of the societies of the North-East, the dynamism of the societies of the North-East. It is in a position to lead the rest of India. But the situation is quite reverse. I have been observing here and hearing about the electoral reforms. So much noise has been made about it.

But in the North-East, in spite of having insurgency problem for so many decades, it is the only part of India where

even in the absence of the present incumbent the Chief Election Commissioner, Shri Seshan, even before the stringent measures, the most peaceful elections were held. If you go to the percentage of voters, it is higher compared to the other parts of the country. Even the democratic society is far better. But we have specially the Governments after Governments right since Independence and also some major political parties who are having unfortunately patronising attitude towards the North-Eastern region for bringing them to the so-called mainstream. But here I want to say that only the effect of so-called mainstream has spoiled the democratic society of North-East, has spoiled the peace-loving people of North-East.

Now in the case of Manipur, there is the President's rule not because of insurgency problem but the President's rule is there because of horse-trading which is one of the main characteristics of the so-called national mainstream politics. And that is what now also has started in Sikkim. I do not know who is responsible for this. This horse-trading has started in Sikkim, one of the most peaceful State in the North Eastern India. So, those people are forgetting this mainstream concept. I would rather humbly advise them not to mingle with the North-Eastern stream of India to get rid of so many social and problems presently faced by this country.

Secondly, the Government of India must have an introspection. It is easier to blame some foreign agency, it is easier to blame some disgruntled youth, it is easier to blame someone. But have we ever examined the intrinsic defect our policy, of our planning and of our economic policy? Are they suitable to the North-East? Until and unless we do this introspection and adopt a policy suitable to the North-East,

[Dr. Jayanta Rongpi]

the social and political upheaval for the North-East will continue and the present method of adopting some special laws, Special Armed Forces Act for Assam and Manipur has been there. But it has failed to curtail insurgency problem. We have banned organisation. We have banned NSCN; we have banned ULFA; we have banned PLA. So many organisations have been banned. Has it curtailed insurgency problem? No Rather the other day, a new outfit has come up. Accords after accords have been signed. Naga Accord was signed in 1971 in Shilong. I would only ask whether it has been implemented. Assam Accord was signed and the so-called foreigners' movement is there. I want to ask whether the Assam Accord has been implemented and whether the foreign nationals problem has been solved or not. Bodo Accord was signed on a month back. I want to ask whether the Bodo Accord has been implemented and whether the problem is solved. The answer should be no. This is the common pattern of handling the problem of North East. First, we ignore it when these are demanded peacefully. And when they become a law and order problem, then adopt some harsh measures, apply TADA, apply Assam (Special Powers) Act, ban this, introduce army, crush it and then after sometimes, you sign some accord and then there will be a failure of the accord to divide the organisation. ULFA has been divided between ULFA and SULFA.

Now Bodos are divided into different groups. Naga insurgents are divided into different groups and the result is, unfortunately, no. So, through you very dispassionately and without having any political intention I would like to draw the attention of the Home Minister as well as the House that we should have an introspection.

We must frame a new policy and for that we must first understand the North-Eastern society, its dynamism, its resilience, its strong points, its weaknesses in a proper perspective and after that we should handle the problem in a proper manner. And if we approach this problem only from political exigencies, if we want to handle this problem or approach this problem from the point of law and order or if we only want to approach this problem arising from doubt, these are not going to pay any dividends. Therefore, I would request the Home Minister to meet different tribal people and different groups, may be, through his agencies -and try to understand their problems and those problems which are genuine should be solved immediately without any delay. And while dealing with those problems, there should be straightforwardness. They should be able to say that this is the policy of the Government of India, that Government of India can do this much or that Government of India cannot do this much. That type of straight forwardness in their approach will go a long way in dealing with different issues of the North-East.

And so far as this particular Bill is concerned, I have got objection against one provision, that is, the dissolution. This municipal corporation can be dissolved, and of course, there is a provision that within six months or one year's time there should be elections. But in my personal experience, I have seen that there are different tribal bodies, different autonomous district councils, autonomous councils in the North-East where one of the main irritant is this provision of dissolution. And there is always a conflict between the State Government and the different subordinate local bodies. And when there is a political difference or other differences, they always dissolve these subordinate or local bodies. So, ~~there~~

particular irritant, this dissolution part, should be done away with. We have seen this dissolution drama in the case of Tripura Autonomous Council. We have seen the same thing in the case of the district councils of Garo Hills and Khasi Hills when they were with Assam and these dissolutions led to disbelief and mistrust and forced the tribal people of Khasi and Jaintia Hills to demand a separate State and ultimately the State of Meghalaya came into being. So, this particular provision of dissolution should be done away with, whether it is applied in Manipur municipal areas. If at all this provision of dissolution has to be there, there should be some checks and balances. And it can be met this way. If at all they have to be dissolved, they can be dissolved only after getting a report from a Commission and that Commission's report has to be submitted in the Legislative Assembly and after getting the approval of the Legislative Assembly only these corporations can be dissolved. This provision should be kept amending this present clause of dissolution.

With these words I appeal to the Government that keeping in view all the suggestions made by the hon. Members from the North-East, a comprehensive policy, a wholesome policy, a realistic policy should be framed so that the North-Eastern India can not only become a part in our international effort but can also lead the rest of India with its resilience and with its democratic fabric of society. Thank you very much.

[Translation]

SHRI HARI KISHORE SINGH (Sheohar): Mr. Speaker, Sir, the agony and sentiments expressed by the hon. Member who was just speaking, clearly shows the prevailing situation in North-
*es. I visited 3-4 states for a

period of two weeks and then informed Shri Chavan Ji in October 1992 about the manner in which condition of these states were changing. The role of Government of India in that changing atmosphere is becoming negligible. I had also requested the hon. Home Minister that in the absence of timely action, the condition would go from bad to worse.

17.36 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

There is need to pay more attention to the prevailing condition there. Just now one of our colleagues was saying that during the last decade the Central Government had been playing the politics of defection in the country which eclipsed all other sort of politics and unfortunately whenever they played the politics of defection tragedy occurred in the country. They have played such politics with Longowal Ji and as a result of that a tragedy occurred. Similarly they played similar politics in Srilanka and a big tragedy occurred in Tamilnadu. When you played similar politics in Assam, the brother of Assam's Chief Minister was assassinated. A number of political disputes cropped up one after the other but they go on with their policies of defection to get applause.

Many of our colleagues were mentioning the name of former Governor of Jammu and Kashmir because there was another Governor who refused to go there and the Government transferred him from Srinagar to Ahmedabad...
(Interruptions)

You are asking how all these things are linked with the Municipalities. You are talking about the decentralisation of local bodies but what happened in Karnataka? The elections were held there for District

[Shri Hari Kishore Singh]

Councils and Gram Panchayats but as your party did not get majority in District Councils that is why the results of those elections were postponed. The Panchayat Minister of Karnataka resigned over this issue. Even today, there are certain people in the Congress Party who know as to how to protect their self respect and dignity of the country.

I do not know why the Government interferes in the matters of the states, be it Nagaland, Manipur or Meghalaya. You know that a big capitalist was sent to topple the Sikkim Government because he was not given licence to run a casino by the former Chief Minister Shri Narbahadur Bhandari. That is why MLAs were kept in a farm house there as well as in Delhi. The hon. Minister should be aware of it. Whatever happened in Kashmir after toppling the Government of Dr. Farooq Abdullah, the same thing is going to happen in Sikkim today. I would like to caution the Government and the country through this House. Kashmir is burning today and same thing happened in Punjab. There is no Minister who can dare to visit Punjab without having proper security. Sheshan was hotly being debated in the House. It was just like Sheshan versus session. Had Shri Sheshan not postponed elections there. Sardarji would have not come to power there. Had the elections been conducted at that time, the Congress Party would have been deprived of having nine members to this House.

What I would like to say is that the committees constituted by the Government for North-Eastern states and for border areas would not be of much avail. The hon. Home Minister has constituted three such committees but it seems that there is no unanimity between the Home

Ministry and the Home Minister on these committees.. *(Interruptions)* The hon. Home Minister visits some places to do something and later on Shri Pilotji go there to mar the work done by him. This should not happen. The Home Ministry should be run by one Minister. It is a matter of pride that our country had Home Ministers like Sardar Vallabh Bhai Patel and Shri Y.B. Chavan... *(Interruptions)* Why the precious time of the House is being wasted on the petty issues of the States. Shrimati Sheila Ji would have taken rest there. Why you have bothered her? The policy of defection should be done away with. If any other party comes to power there, the heaven will not fall because we are all Indians. The Government should take a lesson from the prevailing situation there which has left the Government in a total fix there.

[English]

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI SHEILA KAUL): Sir, I am happy that a number of hon. Members have participated in the discussion on this Bill. What I have noticed is that nobody has spoken against the Bill. Ours being a democracy, everybody believes in democracy. And if we have wanted to bring democracy somewhere, it is welcome by our hon. Members. There were a number of speakers. Dr. Pandey had mentioned whether there were other States which had accepted this.

[Translation]

I would like to inform that except Manipur all other states have accepted it. That is why Ordinance was promulgated. Action is being taken on it. It will also be implemented in case of Delhi and Chandigarh. Manipur is a part of India and it should also be done there.

Prof. Kamson has given good views on it. There is district council act for the Hill areas about which he has made a mention in his speech. There should be no objection to it. This Bill is applicable to plain areas.

[English]

PROF. M. KAMSON (Outer Manipur): Madam, will you please yield for a minute? My point was like this. This Municipalities Bill is very good and I welcome it. But this Bill is applicable only to the plains and not to the hilly areas. Only 10 per cent of the entire territory of Manipur comprises plains and the rest is hilly area. Now Manipur has got 22,000 Sq.km. of which only 2,000 Sq.km. of plains areas is covered by this Bill. The rest of the 20,000 Sq.km. comes within the purview of neither the Panchayat nor the Nagarpalika provision. Therefore, I draw the attention of the Home Minister to this fact and I request him to ensure that the hilly areas will get their due share under the Sixth Schedule.

SHRIMATI SHEILA KAUL: Well, that is what I am also saying.

[Translation]

Shri George Fernandes has left the House. He has mentioned in his speech as to how a small village has relations with Burma. I am grateful to him for giving such information.

Shri Barman Ji has mentioned about the importance of democratic participation. It is also an objective of this Bill. Shri Yaima Singh Ji has supported the Bill. He has referred to the Finance Commission and has said that by doing so, the planning committee would be greatly benefited and it is necessary to

percolate its benefit to the grassroot level. You have to look into it. The sole purpose of this Bill is to enable the people at grassroot level to get benefit of it.

Dr. Jayanta Rongpi and Shri Purkayastha have also participated in the discussion. This Bill would provide socio-political status everywhere. It would pave way for the development of every area. This Bill would provide identity to the people.

Shri Hari Kishore Ji has gone. Whatever he has referred to in his speech is not related to me. The hon. Home Minister has become the victim of his wrath. That is why I could not understand whether he was supporting the Bill or opposing it. But it seems to me that he was in favour of this Bill because he believes in democracy as we all believe in it. I am very grateful to all of you for your overwhelming participation in the discussion on the Bill and giving a message to the people that we all are unanimous on this subject and we want that every one in the country should get his equal share.

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Chairman, Sir, the points raised by the hon. Minister are good but she has not replied to my question as to why this Bill was not brought in the Budget session and why it has been delayed this much. Had you brought it in time, you could have avoided the tendency of promulgating ordinance and there would have been no need to promulgate the ordinance. Please tell me about it.

SHRIMATI SHEILA KAUL: I have already told you about it.

[English]

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

MR. CHAIRMAN: Mr. Pandeya, are you pressing your Resolution?

MR. CHAIRMAN: The Minister may move that the Bill be passed.

DR. LAXMINARAYAN PANDEYA:
No, Sir. I seek leave of the House to withdraw my Resolution.

SHRIMATI SHEILA KAUL: I beg to move:

*The Resolution was, by leave,
withdrawn.*

"That the Bill be passed."

MR. CHAIRMAN: Now, I shall put the Motion for consideration of the Bill to the vote of the House.

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The question is:

The motion was adopted.

"That the Bill to provide for constitution and organisation of municipalities in the Urban areas of Manipur and for matters connected therewith and incidental thereto, be taken into consideration."

17.53 hrs.

STATUTORY RESOLUTION RE:
DISAPPROVAL OF PUNJAB MUNICIPAL
CORPORATION LAW (EXTENSION TO
CHANDIGARH) ORDINANCE
AND
PUNJAB MUNICIPAL CORPORATION
LAW (EXTENSION TO CHANDIGARH)
BILL

The motion was adopted.

[Translation]

MR. CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill.

The question is:

"That Clauses 2 to 231 stand part of the Bill."

The motion was adopted.

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Chairman, Sir, before moving the motion of disapproval, I would like to submit that though on close circuit T.V. my name is being correctly mentioned yet it is being indicated that I am elected from Maharashtra. However, I would like to submit that I represent Madhya Pradesh.

Clauses 2 to 231 were added to the Bill

MR. CHAIRMAN: The question is:

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): What is the problem in being shown as Maharashtrian?

"That clause 1, Enacting Formula and the Long Title stand part of the Bill"

The motion was adopted.

DR. LAXMINARAYAN PANDEYA: I have no problem. Mr. Chairman, Sir, I beg

to move :

"That this House disapproves the Punjab Municipal Corporation Law (Extension to Chandigarh) Ordinance, 1994. (No. 7 of 1994) promulgated by the President on 24th May, 1994"

I would like to reiterate what all I stated while speaking on the motion of disapproval regarding Manipur. There was ample time to introduce this Bill before that and it could have been got passed in the Budget Session. in the objects and reasons given it is mentioned that probably upto 30th May ground was not prepared for it and this is the reason for delay. I am of the opinion that if procedural delay had been avoided then there would not have been any need for this and the tendency to promulgate Ordinances could have been checked. The result of all this is that the House had to be adjourned *sine die* and summoned again. In between the Ordinances were promulgated. Had the House not been adjourned *sine die* then probably the Ordinances would not have been promulgated. The only reason for adjourning the House *sine die* was to give opportunity for promulgating the Ordinances and to introduce these laws.

I would like to submit that two-three things have been incorporated in it, like, there will be 10 elected Members and 9 nominated Members. Since both items are clubbed, therefore, my colleague Shri Prem Dhumal will especially speak on it. I do not see any logic in 10 and 9. If even a single Member is absent then the proportion comes to 9:9 as even the voting right has been given to the latter. In this scenario even proportion is not proper. From this point of view, amendments are needed to make it more logical. Population of Chandigarh is between seven and eight lakhs. Even Legislative Assembly Constituencies have

population between one lakh and 10.2 lakhs. If the constituencies of Corporators have 70 to 80 thousand population, then the constituencies will be quite large. Therefore, this needs to be changed. From this point of view amendments are needed and even could be made at this juncture.

Secondly, though the Finance Commission has been set up yet no financial powers have been conferred upon the Members of the Corporation. Financial powers should be conferred upon the Members. This is my submission.

I stated earlier that I would not be making any lengthy speech. I have drawn attention towards 2-3 points i.e. election of Members, Nomination and association of Members, and delimitation of the constituencies. Further, I would like to submit that though the term of the Mayor has been fixed for five years in a proportionate manner, yet it has not been made clear as to whether same person will remain on this post for the entire period or a woman, the members of the Scheduled Castes and the Scheduled Tribes etc. will be appointed Mayor by rotation every year. If this is the case, then who will be the Mayor in the 4th year. Prof. Prem Dhumal will also be taking part in the discussion. However, I am moving the motion of disapproval.

[English]

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): I beg to move:

"That. the Bill to provide for the extension of the Punjab Municipal Corporation Act, 1976 to the Union Territory of Chandigarh, be taken into consideration."

the Punjab Municipal Act, 1911, are still applicable to Chandigarh.

The Union Territory of Chandigarh came into existence on 1.11.1966 under the Punjab Reorganisation Act, 1966. The city of Chandigarh hosts the capitals of the States of Punjab and Haryana and is also the Headquarters of the Administration of the Union Territory of Chandigarh. The development and regulation of the city of Chandigarh is controlled by the Capital of Punjab (Development and Regulation) Act, 1952. So far this city does not have a Municipal Corporation. This Bill seeks to provide Chandigarh its first Municipal Corporation as mandated now, by Part IX-A of the Constitution. The Bill mainly seeks to provide a Municipal Corporation for Chandigarh by extending the Punjab Municipal Corporation Act, 1976 with suitable exceptions and modifications to the Union Territory of Chandigarh.

Part IX-A has been added to the Constitution by the Constitution (Seventy-fourth Amendment) Act, 1992 with effect from 1.6.93. With the insertion of Part IX-A, municipalities in States/Union Territories are to be constituted in terms of provisions of the Constitution. Article 243ZB of the Constitution provides that Part IX-A shall also apply to the Union Territories subject to such exceptions and modifications as may be directed by the President by Notification.

The Government of Punjab enacted the "Punjab Municipal Corporation Act, 1976" for establishing Municipal Corporations in large urban agglomerations in the State. This Act repealed, among others, the Punjab Municipal Act, 1911. The provisions of 1976 Act were, however, not made applicable to the Union Territory of Chandigarh. Thus certain provisions of

The city of Chandigarh has the following special characteristics calling for special treatment:-

(1) It is the Capital of the State of Punjab as well as of the State of Haryana and is also the Headquarters of the Union Territory of Chandigarh. Such a situation does not exist anywhere in India. It is necessary to make special provisions with a view to provide for this special character of the city, till such time as the political future of the city is decided.

(2) Le Corbusier's Chandigarh is one of the first planned cities of India and the Capital Project is still under execution. In fact, new phases are being planned for the future development of the Territory. It is essential that nothing should be done which would distort the aesthetics, the planner's vision and the architectural and design concept and the master layout plan underlying the basic character of Chandigarh.

(3) Chandigarh has to be given special treatment due to its transitional status as the common Capital of Punjab, Haryana and the Union Territory of Chandigarh.

18.00 hrs.

In view of the above special characteristics, it would be appreciated that any scheme for the governance of this area based on the conventional pattern of representative local self-Government would be unworkable.

In view of the above, it is proposed that the application of provisions of Part-IXA of the Constitution in respect of the

following articles may be modified to meet the above said special requirements:-

to Scheduled Castes in the third year of the Corporation.

(1) With regard to article 243 R on Composition of Municipalities, it is proposed to have nominated members also. Thus the composition of the Corporation will have the following elements:-

(a) Ten members to be directly elected.

(b) Nine members to be nominated (with voting right) by the Administrator.

(c) Chairperson to be elected by the full House (o.e. including the nominated members) from amongst the 10 elected members.

(2) With regard to article 243 T on Reservation of seats and office of Chairperson, it may be stated that in the Union Territory of Chandigarh no tribe or tribal community has been specified as "Scheduled Tribes" and thus, there is no question of any reservation in their favour. In the case of Scheduled Castes and women the provisions of the Constitution are to be followed in respect of seats to be filled by direct election. No reservation in favour of women belonging to backward classes is however provided. There would also be no reservation of seats in the case of nominated members. The office of Chairperson of the Corporation, to be known as "Mayor" shall be reserved in favour of a member who is a woman for the first and fourth year of the Corporation and in favour of a member belonging

(3) With regard to article 243 V on disqualification for Membership, it is proposed that disqualification, if any, relating to "Office of Profit" for the purposes of election to the House of the People may not be made applicable to the members to be nominated by the Administrator.

(4) With regard to article 243 W on Functions, it may be stated that all the functions included in the Twelfth Schedule of the Constitution and in the Punjab Municipal Corporation Act, 1976 as amended up to date are to be made the responsibility of the Municipal Corporation, except the following which are proposed to be retained by the Administration:-

(a) Urban Planning, including town planning.

(b) Regulation of land use and regulation of construction of buildings.

(c) Such important parks and stadia as may be specified by the Administrator.

(5) The Finance Commission and Election Commission constituted in the National Capital Territory of Delhi are proposed to be made responsible also for the functions in respect of the Union Territory of Chandigarh.

The Punjab Municipal Corporation Law (Extension to Chandigarh) Ordinance, 1994 was promulgated by the

[Shri S.B. Chavan]

President on 24th May, 1994 to fulfil the Constitutional Obligation. The Ordinance mainly extended the Punjab Municipal Corporation Act, 1976 as amended from time to time with some exceptions and modifications to the Union Territory of Chandigarh. The present Bill is to replace the said Ordinance.

Sir, I am sure that this Bill will be welcomed by all sections of this House. I commend this Bill for the consideration of the House.

MR. CHAIRMAN: Motions moved:

"That this House disapproves of the Punjab Municipal Corporation Law (Extension to Chandigarh) Ordinance, 1994 (No. 7 of 1994) promulgated by the President on May 24, 1994."

"That the Bill to provide for the extension of Punjab Municipal Corporation Act, 1976 to the Union Territory of Chandigarh, be taken into consideration."

[Translation]

PROF. PREM DHUMAL (Hamirpur): Mr. Chairman, Sir, Chandigarh is not only a modern city of North India, but of the whole of the country. It is known as the Model City. It has been a long pending demand of the denizens of Chandigarh to have their elected representatives to take care of the developmental works. For a number of years, this issue has been hanging fire and time and again demands were also made by various political parties that Assembly or Corporation should be given to the people of Chandigarh. It is the

tragedy of some persons, institutions or of some Governments that even the good work done by them is totally spoiled. Some things are done half-heartedly. Though the Bill moved is a welcome step yet the desired democratic spirit is missing. This Bill is not democratic to the desired extent. Though the Punjab Municipal Corporation Act has been extended to Chandigarh yet all the democratic provisions have been omitted.

Mr. Chairman, Sir, you must be knowing that Ludhiana, Amritsar and Jalandhar are having municipal corporations and the population of these cities is between 5 to 6 lakhs each. In these Corporations, number of elected Members is around 30 and under the Punjab Municipal Corporation Act some Members are to be co-opted.

SHRI UMRao SINGH (Jalandhar): This provision is only for the women.

PROF. PREM DHUMAL: Does not the Government think that women can also be the Members? Mr. Chairman, Sir, I would like to submit that for the 7,50,000 denizens of Chandigarh provision for only 10 wards has been made i.e. there will be only 10 elected Members. Besides this, 9 Members will be nominated. From all this, it is quite possible that if even a single Member of any political party gets elected and by using his influence on the Administrator can get 9 Members of his choice nominated to have a majority, then the political party having 9 elected Members will be reduced to minority. Therefore, I gave the notice of amendment to increase the number of elected representatives to 30. Generally, the population size of a Assembly constituency is not much different from the population size of the Corporation constituency. Therefore, all the

democratic provisions omitted from it should again be included. *(Interruptions)*

SHRI UMRAO SINGH: If Chandigarh is given to Punjab then there won't be any need for extending this Act as Chandigarh will automatically come in the purview of the very Act. *(Interruptions)*

PROF. PREM DHUMAL: You should raise this point at the party level. However, I support your contention. *(Interruptions)*

Mr. Chairman, Sir, under the proposed Bill the Corporation will be a mere puppet in the hands of the Administrator. Therefore, all the provisions of the Punjab Municipal Corporation Act should be included in it, which also has a provision regarding the co-option of any Member of any particular Section not already represented. I believe there are no evil designs behind making this sort of provisions and in fact it is the jugglery of the bureaucracy to keep the Administrator all powerful.

Mr. Chairman, Sir, in section-47 a provision has been made.

[English]

"Provided also that where the Commissioner holds a lien on any service under the Government, the administrator may at any time replace his services at the disposal of the Government."

[Translation]

In it, all the powers have been conferred upon the Administrator. These powers will be implemented by the Commissioner and this system will probably jeopardise the democratic set up

and kill the spirit behind setting up the Corporation. A provision has been made regarding replacement of the Commissioner by the Administrator. The Punjab Municipal Corporation Act states that -

[English]

"The Government shall recall the Commissioner. In fact, a special meeting of the Corporation called for the purpose of a resolution for such recall has been passed by a majority of not less than two-thirds of the total number of members."

[Translation]

In the Act powers to replace the Commissioner rest with the elected representatives. However, in the Bill power to replace the Commissioner will rest with the Administrator and not with the elected representatives. Similarly in section-71 power to appoint important functionaries will also rest with the Administrator.

[English]

"The Administrator shall appoint suitable officers to be respectively, the Municipal Engineer, the Municipal Health Officer, the Municipal Chief Accountant, the Municipal Secretary and the Municipal Chief Auditor and may appoint one or more Assistant Commissioners and such other officer or officers of a status equivalent to or higher than the status of any of the officers specified earlier in this sub-section as the Administrator may deem fit on such monthly salaries and allowances, if any, as may be fixed by the Administrator."

[Translation]

Mr. Chairman, Sir, the administrator is all powerful, having the discriminatory authority to fix the salary and allowances. Democracy is not the inspiration behind it and the elected representatives are not given due importance. Similarly, it has been stated in 71-B.

[English]

"Subject to the provisions of section 71, the power of appointing municipal officers and other municipal employees whether temporarily or permanent shall vest in the Commissioner."

[Translation]

Corporations should have powers. After going through the Bill, I have concluded that all efforts have been made to confine the powers to the bureaucracy and unfortunately the draft forwarded to the Central Government has been approved and all the powers have been delegated to the Commissioner. I would like to draw the attention of the Government to the fact that undersection 87, Punjab Municipal Act had empowered the Commissioner to sanction an amount up to Rs. 500 whereas here this amount has been replaced by Rs.10,000.

[English]

The words "five hundred rupees" have been replaced by "ten thousand rupees". Again you are replacing the power of the Commissioner here.

Then, Section 87(b) says;

in sub-section (4), for "five thousand rupees", substitute "one lakh rupees".

[Translation]

Punjab Municipal Corporation has the authority to sanction upto Rupees five thousand whereas the Chandigarh Corporation is being given the authority to sanction upto Rupees one lakh. This provision is something very peculiar. I would like the hon. Minister of Home Affairs to keep this point in mind. This is how more powers have been endowed to bureaucracy. I would like the Government to increase the number of elected representatives and reduce that of nominated members. At the same time, the powers of administrative officers should also be restricted. What the hon. Minister of Home Affairs has read out include the following extract.

[English]

"Provision for qualification relating to the office of profit". For the purpose of election to the house of people could not be applicable to the members to be nominated by the Administrator."

[Translation]

The provision relating to the 'office of profit' is applicable to the elected members but not to the nominated members. If a person is elected a member of the council and is also elected a Member of Parliament he would automatically be required to resign from the membership of the council within 15 days, otherwise his Membership of the Parliament would be cancelled. Here again the interests of the officers have been safeguarded. However, the provisions made with regard to the nomination of Mayors are appreciable. It is good that opportunities for women as well as scheduled castes and scheduled tribes have been widened for this office.

At the same time, the number of elected representatives should be increased. The more their representation, the greater number of suitable persons would be there. Otherwise the practice of nominating nine members would continue. We would like that Shri Pawan Kumar, the only Member of Parliament from there, should also be given adequate power in it, so that his burden is lightened. Besides, the veto power of Chief Commissioner should be withdrawn.

I would support this Bill with the condition that the hon. Minister would accept the suggestions and amendments proposed by us.

[English]

SHRI PAWAN KUMAR BANSAL (Chandigarh): Mr. Chairman, Sir, it is with a feeling of genuine pleasure that I rise to welcome an initiative intended to establish a form of democratic set up for the Union Territory of Chandigarh. This meets a long pending and persistent demand of the people of Chandigarh. Conceptualizing the new city of Chandigarh in the early Fifties, Pandit Nehru had termed it as a symbol of modern resurgent India. Initially, Chandigarh grew up very slowly and people had to be coaxed, cajoled and even tempted to come and settle down in Chandigarh. But as the time passed expectedly the pace of development picked up and with that surfaced many concomitant problems.

In a democracy, people often look to the Government at the local level for redressal of their grievances and for the solution of their problems and if we have to really understand the meaning of and believe in democracy, I think, we must partake and experience democratic governance at work at the local level. This

experience somehow the people of Chandigarh miss all these years. No doubt it is a modern city, as I said earlier, it has rightfully earned for itself the epithet of "the city beautiful". It epitomises openness of thought and action and it symbolises a free spirit and has over the years attracted people from all parts of the country. Today, it is what you could call a symbol of, and represents the composite common culture of India. In fact, it can veritably be called a mini-India. While we revelled in this glory there was always one factor which did cause some sadness to us and that was the absence of a local self-Government, a democratic Government, responsive is to the yearnings, to the needs and to the aspirations of the people. Chandigarh boasts of having the best educational institutions in the country. As the hon. Home Minister has said, it occupies a unique position in as much as it is the Capital of the State of Punjab as well as that of Haryana, and it houses the headquarters of the Union Territory also.

Sir, there is a vibrant industry there, there are important institutions of research, and other prestigious institutions. But the dawning of a feeling that perhaps we were not considered mature enough to govern our own affairs through a local-self-government, came as a big set back to us over these years, particularly when the democratic advances all over the world have led to decentralisation of power. Today, the hon. Home Minister has earned - and I say this from the core of my heart - the gratitude of the people of Chandigarh by introducing this Bill.

Rajiv Ji had veritably termed the revamping of Panchayati Raj institutions and Nagarpalikas as a major milestone in our pilgrimage to democracy. Shri P.V.

[Shri Pawan Kumar Bansal]

Narasimha Rao, has honoured Shri Rajiv Ji's will and testament by bestowing Constitutional mandate to these institutions of local self-government. These provisions would henceforth enable Panchayats and Nagarpalikas to be vibrant institutions of local self-government and will enable them to develop as village and city republics, in consonance with the ancient Indian practices.

It is in this conspectus that I consider this occasion to be an occasion for the people of Chandigarh to celebrate and, at the same time, to resolve that given an opportunity, we should set, and we would set, an example in local governance and district development planning, with active participation of the people, with active involvement of experts in various fields of activity, like chartered accountants, engineers, architects, town planners, people expert in landscaping, people expert in public health, etc. Here I would like to say that when I say that 'given an opportunity', I think the 'hon. Minister of Home Affairs and the Prime Minister know that the people of Chandigarh, irrespective of what faith they have, what party affiliations they have, they all wish Chandigarh to be retained as a Union Territory. And this is not contrary to the interests of Punjab. Punjab has its offices there. It is the Punjabis who reside there. I am a Punjabi. I had the good fortune to represent Punjab in Rajya Sabha for six years. But still I feel that given the assistance that we have from the Centre, give the situation in which Chandigarh occupies a unique position, of which we have talked, given the position that Chandigarh should be developed from various points of view as a convention city, as a week-end tourist resort, as a centre of sports, as a centre

of excellence in education, as a centre of excellence in medical care and also as an important gateway to Himachal, I do want to take this opportunity to emphasise that Chandigarh should be retained as a Union Territory, and I hasten to add that this is not contrary to the interests of Punjab. Rather it would save us from spending thousands of crores of rupees on building up a new capital for Haryana.

Coming back to the Bill before us, the setting up of the Wards Committees and other specialised committees, in which many other people would be involved, would further strengthen the concept of participatory democracy. I do agree that we people, the residents of Chandigarh, taking pride in the fact that we are residents of a city like Chandigarh, would have wanted many many more powers.

We would have definitely wanted that once you are extending the Punjab Municipal Corporation Act to Chandigarh, there is no reason really to give more powers to the Commissioner taking away those powers from the Corporation which are enjoyed by other Corporations. But here, I again feel and I would beg to differ with Dhimalji that the bureaucrats and the politicians are not to act as adversaries. We are partners in progress. We have to perform our own duties. I have no doubt that whoever be the Commissioner, whosoever be the incumbent, he would not work against the city's interests. I am sure that he would supplement the work of the Municipal Commissioners and I would say, to begin with, may be it would be even in the interests of the Councillors that the powers come to them slowly and over the period we evolve a very effective instrument of local self-Government.

Sir, I also do not find fault with the concept of nominating Members as is sought to be done in the case of Chandigarh, because I feel that this provision would be utilised for bringing to the Corporation and for enabling the Corporation to draw benefit and help from the experience of experts in different specialities that I have referred to earlier. But I do want to take this opportunity to emphasize that a sort of imbalance and an aberration, if you would permit me to use that word, has crept in, because of the number of elected Members being fixed at 10 against the number of nominated Members as nine. It should be corrected and it should be rectified.

Sir, the hon. Home Minister was kind enough to respond to this yesterday also at the time of introduction of the Bill and I have moved an amendment for raising this to 20. This, I feel and feel genuinely, convincingly, is a just demand of ours. As we know, various other cities in Punjab and Haryana have a number of elected Members which is much more than this. It goes upto 50 in certain cases and in that background, I think, it is absolutely essential to have 20 elected Members. That is the number which I have suggested in my amendment and I would urge upon the hon. Minister of Home Affairs to kindly consider accepting that amendment, because only then I feel we would lend true meaning to the word "democracy". That would really make the working of the Corporation purposeful. There are certain other amendments which I have submitted. Some of them are just formal in nature and one is intended to meet a contingency in case of a vacancy arising in the office of the Chairperson of a Ward Committee because of the death or the resignation of the only Councillor who may happen to be the Chairperson of that Committee. I am sure that the hon. Minister would find no fault with that and would accept that.

Sir, I do not want to dwell at length on any other matter. But I would only like to refer to one point which Dhumalji referred to and that is about the role of a Member of Parliament. Though the constitutional provision added recently leave that to the various State Governments, I think - that is my personal opinion, I have held that opinion earlier - that a Member of Parliament need not be on the Municipalities or the Panchayats. Only then I suppose we will be able to perform better at places where we are supposed to be doing and we must have abundant faith in the representatives chosen by the people. I am sure they will do a wonderful job there and we need not really worry as to why the Members of Parliament are not being added.

Sir, I appreciate the pressure of time under which this Bill had to be prepared. I thank the hon. Minister once again for ensuring that Chandigarh is not deprived of this institution. But I find that the exercise to pick up the Punjab Municipal Corporation Act and making wide ranging changes therein has resulted in preparing a cocktail which is not very tempting.

18.31 hrs.

[SHRI P.C. CHACKO *in the Chair*]

Various provisions including sub-clause (2) (a) of clause 2 and various other provisions, which I just glanced through require polishing. I do not know whether my translation would be apt but falling on an Indian proverb, I may quote - if I have got the mangoes, I have no business to count the trees.

I thank the hon. Minister for giving us the corporation. But I do once again urge him to accept my amendment for raising the number of elected members to 20

DR. MUMTAZ ANSARI (Kodarma): Mr. Chairman, Sir, it is a very good step on the part of the Government to enact one important law in order to extent the Punjab Municipal Corporation Act, 1976 to Chandigarh, as it has been time and again, repeatedly sought by hon. Shri Bansal who represents Chandigarh.

Chandigarh is a very unique place, very beautiful place, very important place, very strategic place, mini India, tiny India. At the same point, he just pointed out, "We are not mature enough. That is why, we were deprived of such type of municipal corporation".

SHRI PAWAN KUMAR BANSAL: I had said, "It saddens me to learn that others are not feeling about that".

DR. MUMTAZ ANSARI: Real corporation has not been given to you. That is why, you should not be so much thankful and grateful to your hon. Minister. Whatever corporation has been just given to you, whatever Act has been extended, that is going to be another Act, namely, the Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994, there is not going to be real corporation. One provision has been rightly objected by Prof. Dhumal about the number of seats. What are the numbers? 10 members are elected and nine members are nominated. Through back door, your Home Minister or the Central Government wants to control the entire thing. They will be nominated by the administrator. What is the difference now, whether you give corporation or municipality? Whatever good name you may choose, that is not going to make any sort of difference.

Chandigarh has so many institutions, so many medical institutions, so many engineering institutions, so many educational institutions and technical

institutions. It is a very good place. But what care has been taken by your hon. Home Minister? It is only 10 members who will be elected and the whole population is composed of 7,50,000 people whereas in a smaller town, there are about 30 members or 40 members. Here, only 10 members will be elected. This is a very important town, very model city of the country itself. It is a cosmopolitan town. People are just flocking to that place from all corners of the country. This is going to cultivate a very good culture. It is going to be a very exemplary place for the country. These are all features which you may say in louder tones. About the nine nominated members, I would request the hon. Home Minister one thing.

If you really want to react the benefits of democracy to the lower ladder of the people, in that case, instead of just enacting such a law, or giving such type of Corporation which may be considered to be a State Corporation, unreal Corporation, I would like to request you that you give a real Corporation to Shri Pawan Kumar Bansalji and then he must be very happy and we all will be very happy. Whatever amendment has been put into effect and whatever has been suggested by Prof. Prem Dhumalji should be put into effect so that this institution may be made completely democratic. Why these nominated Members?

Another flow which is flowing from this very Act is, all these nine nominated Members will not be disqualified on the ground of office of profit. Why this fake provision? Why this sort of discrimination? Once you become a Member of Parliament or Assembly, or of any democratic institution, you cannot hold office of profit and, in such a case, it is a glamorous Corporation which is given to Shri Pawan Kumar Bansal. Here you are

making such a type of provision that they will not be disqualified on the ground that they are holding office of profit. This is also anomalous. This is also full of shortcomings and drawbacks. This provision should also be amended and whatever suggestions have been given by Prof. Prem Dhumal indicate that the power has been entrusted to administrators or Commissioners or Special Officers and, whatever provision is there, Special Officer will also be appointed and Commissioner will be empowered with larger dimension of powers. What all these Members will be doing there? At the same time, you suggest that there are certain categories or functions which will be looked after by the Chandigarh Administration because Chandigarh is a unique place. It is claimed by Haryana, by Punjab (*Interruptions*). Whatever the Home Minister was pointing out. At the same time, this is Union Territory also. That is why, there will be some bifurcation and demarcation between the functions. Certain functions will be looked after by the Corporation and certain functions will be looked after by the Chandigarh Administration. Why such type of overlapping of duties and responsibilities and overlapping of work? Building construction, land use and parks and stadia and many such things will be looked after by Chandigarh Administration. What work will be looked after, what sort of work will be given, what sort of duties and responsibilities will be entrusted to Members of Corporation? This is also full of flaws.

This is a good step. Wherever you are trying to restore democratic institutions, all Opposition, cutting across all Party affiliations, are ready to welcome and support you. It should not be only an eye-wash. You are just washing the eyes

of the people. You are not giving concrete things and benefit of democracy. Ours is the largest democracy of the world. We are proud of our own democracy and legacy. But, at the same time, whatever you are doing, whatever the Central Government is doing, is just making an eye-wash. That is not the real thing. That is not restoring real democratic institution.

These are my simple suggestions. Whether you are just giving or making extension of Municipal Corporation Act, Punjab Municipal Act, 1976 or whatever you just translated into action or Punjab Corporation Amendment Act, 1994, it does contain clear-cut provisions. What sort of Corporation will it stand for, what will be the duties and responsibilities, what will be the functions, what will be the powers of Commissioners, the powers of the Chairperson? You are just making a mockery. All these nominations of persons will be made by the Administrator and you are giving equal voting rights also to the nominated Members.

We do not have any complaints, we do not have any grievance about whatever decisions that will be taken by all the elected members. But, at the same time, you are just giving powers, all voting rights to such nominated members. They are not only nominees but also they may be considered to be the puppets and stooges of the Government officials and administrators. They will be holding the office of profit also. They will also be just serving in certain departments. At the same time, they will be nominated. What is this? This is not democracy. This is a mere play of a drama of the bureaucracy. So, we do not want the empowerment of the bureaucrats of the democratic institution. We want to have a real democratic institution so that it can be subservient to all the needs, aspirations

[Dr. Mumtaz Ansari]

and ambitions of the local people. Chandigarh is a very unique, important, strategic and a very beautiful place. It is a tiny India or Mini-India or whatever you may call it. Naturally, you must give a democratic shape, a democratic character to this Corporation. Then, we will be happy.

With these reservations, with these doubts and with these suggestions in our mind, we are ready to support whatever democratic step you are taking. With these words, I conclude. I am very much thankful to the Chairman for giving me this opportunity.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Mr. Chairman, Sir, I welcome the Punjab Municipal Corporation Bill. But through you, I would like to submit to the Government that if they want to feed somebody they should feed him to his satisfaction, underfeeding is of no avail. Chandigarh is being expanded. Therefore, adequate powers should be given to the Municipal Corporation which is proposed to be set up in Chandigarh and the number of elected representatives should be increased there as it is in several other cities of Punjab like Jalandhar, Ludhiana and Amritsar.

As it has been pointed out by the hon. Minister of Home Affairs Chandigarh has its own distinct feature. It is a unique city situated in the foothill region with greenery and gardens all around, having modern culture and splendid buildings. Chandigarh has emerged as one of the most beautiful cities of modern India, exactly as conceived by Leo, the founder of this city. Earlier, we were proud of our cities like Jaipur and Delhi for their master

plans. However, Chandigarh was planned sectorwise. It is a matter of great regret that after many years of independence, the city is rather losing its splendour. Slums and unauthorised colonies have come up there which diminishes the beauty of Chandigarh. The Government should make provision of small houses for the inhabitation of people in such cities.

Chandigarh happens to be the capital of two states Punjab and Haryana and also that of its own, being a union territory. The Central Government should provide special aid for the development of Chandigarh. The Government offices of Punjab and Haryana are located there and the Government officials as also the Governor have official residences in the city itself. They should also get their due right to participate in the development of this city. At the same time the feelings of the local residents should also be given due consideration. Earlier, an agreement was signed by Shrimati Indira Gandhi followed by an agreement between Rajiv Gandhi and Sant Harchand Singh Longowal. At one time, Chandigarh was proposed to be given to Haryana and at the other time it was proposed to be given to Punjab.

The decision to make Chandigarh a Union Territory was taken in 1966. It is after a period of 28 years that the Government has awakened. The Government which claims to work for democracy has so far failed to provide democratic powers to the people in the form of Municipal Council, Municipal Corporation or an elected body. It is really not justified. It is better late than never. There is a provision of 10 elected members and 9 nominated members in it. I would not like to repeat it but an amendment must be made in it and the number of elected representatives should be increased to at least 30, so that the

entire region can be divided into various smaller constituencies and the representatives may pay proper attention to their respective constituency thus leading to a balanced and proper development. Final decision to this effect should be taken just now.

On one hand Chandigarh dispute was associated with Satlej Yamuna Link canal problem while on the other, there was a demand for funds to develop a new capital for Haryana. People of Punjab claim their right on Chandigarh. My personal opinion is that we should respect the feelings of the people of Chandigarh also. As long as this is not done, system of Municipal Corporation should be so much strengthened that it becomes an ideal city for Punjab, Haryana and Himachal Pradesh, and symbolise the unity to the country. The Government should keep this point in view.

I would also like to point out that under the provision made in this Bill, the autonomous bodies will have a 5 years term. But the administrator have been endowed with such sweeping powers that he can dissolve the elected Municipal Corporation on any pretext before its term expires. Besides, provisions for constituting Finance Commission and generating financial resources have also been made. Moreover, women and scheduled castes and scheduled tribes would avail reservation. If the total number is increased to 30, it would be easy to fill the 33 per cent reserved quota for women and also the scheduled castes and scheduled tribes candidates in proportion to their population. Besides, this would enable to give appropriate representation to the various sections of society.

I through you, I would like to draw the attention of the Government to

another problem. Today, majority of the people of Chandigarh speak Hindi. Mother-tongue of majority of the people there is Punjabi but they do write, read and speak Hindi. The entire work in all the Union Territories is done in English. Therefore, the Government's policy should be implemented in Chandigarh also so that Hindi gets its due status there. Punjab University which happens to be one of the oldest universities of the country is located there, Dayananda Shodh Path, PGI and many other prestigious national institutions are also there. Brilliant candidates of All India level should be admitted there without any discrimination. From language point of view also, it is a sensitive city. Therefore, special attention should be paid towards it. This is what I would like to submit through you.

There is a need to inculcate civic sense among the people. I feel that the rate of literacy in Chandigarh is considerably higher than that of other cities, and this city is a very important city from all points of view. Chandigarh also provides a base for Laddakh, Jammu and Kashmir and other border areas. Security arrangements should be strengthened there from all points of view including Air force, army supply etc. It is a matter of great joy that in Punjab terrorism has been wiped out and peace and harmony restored. We wish that peace and fraternity is maintained there since Chandigarh is a Union Territory, it is the responsibility of the Central Government to make special security arrangements there.

With these words I welcome the Bill introduced by the hon. Minister of Home Affairs, but a very intricate situation has arisen there. So the Government should bring about a change into it and set up Municipal Corporation in the real sense

[Prof. Rasa Singh Rawat]

having the number of elected representatives to 30 symbolising modernity, unity, cultural and secular features of the country so that the beauty and social pattern of the city could be maintained.

Today, water level of Sukhna Lake, a boating resort is receding due to siltage. The construction of unauthorised colonies has obstructed the flow of water into it. Similarly, like Chandigarh, the environmental degradation is affecting Pinjore Garden.

Adequate attention should therefore, be given to the conservation of environment in Chandigarh.

With these words, I support this Bill.

SHRI JAGMEET SINGH BRAR (Faridkot): Mr. Chairman, Sir, I am grateful to you for providing me an opportunity to speak. Though I had not given my name, yet you allowed me to speak.

I welcome this ordinance because it will give a democratic set up to Chandigarh. I agree with the hon. Members Dhumalji, Pawan Kumar Bansalji and Ansariji who feel that 9-10 Members are not enough. In view of the population of the Union Territory Chandigarh at present and the fact that people from all the parts of the country and coming and living there, there should be at least 15 to 20 seats. Both the ruling party and the Opposition parties have presented amendments. I would like to make a submission that their suggestions must be given due consideration because it will not be in the interest of democracy if bureaucracy gets hold of this corporation through this ordinance.

I would like to say something through you. Pawan Kumar Bansalji is our learned and a very popular Member from our region. He represented Punjab in Rajya Sabha for six years and he maintains as he represents Chandigarh, that Chandigarh should remain a Union territory. He said that the people of Chandigarh want that Chandigarh should continue to be a union territory. I will like.

[English]

put the record straight.

[Translation]

It should not be surmised that the presentation of this Ordinance has reverted the process or that Chandigarh will not be given to Punjab or no decision will be taken in regard to Chandigarh because for the last 28 years the people of Punjab have been waiting patiently to see whether the Government takes a decision regarding Chandigarh or not. Thus, it should not at all be taken that Chandigarh Union Territory is proposed to be extended through the Ordinance. It does not also mean that Chandigarh will permanently remain a Union Territory. Through you, I would like to bring it to the notice of the House that this beautiful city, Chandigarh was designed by the French Architect i.e. Corbousier by displacing people of seventy villages of Punjab and those engaged in agriculture in the lower hilly areas of Shivalik hills. That is why, the people of Punjab are emotionally attached to this city, though several people maintain that it is a white elephant and it is good for nothing. Our leader of Opposition, Shri Atal Bihari Vajpayee is also present here. I would like to say from the national point of view that the first section of the Rajiv-Longowal accord States that

[English]

Chandigarh will be handed over to Punjab by 26th January, 1985.

[Translation]

This is the spirit of that accord. Punjab has witnessed peace after 10 years and we should give a signal to that effect here in the House. This is the simplest condition of that accord.

[English]

Shri Surjeet Singh Barnala, the then Chief Minister of Punjab, was made a hero in Parliament. It was said, at that time, that Chandigarh would be handed over to Barnala's Government because they have saved the country.

[Translation]

If today the House sends out a signal to the effect that Chandigarh will continue to be a Union Territory. With great humility, I would tell the hon. Minister of Home Affairs that it may not prove to be a good signal for Punjab as they may feel that such a decision is a tragic blow to their sentiments and to their emotional attachment with Chandigarh. That is why, I will not talk much about it. I respect him a lot. I would like to say something about the over-bureaucritization which has crept in the Ordinance. It may not be in the notice of the hon. Minister of Home that some people in Chandigarh belong to Scheduled Tribes also. But nothing has been said about the seat nomination for the Scheduled Tribes. These tribes include 'Nūt', 'Gadeer', 'Sapere', 'Sansi', and Raisikh. The Patidar tribes have been demanding for it since long. Some Bihari labourers and people of other tribes are also there, there should be a seat

reserved for them also so that they could be emotionally attached to it.

With these words I welcome this Ordinance but in view of the over bureaucritization, which has been proposed through this amendment, I would say, that it should be improved upon.

[English]

SHRI UMRAO SINGH (Jalandhar): Mr. Chairman, Sir, I would like to say a few words on this Bill. Because after reading the various provisions of the Bill and after seeing the Constitution amendment on Panchayati Raj and Municipal Committees, I have every doubt whether this Bill is strictly constitutional. The validity of the Bill is linked with the Constitution amendment of Municipalities. Under that amendment which is a part of the Constitution there would be no nomination of any person in any Committee, whether it is a Panchayat or a Municipal Committee. Similarly, regarding the powers and elections also the constitutional provisions clearly narrate the powers as to how the Committees are constituted, how the members are elected and how the powers are executed. I have a doubt that this Bill does not strictly adhere to the constitutional provisions. According to me it is likely to be struck down because it is unconstitutional, because it is not in accordance with the provisions of the Constitution and the spirit of the Constitution as adopted by this House. The House has adopted a principle that any member of a Panchayat or a Zilla Parishad or a Municipal Corporation or a Municipal Committee has to be elected. That is one aspect which has to be looked into. I am sure, if we have any doubt about that, we shall try to find out the legal position before getting this Bill enacted.

[Shri Umrao Singh]

The second thing I would like to point out is that we have two satellite towns, one in Haryana, Panchkula and another in Punjab which is Sahibzada Ajit Singh Nagar. After the amendment of the Constitution we had notified area committees in those satellite towns. After this amendment proper Municipal Committees have to be established in Mohali and in Panchkula also. According to the constitutional provisions and the Punjab Municipal Act these committees will have to have elected Members only. In the satellite towns we will have all the elected members and in the main city we will have some elected and some nominated. I think that will also give heart burning to the people of Chandigarh. If I see clearly I would find that this is the outcome of the Government of India, 1935 Act.

19.00 hrs.

It is not according to the present constitutional thinking of the people of India about the election. So, I think, this situation should be corrected. Otherwise, we will face difficulty.

Well, we have a municipal corporation. Tomorrow, Mr. Bansal, after having established the corporation, like other Union Territories, there will be a demand for a mini-assembly. Then, they will ask for statehood.

SHRI PAWAN KUMAR BANSAL
(Chandigarh): No, no.

SHRI UMRAO SINGH: I am sure, you cannot give a guarantee to the whole city. You are an elected representative. This demand is bound to come because it has come from Pondicherry. It has come from Goa. It has come from all other

Union Territories. That will complicate the matters. I hope this aspect should be seen because there are other problems also. Chandigarh is facing an acute water and power shortage. They expect water and power from Punjab. We have to see the overall picture as to whether establishing such an undemocratic municipal corporation there will be beneficial to the people of Chandigarh or would, in any way, harm our relations with Punjab and Chandigarh.

I would like to say here about the announcements starting from Indira Gandhi Award. We would like to implement it. It was not implemented because Haryana had backed out of that accord.

Then come the various commissions. The commissions have given Chandigarh to Punjab. The latest Rajiv-Longowal Accord has given it to Punjab. I hope this legislation may not be altered in future. When we have elected people sitting there, they can pass any sort of resolution. Then, it will create a difficult situation. I agree with my other friends, especially my friends from the BJP, that we should not have a corporation which cannot represent the aspirations of the people. You see, we will have a new problem because our friends from the BJP recently had a new 'samjhauta' with the Akali Party. Now they will have a difficult position.
(Interruptions).

MR CHAIRMAN: Please come back to the Municipal Corporation law.

SHRI UMRAO SINGH: The only solution is that Chandigarh should be merged with Punjab as quickly as possible because this is linked with water dispute. Haryana is very keen that we should have that dispute settled. When

we are going to settle this dispute, Chandigarh will automatically go to Punjab soon. There is no dispute about it because Haryana is agreeable to have money. They are prepared to have their own capital. I think, by having this new Act, which is not in consonance with the Constitutional provisions and which is not in consonance with the Punjab Act, will create a lot of complications in future. So, I hope, all these aspects would be looked into by the Home Minister.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Mr. Vice-Chairman, at the outset, I would like to express my grateful thanks to all the hon. Members for giving their support to the Bill though each one has his own reason as to what aspects should be specially kept in mind. First, I will have to refer to hon. Member, Shri Pandey. Actually, that point was raised yesterday. I have already replied to that point. Since he has raised that point, I will again have to bring to his notice. I am in full agreement that, as far as possible, we should not bring in Ordinances. This is an abnormal situation where the House was not adjourned sine die and still we had to prorogue the House and for very valid reasons. After all, the rules are being made by the House and the constitutional obligation is also there on the House.

In order to fulfil the constitutional obligation, if the House had to be prorogued and for a very valid reason, we had to take recourse to such a step, I don't think there is any justification for opposing it. Of course, it should not be used as a kind of precedent. I fully agree with the view that as far as possible, this kind of a situation should be avoided. That is a point well taken. But in this case, we had hardly any other option. Otherwise, before 31st, it was impossible for us to get this Bill passed.

My learned friend Shri Umrao Singh and hon. Member Shri Brar have expressed certain apprehensions. I do understand the constitutional and legal objection raised by our hon. friend. Not that he is not aware of the legal position; yet for his information, I can tell him that I had consulted the Attorney General. He need not have any apprehension at all on legal and constitutional grounds. But the cat was out of the bag when he said that his apprehension was that this might be used for converting the Union Territory into some kind of a statehood. So, his apprehension was that Punjab might lose this city. This is the reason why constitutional objections have been raised by my hon. friend. I may assure him that so far as the Central Government is concerned, we are firmly of the view that we are not going to give statehood to Chandigarh. Let there be no apprehension in the mind of anyone that Chandigarh is going to be a State. I can understand their feelings and that exactly is the reason why it took so much time for this Bill. It took me considerable time and labour to convince our hon. Chief Ministers of both the States that they need not have any fear on this count. Though they did not specifically say so in so many words, I can well understand what is going on in their mind. I could bring them together with great difficulty to agree to this kind of a formula or pattern by which we can have both elected and nominated members. Since it was a constitutional obligation that we had to fulfil, they could not possibly take any objection to it. After their agreement only, we could finalise the draft of the Bill. That is why it took considerable time and that was one of the reasons why this could not be done while the House was in session last.

Now I come to the rest of the points raised by some hon. Members. Having raised the points, I think they are duty-

[Shri S.B. Chavan]

bound to be here to hear the reply. If they are not present, I am not duty-bound to reply to their points either. It is not correct on the part of the hon. Members to raise certain points and then not be present when reply is given. If they are not present, should I or should I not give reply is the point which, in fact, is in my mind.

Certain points were raised to the effect that we are trying to do something new in the case of Chandigarh only. The Commissioner in all the Municipal Corporations, is supposed to be the Executive Head. It is not only in Chandigarh but in all Corporations also, all executive powers are given to the Commissioner. So, there is nothing new in what we have done in this case. On the other hand, while some powers have been given to the Commissioner for recruitment of certain personnel, the rest of the powers which, in fact, should be exercised by the Government with regard to Class I and Class II services, have been given to the Government. This is the kind of arrangement that we have made. I don't think there should any kind of apprehension in anybody's mind.

Hon. Member Shri Ansari, who is not present here, wondered as to what powers are given to the Corporation. Well, I can tell him that barring three subjects - and that too from the point of view of architecture of the city - all the other subjects are with the Corporation. In fact, architecture, planning and stadia are the only three areas which are left with the Administration and the rest of the subjects are all given to the Corporation. If the hon. Member is interested, I can give a long list of 15 to 16 subjects which in fact are the responsibility of the Corporation.

I can understand the feeling of the hon. Members that there seems to be a weightage given to the nominated members. Compared to the number of the nominated members, the number of the elected members seems to be not that big.

That is why I would like to clarify at this stage itself that I am going to accept the amendments moved by hon. member, Shri Bansal to the effect that instead of 10, the number of Members who are to be elected should be 20. After this I do not think there should be any kind of apprehension in the minds of the hon. members.

A point was raised by Dr. Pandey regarding the Finance Commission which is going to be appointed. I may inform the House that all the Union Territories of Delhi and Chandigarh we are going to appoint one Finance Commission and one Election Commission. The Finance Commission will have uniform powers with respect of all Union Territories. The Election Commission and the Finance Commission which are going to be appointed will be of a particular pattern and the same is going to be the case for Chandigarh also. There has been no discrimination whatsoever and these Finance Commissions and Election Commissions will definitely function as full-fledged autonomous bodies.

I do not think that I need to say anything more on this. I assure the Members that we certainly do not have any intention to reverse the process started in the Rajiv-Longowal Accord. We have not at all come before the House for this purpose. Our aim is only to meet the aspirations of the people for local self-Government in Chandigarh. It does not necessarily mean that we propose to

reverse the entire process. Let me assure the hon. Members who seem to have any doubt in their minds that this Bill only aims at giving powers to the local self-Government. Yesterday I did say that this is a disputed territory but what I wanted to say was that the political future of Chandigarh has not yet been decided. If there is any apprehension because of that wording, I request the Members to kindly remove that misunderstanding. I did not mean that.

I do not know why Mr. Bansal said that some of the people in Chandigarh feel that they are not mature enough to govern their local bodies. I think Punjab and especially Chandigarh can definitely boast not only for its beauty but also for producing very eminent persons. That is why we have this provision of nominating persons of eminence to the Upper House. You have a large number of such eminent persons who can very well run the administration. A nominated Member does not attract disqualification. If there is a retired Government servant having complete knowledge of the local self-Government and Government wants to take full advantage of him - if Government feels that either a Government servant's or a retired Government servant's services are going to be useful for the Development of Chandigarh Corporation - they can do so. A nominated Member does not attract disqualification which is prescribed for elected Members of the House of the Representatives. If eminent people wish to offer their services for the good of the Chandigarh city, I do not find any justification for imposing the conditions of disqualifications on them.

These are the few points which have been raised by the hon. Members. I have tried my best to reply them. I am sure Shri Pandey will be fully satisfied with the reply given and he will withdraw

his Resolution. I am sure other Members also will be satisfied with the kind of explanation that I have given. With these words I request the hon. Members to give support to this Bill.

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): The points made by the hon. Minister are correct and as I have said in my speech that as far as possible it should be rectified. I feel that the reasons cited by the hon. Minister caused such conditions that it was not possible to have time less than actually taken. I do not want to stress on this resolution after the reply of the hon. Minister. With the leave of the House I am willing to withdraw it.

[English]

The Resolution was, by leave, withdrawn.

MR. CHAIRMAN: Now, I shall put the Motion for consideration of the Bill to the vote of the House.

The question is:

"That the Bill to provide for the extension of the Punjab Municipal Corporation Act, 1976 to the Union Territory of Chandigarh, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The House will now take up Clause-by-Clause consideration of the Bill.

The question is:

"That Clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

The Schedule

Page 13, line 16, —

MR. CHAIRMAN: There are
Amendments to the Schedule.

for "shall" substitute "may" (9)

SHRI PAWAN KUMAR BANSAL: I
beg to move:

Sir, only one sentence I would like
to add in support of what Mr. Brar has
said. We do have Scheduled Tribes in
Chandigarh also. This point was raised
earlier also. But the question of
reservation can be decided subsequently.
But that is a very valid point which was
made by the hon. Member. Sir, we do
have Scheduled Tribes who have to be
given all considerations.

Page 6, line 20,—

omit "ten" (1)

Page 6, line 28,—

for "ten" substitute —

"twenty" (2)

SHRI S.B. CHAVAN: I accept
Amendments No. 1, 2, 3, 4, 6, 7, 8 and 9.

Page 10, line 26,—

MR. CHAIRMAN: The question is:

for "member" substitute "members"
(3)

Page 6, line 20,—

Page 10,—

omit "ten" (1)

after line 27, insert —

Page 6, line 28,—

"Provided that where a vacancy has
arisen on the resignation or death of
the only Councillor on the
Committee, the Administrator may
appoint any other Councillor as
Chairperson of the Ward Committee
till election is held to fill the vacancy
in due course." (4)

for "ten" substitute—

"twenty" (2)

Page 11, line 34,—

Page 10, line 26,—

omit "every" (6)

for "member" substitute "members"
(3)

Page 11,—

Page 10,—

omit lines 37 to 39. (7)

after line 27, insert, —

Page 12, line 23,—

"Provided that where a vacancy has
arisen on the resignation or death of
the only Councillor on the
Committee, the Administrator may
appoint any other Councillor as
Chairperson of the Ward Committee
till election is held to fill the vacancy
in due course." (4)

for "the Government" substitute —

"any Government" (8)

Page 11, line 34,—

omit "every" (6)

Page 11,—

omit lines 37 to 39. (7)

Page 12, line 23,—

for "the Government" substitute —

"any Government" (8)

Page 13, line 16,—

for "shall" substitute "may" (9)

The motion was adopted.

DR. LAXMI NARAYAN PANDEYA
(Mandsaur): I beg to move:

Page 6, line 20,—

for "ten" substitute "minimum thirty
five and maximum forty" (10)

Page 6, line 21,—

for "nine" substitute "three" (11)

Page 6, line 28,—

for "ten" substitute - "minimum thirty
five and maximum forty" (13)

[Translation]

Mr. Chairman, Sir, as I have mentioned in my speech, it would have been better if the Government had stipulated the number of directly elected Members as 35 in place of 10 and the number of nominated Members as 3 in

place of 9 because democratic tradition necessitates that the minimum possible number of nominated Members should be taken. But despite that the Government has not come out with any clarification. Since you have already accepted the proposal to increase the number of elected Members to 20, you may increase it further to 35 because the population of this area is around 8 lakh and one member should be elected against a population of 80 thousand to 90 thousand people.

[English]

SHRI S.B. CHAVAN: I am sorry, I am not accepting these amendments.

MR. CHAIRMAN: I shall now put amendment Nos. 10, 11 and 13 moved by Dr. Laxminarayan Pandeya, to the vote of the House.

*Amendment Nos. 10, 11 and 13
were put and negatived.*

PROF. PREM DHUMAL(Hamirpur)
I beg to move:

Page 6, line 21,—

for "nine" substitute "four" (12)

Page 6, line 28,—

for "ten" substitute "thirty" (14)

[Translation]

Mr. Chairman, Sir, I would like to request the hon. Minister to rise above partisan policy because they have accepted the proposal to increase it upto 20 and I have given an amendment to increase the number upto 30. All the

[Prof. Prem Dhumal]

Formula and the Long Title stand
part of the Bill."

Members who have spoken on this Bill
have suggested 30 as the stipulated
number, I would request the hon. Minister
to accept it.

The motion was adopted.

[English]

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

SHRI S.B. CHAVAN: I do not
accept these.

SHRI S.B. CHAVAN: I beg to move:

MR. CHAIRMAN: I shall now put
amendment Nos. 12 and 14 moved by
Prof. Prem Dhumal, to the vote of the
House.

"That the Bill, as amended, be
passed."

MR. CHAIRMAN: The question is:

*Amendment Nos. 12 and 14 were
put and negated.*

"That the Bill, as amended, be
passed."

The motion was adopted.

Amendment made

Page 11,—

(i) line 13,—

for "every" substitute "the"

(ii) line 14,—

after "and the" insert "Panchayats in
the" (15)

(S.B. Chavan)

MR. CHAIRMAN: The question is:

"That Schedule, as amended, stand
part of the Bill.

*The Schedule, as amended, was
added to the Bill.*

MR. CHAIRMAN: The question is:

"That Clause 1, the Enacting

[English]

SHRI BHOGENDRA JHA
(Madhubani): Mr. Chairman, now only the
New Delhi Municipal Council Bill and the
Transplantation of Human Organs Bill are
there. This is what was decided. Why not
extend the House and take up these
issues tomorrow?

MR. CHAIRMAN: Shri Bhogendra
Jha, let us not revise our decision so
frequently. We had taken the sense of the
house. In fact, we have decided that we
will finish these three Ordinances and the
Bill.

SHRI BHOGENDRA JHA: No. That
was not the decision. The Minister had
stated that if these are adopted then they
would have no objection. But what is the
compulsion that we must sit up to eleven
O'clock or do it in a hurry?

[Translation]

PROF. PREM DHUMAL (Hamirpur): Mr. Speaker, Sir, it was decided in the House in the afternoon today that this House would be adjourned *sine die* and as a result of the decision some hon. Members of our party have already left. Thus, it is my submission to pass whatever is required to be passed and then adjourn the House *sine die* today only.

MR. CHAIRMAN: Let us first complete the business today. Already some Members have left.

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI SONTOSH MOHAN DEV): Unanimously it was decided and many of the Members might have left. Now we cannot reverse it.

MR. CHAIRMAN: Shri Bhogendra Jha, I understand the spirit of your suggestion. But we cannot revise the decision now. Some Members might have left already. We had already taken a decision. Now let us all cooperate and finish these items quickly.

19.26 hrs.

STATUTORY RESOLUTION RE:
DISAPPROVAL OF THE NEW
DELHI MUNICIPAL COUNCIL
ORDINANCE

AND

NEW DELHI MUNICIPAL COUNCIL
BILL

[English]

MR. CHAIRMAN: We will now take up Item Nos. 16 and 17 together.

Shri Santosh Kumar Gangwar

[Translation]

SHRI SANTOSH KUMAR GANGWAR (Bareilly): Mr. Chairman, Sir, I beg to move:

"That this House disapproves of the New Delhi Municipal Council Ordinance, 1994 (No. 8 of 1994) promulgated by the President on May 25, 1994."

Sir, in this reference, it was told earlier also that the manner in which the Government has promulgated this Ordinance is certainly not justified and that too in a democratic set up, although I felt that the hon. Minister has displayed his utmost generosity. during the discussion on the previous Bill. I would not like to go into details as our hon. Members from Delhi will express their opinions in this regard, yet I would like to mention that its first line i.e.

"The provision of the Constitution (Seventy-fourth) Amendment, 1992" were enforced from 1.6.1993 and it was required there in that law governing the municipalities should be brought in conformity with the provision of the part IXA of the Constitution and the elected representative were expected not to be elected through democratic procedure. Below it one thing more has been added here:

"and should confer on the Central Government adequate powers to supervise and have control over the NDMC."

But it is a matter of great regret that no Member of the Committee is elected,

[Shri Santosh Kumar Gangwar]

one and all are nominated. The Chairperson is a Government official and three legislators, Five Officers and the M.P. of that area have been nominated as members of this body and there is a suggestion to nominate two more persons also. None of these members is elected. Now I am unable to comprehend the whole process. It seems that the Government wants to take over the municipality. If it is so, then the issue of the Constitution (Seventy Fourth) Amendment should not be raised here. I want to submit only this much that the hon. Minister of Home Affairs should consider it. The Constitution Amendment Bill makes provision for initiation of a democratic process and delegation of power to the elected representatives who will run the administration. But what is happening here is quite contrary. We are acting against its aims and objects, I, therefore, request the hon. Minister of Home Affairs to think in this regard and consider whatever proposal are put forth by the present hon. Members of Delhi here and amend the Constitution accordingly. If this committee does not comprise of the elected representatives, it is certain that people will raise accusing finger on the Government that it does not want to have democracy in true sense. I, therefore, submit that this resolution in regard to disapproval be considered and bring about necessary amendments. It will certainly be a proper step in right direction.

[English]

MR. CHAIRMAN: Now the Minister of Home Affairs may move the Bill.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): I beg to move:

"That the Bill to provide for the establishment of the New Delhi Municipal Council and for matters connected thereto or incidental thereto, be taken into consideration."

The New Delhi Municipal Committee is governed by the Punjab Municipal Act, 1911 which has become an archaic piece of legislation.

The Committee on the "Reorganisation of Delhi Set-up" in its report recommended, inter alia, that "it is high time that the archaic Punjab Municipal act, 1911 as applied to NDMC is replaced by appropriate provisions in a law of Parliament for the organisation and functioning of the NDMC" and that "having regard to the importance of New Delhi area, where most of important institutions of Union Government located, the NDMC should continue to receive special treatment and the law of Parliament containing provisions for the organisation and functioning of the Municipal bodies for Delhi should make certain special provisions in this regard and should confer on the Central Government adequate powers with supervisions and control over the NDMC". The Committee further observed that there is some lack of clarity regarding the provisions of the Punjab Municipal Act, 1911, as applied to NDMC area at any point of time, since the parent Act had been amended a number of times in the Punjab. Need for a new law governing NDMC also arises from the fact that there are major differences between various functional regimes prescribed under the

Punjab Municipal Act, 1911 in comparison to those prevailing under the Delhi Municipal Act, 1957. It was generally recognised that there was need for a greater measure of commonality in the procedures adopted by the Municipal Corporation of Delhi and the NDMC in matters relating to taxation, revenue, budget, contract, accounts and audits, streets and sanitation, public health, public safety and suppression of nuisances, etc.

2. The NDMC area has the following special characteristics calling for special treatment:—

- (1) NDMC has historically come to be regarded as the seat of Central authority in the Union of India. It is the location of important buildings like Rashtrapati Bhawan, Parliament House, Supreme Court, North and South Blocks and other buildings of various international institutions, Diplomatic Missions and several Government residential colonies.
- (2) The Government of India own almost the entire land and about 80 per cent of the buildings in the NDMC area.
- (3) The private ownership of the property in this area is marginal.
- (4) Efficient functioning of the Municipal Services in this area is critical for the international image of the Country and is a factor which has an important bearing on the functioning of the Government apparatus itself.

- (5) Historically, this area has enjoyed a system of local Government very different from other parts of the National Capital Territory.

3. On account of these characteristics, it is quite evident that any scheme for the governance of this area based on conventional pattern of representative local self-Government would be unworkable and out of place because the preeminent character of this area is that it is the seat of Central Government.

4. Part IX-A has been added to the Constitution by the Constitution (Seventy-fourth Amendment) Act, 1992 with effect from 1.6.93. With the insertion of Part IX-A, Municipalities in States/Union Territories are to be constituted in terms of provisions of Part IX-A. The provision of the Delhi Municipal Corporation Act, 1957 have already been brought in conformity with the provisions of part IX-A in August, 1993. Article 243ZB provides that the provisions of IX-A shall apply to the Union Territories. It also provides that the President, by public notification, direct that the provisions of this part shall apply to any Union Territory or part thereof subject to such exceptions and modifications as he may specify in the notification. On the question whether any part of the Union Territory can be exempted from the application of the provisions of part IX-A of the Constitution, the opinion of the Attorney General of India was sought. The Attorney General has opined that it is constitutionally and legally feasible to modify the provisions relating to Municipalities included in the Constitution in respect of NDMC. It is, therefore, proposed that application of the provisions of part IX-A of the Constitution in respect of the following articles may be

[Shri S.B. Chavan]

modified as discussed against each article :—

- (1) With regard to Article 243R on Composition of Municipalities, it is proposed that the provisions of this article may be modified under article 243ZB to provide that the NDMC may have a Chairperson appointed by the Central Government in consultation with the Chief Minister, Delhi, who should be a serving Officer of the Government of India or Delhi Administration not below the rank of Joint Secretary to the Government of India and five members (with voting right) to be nominated by the Central Government, two members to be nominated in consultation with the Chief Minister, Delhi, from amongst the Lawyers, Doctors, chartered Accountants, Engineers, Business and Finance Consultants, etc. three MLAs of Delhi Legislative Assembly whose constituencies fall wholly or partly within the area of NDMC. The Member of Parliament from New Delhi area to be the special invitee without voting right and out of eleven members, there shall be at least three women members and one member belonging to Scheduled Castes. The Vice-Chairperson will be nominated by the Central Government in consultation with the Chief Minister, Delhi.
- (2) With regard to article 243W on functions, the functions of NDMC are proposed to be the

same as those in respect of MCD. In addition the NDMC continue to receive water and electricity in bulk and be responsible for their distribution.

- (3) With regard to article 243Y regarding Finance Commission, it is proposed that the Finance Commission constituted under the Delhi Municipal Corporation Act, 1957 may also be responsible for the functions assigned to them in respect of NDMC.
- (4) As regards control, the Central Government may be empowered to issue directions to NDMC regarding the efficient delivery of services to the public and generally in regard Municipal Administration. Failure to comply with such directions may be a ground for its dissolution, after observing necessary procedure.
- (5) In all other matters there may be uniformity as far as possible, between the NDMC and the MCD.
- (6) *Setting-up of Committees:* The NDMC may constitute a Committee or committees under the Chairmanship of the Chairperson of the Council to advise it on any matter which the Council may refer or for discharging any power or any function of the Council or for exercising power which the Council may, by resolution, delegate.

5. The New Delhi Municipal Council Ordinance, 1994 was promulgated by the President on 25th May, 1994. The present Bill is to replace the said Ordinance.

Sir, I am sure that this Bill will be welcomed by all sections of this House. I commend this Bill for the consideration of this august House.

MR. CHAIRMAN: Motions moved:

"That this House disapproves of the New Delhi Municipal Council Ordinance, 1994 (No. 8 of 1994) promulgated by the President on May 25, 1994."

"That the Bill to provide for the establishment of the New Delhi Municipal Council and for matters connected therewith or incidental thereto, be taken into consideration."

The time allotted for this discussion is one hour. There are only five speakers so far who have given their names. Please confine to the provisions of the Bill and finish your speech within five minutes.

Now, Shri Kalka Das.

[Translation]

SHRI KALKA DAS (Karol Bagh): Mr. Chariman, Sir, the residents of Delhi and the New Delhi Municipal areas have been hoping for long that elected representatives will be included in the New Delhi Municipal Committee and solve the problems of the area. Such promises were made in the election. My

hon. colleague Shri Rajesh Khanna is sitting here. In course of his election, the Congress had promised that the Government will provide an elected body in New Delhi after it is voted to power. But the idiom holds good here "much ado about nothing."

When the New Delhi Municipal Council Act was submitted, we came to know that it will comprise of 11 nominated members only and there will be no elected member in it. If no elected member is included in a democratic set up a doubt prevails here whether it is democratic or not. The Government at Centre pledges that there is democratic set up all over the country. But it is very embarrassing to the people of Delhi & New Delhi that there is no elected member in the regional body.

As the hon. Minister of Home Affairs stated now that the people will welcome such process. But I would like to submit that if such process is enforced, the people will not spare the Government I am confident that the Congress then will never win any seat. They had promised the people of Delhi that if they are voted to power, they will introduce an elected body and provide exemption of income-tax limit up to Rs. 60,000. But nothing has happened so far, the people are regretting now and they will seek explanation at the proper time. The Representatives of people are responsible to the people and they can be asked to explain in this regard.

[English]

SHRI RAJESH KHANNA (New Delhi) : Mr. Chairman, Sir, I would like to interrupt here. I did not want to interrupt earlier but what the hon. Member is

[Shri Rajesh Khanna]

saying is relegation. I never made this promise that there will be an elected body in the NDMC. I am sorry to say that. That is my humble submission. I wanted to put the records straight.

[Translation]

SHRI KALKA DAS: So far as I have the information, he had made the promise that whenever he addresses the public, and it has appeared in newspaper also.

[English]

MR. CHAIRMAN: When the hon. Member himself is denying that, you have to accept it.

[Translation]

SHRI KALKA DAS: All right. Election is held even for a lower level body like panchayat and its members are elected. But here all of its 11 Members are nominated. It is embarrassing. Every political party has promised the people of Delhi that there will be an elected body in the NDMC which will solve the problems of people here. But a totally new structure has been provided here. In the past, also, its administrator used to be a serving officer of the Government of India and even today its chairperson will be a serving officer of the Government of India. Then what is the difference now. There is no change in true sense; the change has been made just to deceive the people. Now all the Members will be nominated by the Central Government of India. But who will be the elected representative of people there to entertain the grievances of the people? It is not only our opinion but it is also the opinion expressed by all political parties. There had been a

Sarkaria Committee and a Bal Kishan Committee who had studied it elaborately and concluded that half of the Members of the NDMC should be elected representatives and the other half should be nominated members.

While going through this Bill we find that the recommendation of the Sarkaria Commission which took two years to submit its report have not been adopted. That is why this body does not comprise of a single elected member. I would like to point out here that it was not only the suggestions of the Balkrishan Committee, but our Constitution has also directed to have a democratic system in the country.

In a democratic system, elections should be held but here there are no elected representatives. The main feature of the democracy is that elected representatives are accountable to the people. They formulate policies because the people have direct access to them and they are well acquainted to the difficulties of the people. Every man can see them and they know the difficulties of the people. Therefore, elected representatives formulate policies and the officials execute them but, here it is found the opposite. Here Government official will be the Chairman and the remaining Members will be nominated from three Legislative Assemblies. Members will be selected from amongst Government officials. The Central Government will select five Members in which three Members will be lady Members. No election will be held for them. Just now it has been mentioned that it would consist of a lady member belonging to the Scheduled Castes. There is no reserved constituency earmarked in the area of NDMC. If elected representatives would have been sent to Legislative Assemblies they would have

looked after the problems of the people belonging to the Scheduled Castes and Scheduled Tribes. A large number of people belonging to the Scheduled Castes reside in New Delhi. There are several colonies and clusters of these people. Only one lady will be nominated who will not be accountable to them. The Central Government is accountable to them. Who will resolve the problems of the people when there is no accountability. The people can approach the Members of three Legislative Assemblies for seeking redressal of their problems but there is no reserved constituency. When there is no reserved constituency earmarked then how their problems will be resolved. Therefore, I request you to reconsider the Bill which has been brought forward by you. It seems that the Minister of Home Affairs has brought this Bill in hurry. I think that he has not kept in mind the democratic system. I understand that he was under the false impression that everything would be acceded to which is brought by him. Therefore, I would like to warn the Government that if this Bill is passed, a big movement will be launched against the Central Government in New Delhi. We were given an assurance that elections would be held.

I would like to request that the Minister of Home Affairs should reconsider it. If he wants to take more time, he may take time. The Sarkaria Committee has stressed that there must be elected representatives. When a village Panchayat can have the elected members then why there is no provision of elected representation in the New Delhi Municipal Committee and how it is that the Presiding Officer is also among the Government officials. To whom the people will approach about their problems and as to how their problems will be resolved. The hon. Minister has not paid

any attention to it. I request that he should reconsider it and amend it properly. I totally oppose the Bill in the present form. I would like to request that at least more than 50 per cent members should be elected members, as has been done in the case of Chandigarh. The Presiding Officer should be an elected member because only elected representatives will be accountable to the people and then only the problems of the people could be solved.

I totally oppose this Bill and request the hon. Minister to reconsider it. We had dreamt that after independence we will have a democratic system but the way in which democracy is being suppressed in New Delhi is a matter of great concern and the Government should pay attention towards it.

SHRI RAM KRIPAL YADAV (Patna): Mr. Chairman, Sir, we are discussing the NDMC Bill. The intention of the Government has been to promulgate an ordinance before bringing forward a Bill in the House. In this way, the powers of the Members are being encroached upon by the Government. Our hon. Members have always been opposed to the promulgation of Ordinance. Though assurances are given time and again to rectify the practice, the Government has been snatching away our rights by way of promulgating an ordinance. This Government has totally become a Government of Ordinance.

Sir, today an hon. Member has explained as to how the Government is encroaching upon our rights which have been given to us in the democratic form of Government. The Government is handling over all the powers in the hands of bureaucrats through this NDMC Bill in New Delhi.

[Shri Ram Kripal Yadav]

Mr. Chairman, Sir, I have been a councillor of Patna Municipal Corporation for about 8-9 years. I have observed that the Municipal Corporation can work very efficiently because its elected Members look after even the small problems of the people. When there is no Municipal Corporation, the powers are enjoyed by the Administrator. This has been my experience that is the absence of Municipal Corporation the people of that city have to face several difficulties. We have observed closely that there is a pitiable condition of the people in the city where there are no elected Members. The voice of the people is not heard though they try to approach the Administrator also. In the same manner, the entire responsibility and powers are being handed over to an Official through this NDMC Bill. It will simply be an eye wash than the age a has elected. MLAs because they will remain simply as Members in the Assembly. The Government should hold elections to the NDMC and try to redress the problems of the people at large. But it has not been done. The reason behind it, as I know, is that the situation is not conducive to hold the elections since the problem of law and order prevails. This is a sensitive area also. Therefore, the elections cannot be held here. With the result, the elections have been postponed for 2-3 years and the Government has constituted this Council. In this way, the entire responsibility has been handed over only in the hands of bureaucrats.

Mr. Chairman, Sir, I submit that this N.D.M.C. Bill should definitely be amended and elected representatives should be given more responsibility which is not given in this Bill. The hon. Member has also pointed out in this regard.

In this connection, I suggest if the Government wants to solve the problems

of the people of Delhi in the right perspective, it should empower the elected Members of the Council. The Chief Administrative Officer should be made Secretary, N.D.M.C. in the capacity of an ex-officio Member. He should not be given the post of Chairman. Under the leadership of the area M.P., 60 per cent decisive power should remain in the hands of the nominated M.P. and M.L.A.s. This provision has not been kept in the present Bill. Besides, if members are not elected from amongst women and Dalits, requisite number of people belonging to these categories must be nominated. The four representatives as M.P. and M.L.A.s elected from New Delhi constituency must be given 51 per cent decisive power and the candidates who stood second and third in the elections should be made Members of the Council. Apart from it, if representatives belonging to women and Dalits are not elected, their maximum number should be nominated in the Council. The Chief Executive Officer, New Delhi Municipal Council should be made Secretary. If we follow these suggestions this Council can be made effective and Government would be able to provide relief to the people through this Council. Otherwise the power will be shifted in the hands of nominated officials.

Therefore, Mr. Chairman, Sir, through you, I would like to request the hon. Minister to amend the Bill keeping in mind the sentiments of the people of Delhi and elected Members should be empowered so that the problems of Delhites could be resolved.

[English]

SHRI HANNAN MOLLAH (Uluberia): Mr. Chairman, the hon. Minister on several occasions pleaded for the necessity of promulgation of Ordinances. But that is not a convincing

argument because they always take the plea that the time is limited and that the days are numbered and, therefore, the Ordinance has to be promulgated. They know the last date of passing a particular Act and the time within which they have to pass the law. They sleep over the matter and at the end, they will promulgate Ordinances saying that there is no time. This is a very bad argument and it shows the intention of the Government. Are we administering through the Ordinances? Anyway, the Bill at least has been introduced and now it is under discussion. As the earlier Member has pointed out, the spirit of the recommendations of the Sarkaria Commission and Balakrishnan Commission have not been honoured properly in this Bill and our major objection to this Bill is the constitution of this NDMC. Earlier also, the bureaucratic body was functioning and we know it was the den of corruption and common people ran from pillar to post for the redressal of their grievances. Most of the time, Members of Parliament and other representatives of the people had to intervene to solve most of the problems of the people.

20.00 hrs.

But, in this Bill, the hon. Home Minister is supplying the same old wine in the new bottle. As far as the constitution of the NDMC is concerned, all the members will be nominated members. Out of that, six will be bureaucrats. Out of the six bureaucrats, one will be the Chairperson. If the Vice-Chairman is one among the MLAs, it will be just undignified. The MLA may not be elected as a member of the NDMC. Otherwise, he represents the people. He is just the people's representative. He will work as

Vice-Chairman under the Chairmanship of a bureaucrat. I feel it is undignified. It is against the democratic spirit. It is just a dishonour done to that person who has already been elected by the people. Therefore, I would like to draw the attention of the hon. Minister of this flaw. The Member of Parliament will be the 12th member of NDMC like the 12th man in a Cricket team. He does not know whether he will get a chance. He does not know what role he will play. He will be a decorative piece. My friend Shri Kalka Das might have seen the film in which you promised to the people so many things and he got confused about it. In so many films you gave promises to the people saying that you would do this and that. But in the film you need not do it. Anyway, these are the problems. Coming to the point about the constitution of the NDMC, the elected Members should be there. Without that, there cannot be any democracy. Earlier also, the other Members pleaded to consider this aspect. I do not know if he has other considerations for the time being or if it is done in a hurry. But still we plead that the majority of the members should be elected. The Chairperson and the Vice-Chairman also should be from the elected members. Without that, it will be of no use.

Sir, we know the problem of Delhi. People from all over the country are coming here. Their interests, their culture and their difficulties are there. In spite of these this, people are coming from various parts of the country. So, the NDMC will have a special role to maintain the harmony among the various people coming from various provinces. Their interests should be protected. There is no doubt about that. If we want to honour democracy, then election should be held in this NDMC area and elected members should be there.

[Shri Hannan Moliah]

Secondly, the NDMC has a lot of problems. We have seen earlier also. You know the state of affairs of many things. The NDMC has already been functioning. We do not know whether there will be a miraculous change when the same type of bureaucratic body will come into being and run the affairs. We do not know how corruption will be reduced. We do not know what treatment the people would get. There are so many posh areas. Some rich people are staying here. In some parts, the Government employees are staying there. How do you compare these two places? Definitely, Discrimination will be there. There are places where Government employees and other lower income group people are residing. Definitely, there is discrimination in respect of hospitals, health centres, roads etc. These bureaucrats will do it because they have no sympathy for the common people. If there are the representatives of the people, they have something to do for those common people. Only they will be able to do justice to the people in solving the problems of the common people. There is not much time to discuss the other aspects. I would, therefore, request that the constitution of the NDMC must be reconsidered. The argument that the hon. Minister placed before us is not at all convincing. It is only an attempt to hand over this body to the bureaucrats. That will not serve the purpose.

With these words, I conclude.

SHRI B.L. SHARMA PREM (East Delhi): Sir, the proposed Bill is against the spirit of the Constitution itself. The underlying principle of the Constitution (Seventy-fourth Amendment) Bill is that local bodies will be administered by

elected representatives. A departure has been made in the case of NDMC. The entire body is nominated though three members of the Legislative Assembly of Delhi, representing constituencies which comprise the New Delhi area have been included.

Certain provisions in the New Delhi Municipal Council Bill are at variance with the provisions of the New Delhi Municipal Council Ordinance, 1994. The Ordinance provides:

(i) Section 9(3):

Each committee constituted under this section shall elect one of its members as the chairperson thereof.

(ii) Sub-section 3 of Section 13:

The Central Government shall remove the Chairperson from office if at a special meeting of the Council called for the purpose a resolution for such removal has been passed by a majority of not less than three-fifths of the total number of members.

(iii) Section 24 (1):

The quorum necessary for the transaction of business at a meeting of the Council shall be one-fifth of the total number of members.

In the Bill introduced in the Lok Sabha, the above provisions have been changed:

- (i) The Bill provides that each committee constituted by the

NDMC shall be prescribed over by the Chairperson of the Council.

- (ii) The provision relating to the removal of Chairperson from office through a resolution passed by a majority of the three-fifths of the total members of the Council has been deleted.
- (iii) As regards the quorum, the Bill provides that rules shall be framed separately.

These changes give unfettered powers to the Chairperson of the Council, that is, the Administrator, NDMC. The entire control over the Chairperson vests with the Central Government. The local Government has not much say. The Bill should be amended to give effect to the control of local Government. The Chairperson need not be only a civil servant. He should not be a bureaucrat because bureaucrats do not understand the miseries of the poor. It could be an elected representative. The Committee to be constituted by the Council should be headed by peoples' representatives. The provision for removal of Chairperson through a resolution by three-fifths of the members of the Council as provided in the Ordinance should be retained. In other words, the Chairperson should be accountable for his actions to the Council. Only if there are adequate restraints on the Chairperson, his accountability can be ensured.

In conclusion, I would request the hon. Minister to re-consider it that there should be hundred per cent elected persons from New Delhi.

[Translation]

BHRI TEJ NARAYAN SINGH

Mr. Chairman, Sir, I oppose the

way this Bill has been brought. Municipal Council must be there in Delhi but its proposed structure is contrary to the very objectives of the Bill. Even after 46 years of independence, the elected representatives of the people do not find a place in the Municipal Council. It will not be democratic, if only the Government employees hold the chair. I think that if the elected representatives of the people hold the chair, the people will have much faith on it but God knows why the Government does not rely on the elected representatives. Had the Government faith on them, it would not have made a Government officer the Chairman. One thing is clear in it that the Government makes a reference to the Mandal Commission and claims to give more and more facilities to the Adivasis and the Harijans but one can see that, there is no mention in it of the 27 per cent reservation, which is given throughout the country as per the report of the Mandal Commission. Besides, the Government does not intend to give 22¹/₂ per cent reservation to the Harijans and Adivasis. Had the Government intended so, it would not have asked inclusion of or only one person from these communities. Therefore, I urge upon the Government through you that if the Government intends to implement the Mandal Commission Report and if it wants to give 22¹/₂ per cent reservation to the Adivasis and Harijans, which they could not get even after 46 years of independence, then it should fill up the posts, as per provisions made in the Bill. If the Government does not want to include the elected representatives of the people, then the members to be included in it should be given the reservation facility.

Many things have been said by the Government regarding it. I think that it should have been brought in a much

[Shri Tej Narayan Singh]

broader way. It is not going to do anything for the people of Delhi. Delhi is not only for those, who are born at Delhi. Delhi is the capital of the country and people of all the States come to live here. They also want the facilities like, water, houses and good roads. Therefore, the scope of the Government should be enlarged. Therefore, I urge upon the Government through you, to give this Bill a second thought and being a comprehensive Bill so that the people of Delhi and the outsiders can be given protection and Delhi could make more and more development. I think that the people of Delhi had aspired that they would have more and more facilities by setting up of the Municipal Council but this Bill would prove the saying, much ado about nothing', valid. It is not going to serve any purpose. Therefore, I oppose this Bill and conclude my speech.

[English]

SHRI PAWAN KUMAR BANSAL (Chandigarh): Mr. Chairman, Sir, two major initiatives which the Government of India has taken recently about Delhi pertain to the setting up of an Assembly for the National Capital Territory of Delhi and provision of Municipal Corporation of Delhi in accordance with the provisions of Chapter IX A of the Constitution of India. Sir, those are the two major initiatives, as I said, which have met the aspirations of the people of Delhi. New Delhi, as we call it, is an area to which the hon. Home Minister alluded and which finds mention in Schedule I of the Bill and if we try to have a look at this area it comprises only three per cent of the total area of the National Capital Territory of Delhi and I suppose the population also is almost to the tune of three per cent only. And Sir, we all know that this area is the one

where you have all the offices of the Government of India.

We have the Rashtrapati Bhavan, we have the Parliament House and what is more we have the Diplomatic Missions. We all know that the land coming under the Diplomatic Missions is not within the jurisdiction of the country where those Diplomatic Missions are situated. That is the position that exists in the international law. Given that situation, I think the only course which could be chosen to govern this territory is the one over which the Central Government has the control. I, like anybody else who has spoken earlier, have firm belief that democratic principles have to be given primacy. But, given the situation that prevails in this area, with almost all the land owned by the Government of India, that is the Central Government, and over 80 per cent of the buildings being the property of the Government of India, if in that situation we were to have some sort of what you call the local self-government as we are setting up in almost all the cities of the country, a somewhat incongruous situation would develop. In that case a situation could be faced where members of that committee could say and I am sure such a situation would be definitely arise where these members would say that their writ does not run large over this area. To avoid such a situation, I suppose the best course is what the Government of India has chosen for this area. A Committee of 11 members has been postulated. To give respect to the wishes of the people who reside in this area, besides of course their right to choose the Member of Parliament and Members of the Legislative Assembly, it has been provided that the three Members of the legislative Assembly whose constituencies fell within the territorial bounds of the NDMC would be members of this Committee. I am sure they would very ably represent the viewpoint of the general public and no

situation would arise where it would be felt that in view of the want of elected representatives this decision has not been taken or that this decision which has been taken is not in the best interest of the people. Such a situation, I am sure, would never arise. It is in these circumstances that such exceptions are called for. It is not that we are giving a bypass or we are just overlooking the democratic principles. I began with saying that maximum respect has been given to that in the case of Delhi.

Long back a question arose that since the Government of India is in Delhi, primarily for that reason the Assembly was not being considered for this area. The Congress Government, I would lay emphasis, has changed that view. We considered that since Delhi has developed over the years and the total population is about 90 lakhs or so, well an Assembly was called for. For this small area with three per cent of the people and three per cent of the area I suppose is the best situation particularly when care is taken to see that amongst those members there must be three women; that amongst those members there must be at least one Scheduled Caste person. Besides that on many things, regarding the framing of bylaws etc: it is subject to the approval of the Government of the National Capital Territory of Delhi. If a provision like that is made, you cannot just raise an allegation or an inference be drawn against the Central Government that the local people's will is not being considered.

I won't like to take any more time on this. I only want to make one submission that in view of the peculiar nature of this area comprising three per cent area of Delhi's I am again emphasizing, and not more than three lakh people, for this area understandably and rightly so there has to be full control of the Central Government.

That was the scheme of things which, I am sure, was even accepted by the hon. Chief Minister of the National Capital Territory of Delhi. I find, when I just had a cursory glance at the various provisions, there seems to be an inadvertent mistake in two provisions, that is, clauses 393 and 394 where in addition to the Central Government, the words 'or the Government' have been incorporated. I have moved an amendment to the effect that these words should be omitted. This is to harmonise what is the intent and what is the entire scope of this Bill. Subsequently also, if you see in clauses 395, 396, 397, etc., it is only the Central Government. The control has to be of the Central Government. On various other things, due primacy has been given to the local Government also. I have moved those amendments. I am sure, the hon. Minister would accept those because they would only harmonise the provisions of this Bill. With this, I support the Bill.

[Translation]

SHRI KALKA DAS: Mr. Chairman, Sir, my submission is that just now Shri Pawan Kumar Bansalji has asserted that it will have 3 Members of Legislature Assembly and one ex-officio Member of Parliament, so will it be Chaired by a Government officer?

[English]

SHRI S.B. CHAVAN: Mr. Chairman, understandably I can understand the position by some of the hon. Members knowing full well that this Government itself has given the Assembly for Delhi. The deputation which had come to me had come with the demand for a Metropolitan Council. If the Narasimha Rao Government did not have full faith in a democratic set-up, it would have given you some other pattern rather than giving

[Shri S.B. Chavan]

the Assembly, I am not sure whether the hon. Members are aware of the fact. Actually, most of the public representatives were very much opposed for giving the powers of Assembly for this National Capital of Delhi. But in spite of that, we did take the decision that we will have to give the Assembly for this area. Moreover, there seems to be some kind of misunderstanding. One hon. Member - he does not seem to be there - raised the point and gave an impression as if in the entire Delhi, there is not going to be any representative Municipal Council which, in fact, is not a fact. Actually, for more than 90 per cent of the area, there is going to be the Municipal Corporation of Delhi. It is going to be a fully elected body. It is only for the three per cent population that we are asking because of the special nature and special responsibility that we have to maintain certain standards.

All the diplomatic corps is located in this area. Most of the important buildings of the Government are located in this area. Rashtrapati Bhavan is also located in this area. Moreover, the international reputation of our country depends upon the kind of standards that we will be able to maintain for this area. That is why we would like to have a person who will be responsible.

PROF. PREM DHUMAL
(Hamirpur): Do you mean to say that the elected representatives have no standard and only the nominated members can have that standard.

MR. CHAIRMAN: That is not what he has said.

SHRI S.B. CHAVAN: I do not think that you are correctly putting words in my

mouth which I have not yet heard. That is your inference. Actually, I never meant that. The elected representatives have a definite role to play. But they can have their role in a particular area. A major part of it is under the control of the public representatives. So, you cannot possibly have any grievance as to why is it that this area has been excluded. It has taken considerable time for a kind of pattern that we should have for this New Delhi area. A large number of people had to be consulted. Public representatives also had to be consulted. Delhi representatives also had to be consulted. Ultimately, we came to this conclusion that it will be very risky if, by any chance, anything goes wrong, then, you cannot blame that this is the pattern which was adopted.

Now, we have a nominated Chairperson. He will be answerable to us. He will definitely be accountable for everything that he is doing. Moreover, we have got the power to give directions also. We can give directions to the Council that they have to maintain certain standards and implement certain schemes which, in fact, will give some special status to this area. Otherwise, there is no point in having a nominated body. So, you have to consider all the provisions in the context of the special pattern that we have adopted for the New Delhi area. That is why though the MCD Act has been literally taken over and incorporated in this Bill, I have no hesitation in admitting that there have been certain discrepancies which needed correction. That is why we have discovered this method, whereunder the removal of the Chairperson who is appointed by the Central Government is in the hands of the elected body. There is no election. All are nominated. But normally, the principle followed is that whosoever is the appointing authority has the power to

remove that person. If the Chairperson or the Deputy Chairperson appointed by the Central Government has to be removed by the Committee sitting there, then the very purpose will be defeated. That is why this amendment has to be brought in, though it is not there in the original Ordinance. I think hon. Members will be able to understand and appreciate the reason as to why this kind of an amendment has been brought in, which is slightly different from what was provided under the Act.

So also is the question of quorum. If the quorum is to be decided at one-fifth of the Members, which comes to a meagre number of eleven, it will look so ridiculous. That is why when rules are framed, the question as to how many members will form the quorum will also be decided. The question of quorum will be decided in such a way that both the nominated and the elected members will have the satisfaction that they have been able to put forth their point of view. That is the thing that we wanted to have.

These are the main points which have been raised. I don't think I need reply any other points which are not germane to the Bill under consideration. After these clarifications, I hope the apprehensions of the hon. Members will be removed and they will understand and appreciate the reason why this particular pattern has been adopted for New Delhi area. As they understand the various implications, I hope they will support the Bill.

[Translation]

SHRI SANTOSH KUMAR GANGWAR: Mr. Chairman, Sir, this disapproval proposal was not merely meant for opposing only. It seems to me that the hon. Home Minister did not have

full faith in the elected representatives. Although he has said in his speech that he had consulted all the parties on it yet I personally feel that he had not consulted even the hon. Member of this area, who belongs to his own party. Otherwise, he should have definitely spoken on it. It has been brought in such a way that even the position of the hon. Member has become a comic one. This proposal has not been brought just for opposing. As Shri Bansal ji has said that only 3 per cent people have remained which means that around 3 lakh people. They have been neglected. I would not like to make a reference to what goes on in New Delhi Municipal area due to the paucity of time. I think that the better sense will prevail on the Government and it will definitely feel that the common voter of the country has good views about the country and his contribution is full in saving the country. Keeping that in view, the Government will consider the case of the elected representatives.

I will not take much time but I would like to withdraw this proposal with this hope that the Government will bring the changes taking the Legislative Assembly and the hon. Members of Parliament from Delhi into confidence.

I seek the permission of the House to withdraw this resolution.

[English]

The Resolution was, by leave, withdrawn.

MR. CHAIRMAN: Now, I shall put the motion for consideration of the Bill to the vote of the House.

The question is:

"That the Bill to provide for the establishment of the New Delhi

[Mr. Chairman]

Municipal Council and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We shall now take up Clause-by-Clause consideration of the Bill.

The question is:

"That clauses 2 to 392 stand part of the Bill."

The motion was adopted.

Clauses 2 to 392 were added to the Bill.

Clause 393 - Government to require Production of Documents

SHRI PAWAN KUMAR BANSAL: I beg to move:

Page 129, line 6,—

omit "or the Government" (1)

SHRI S.B. CHAVAN: I accept it.

MR. CHAIRMAN: The question is:

Page 129, line 6,—

omit "or the Government" " (1)

The motion was adopted.

MR. CHAIRMAN: The question is:

"That Clause 393, as amended, stand part of the Bill."

The motion was adopted.

Clause 393, as amended, was added to the Bill.

Clause 394 — Inspection

SHRI PAWAN KUMAR BANSAL: I beg to move:

Page 129, line 13,—

omit "or the Government" (2)

SHRI S.B. CHAVAN: I accept it.

MR. CHAIRMAN: The question is:

Page 129, line 13,—

omit "or the Government" " (2)

The motion was adopted.

MR. CHAIRMAN: The question is:

"That Clause 394, as amended, stand part of the Bill."

The motion was adopted.

Clause 394, as amended, was added to the Bill.

MR. CHAIRMAN: There are no amendments to Clauses 395 to 419. I shall now put Classes 395 to 415 to the vote of the House.

The question is:

"That Clauses 395 to 419 stand part of the Bill."

The motion was adopted.

Clauses 395 to 419 were added to the Bill.

MR. CHAIRMAN: The question is:

"That First to Tenth Schedules stand part of the Bill."

The motion was adopted.

First to Tenth Schedule were added 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.

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

MR. CHAIRMAN: The Minister may now move that the Bill, as amended, be passed.

SHRI S.B. CHAVAN: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

20.35 hrs.

[English]

TRANSPLANTATION OF HUMAN ORGANS BILL - Contd.

As passed by Rajya Sabha, and as reported by the Select Committee

MR. CHAIRMAN: Now, we will go to Item No. 19. Further consideration of the

following motion moved by Shri Paban Singh Ghatowar on the 23rd December, 1993 namely:

"That the Bill to provide for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs and for matters connected therewith or incidental thereto, as passed by Rajya Sabha and as reported by the Select Committee, be taken into consideration."

We were discussing this Bill. The total time allotted was two hours. We have already taken half-an-hour. Now, the time left is only one hour and thirty minutes.

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): We can pass it without any discussion.

MR. CHAIRMAN: Let us pass this Bill within half-an-hour's time.

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Chairman, Sir, there is no problem if the Government accepts the report of the Select Committee as such and then we have no objection in accepting it.

[English]

MR. CHAIRMAN: This is not the procedure.

DR. K.D. JESWANI (Kheda): The Report of the Select Committee is already

[Dr. K.D. Jeswani]

with the Government. If they are accepting it, then we need not discuss it. We can just pass it.

SHRI GOPI NATH GAJAPATHI (Berhampur): Mr. Chairman, Sir, the Transplantation of the Human Organs Bill, 1993 as passed by the Rajya Sabha has indeed deep ramifications as far as the medical profession, the hospitals conducting the transplantations, the donors, the recipients as well as the middlemen or profiteers involved in this activity or trade are concerned. In this connection, nothing would be more revealing than recalling the personal experience of the first cadaver kidney transplant patient at the All India Institute of Medical Sciences, New Delhi. I quote:

"It is my fervent desire that readers, especially, those suffering from renal failure, are freed from the clutches of taboos concerning kidney transplants from cadavers. I have experienced death follow me like a shadow and suffered what seemed like interminable agony. So, now that I am back among all of you, alive and rearing to go for my second life, I feel completely indebted to the persons whose kidney I carry, to his relatives for overcoming the ties of tradition and allowing the transplant to take place, and to the operating team, whose members were on their toes for three days and three nights. Today, I know what it feels like being out of death's clutches, thanks to all of them. During the days before the transplant, I had seen how patients suffer an unending trauma. The conventional treatment of the disease is quite unaffordable for most Indians. So, a

number of renal failure patients die either due to the non-availability of a related donor or because they cannot afford dialysis and the related medication."

Death, therefore, is the fate of 80,000-1,00,000 renal failure patients, who are condemned every year in India. Transplants from cadavers represent the best available alternative in this scenario.

A number of persons so sadly die every day in road accidents all over the country. The cause of death in these cases, in the final analysis, is the irreversible cessation of brain function - that is, brain death or clinical death. Brain death, ultimately, is bound to lead to cardiac death within a period of seven days. In these circumstances, the victims are dead clinically even before their heart finally stops to function. So, these relatives must take the lead to allow doctors to take out vital organs that could save the lives of others on the threshold of death.

The prospect of the transplanted organ helping dying patients return from the jaws of death is enhanced greatly if it is removed from the donor's body immediately after brain death.

In a developing society like ours, where expensive medical facilities are beyond the reach of most people and where there are not enough Government funds going around to equip public hospitals with latest gadgetry, poor patients of chronic organ failure are condemned to die because they simply cannot afford the treatment.

Organ transplants from cadavers, therefore, offer a feasible alternative as well as the prospect of an end to the illegal organ trade, which is synonymous

with the exploitation of the economically deprived by profiteers.

Hence, from the above observation, the Government, while enacting a Bill or this grave but vitally important nature, must bear in mind that in its objective to render invaluable medical service to mankind, it should side by side ensure that exploitation of the economically deprived by middlemen or profiteers in severely dealt with, to halt its recurrence permanently. In this context, mention must be made of the laudable efforts of "Ganadarpan" of West Bengal, a voluntary organisation, which is rendering yeomen services in this field. They are worthy of all possible Government help to pursue their noble cause with greater zeal in future. Further, the Report of the Select Committee presented to Parliament on 21st December, 1993 is partly fit for implementation, as it has made a fairly exhaustive analysis of the various aspects on this subject.

I welcome this Bill with humanitarian objectives introduced by the Union Minister, hon. Shri Paban Singh Ghatowar and I wholeheartedly lend my support to it.

DR. AMRIT LAL KALIDAS PATEL (Mehsana): Mr. Chairman, Sir, I rise here to support the Human Organs Transplantation Bill, which is brought to this House by the hon. Health Minister. I would say that this is the most unlucky Bill because for the last three sessions it is brought on the last day, at the last minute of the session and because of that it is not well discussed and due importance is not given to this Bill.

The title of the Bill given here is 'Transportation of Human Organs Bill' which is a grave mistake. I think, instead of 'Transplantation' it is misprinted as 'Transportation'. It should be corrected.

This transplantation of the organs should include the word 'tissue' because in some surgery or transplantation, only part of the organ is being utilised, especially in pancreas and liver where only lobe of the liver is transplanted and this is considered in the category of tissues. That is why I request the hon. Health Minister to add the word tissue to the 'Transplantation of Human Organs Bill'.

I would say that this transplantation is a latest gift of the modern science to the mankind and it should be well utilised. Unluckily, in our country, we do not have sufficient infrastructure and because of this the surgery is not performed to the extent it should be.

In other countries where the infrastructure is available cadaver organs are considered to be best organs for transplantation and in our country also the ultimate aim should be the cadaveric organs for transplantation.

This Bill was brought to the House at the request of some States only, especially, Maharashtra, Goa and Himachal Pradesh. If this Bill is passed here and if the other States do not accept it or if the Bill is not passed in the other States and if the Act is not there, then the wrong-doers will go to the States where this Act is not there. So, I request the hon. Health Minister to take into confidence the other States also so that this Bill is of use all over the country.

A Joint Select Committee was appointed and the Joint Select Committee, consisting of about 11 doctors suggested that the donor's list should be enlarged and its utilisation in surgery also. The word 'donor' should include the emotional relatives, especially the in laws,

[Dr. Amritlal Kalidas Patel]

the brother-in-law, sister-in-law and mother-in-law that they are better donors than the professional donors.

Lastly, the Consumer Protection Act should not be applicable to the surgeons who perform the surgery, because, after all, it is a natural process and sometimes the organs are not accepted by the body and in case of failure or acceptance of the organs the doctor should not be held responsible. Therefore, the Consumers' Protection Act should not be applicable to them.

That is all, I want to say on this Bill.

[Translation]

SHRI RAJESH KUMAR (Gaya): Mr. Chairman, Sir, this Human Organs Transplantation Bill is worth welcoming but we must be careful in the wake of the current transplantations being done in Delhi and other big cities. It is defective in many ways. The Government should bring some changes in it. The process of transplantation is costly enough and the poor are deprived of this facility and they lose their lives. Therefore, the Government should make arrangements to make the transplantation cheaper and this facility should not be available everywhere except in authorised Government hospitals only. In the case of the poor donors their kidneys should be removed in the presence of at least two witnesses instead of one and the witnesses too should be the close relatives of the donors. The donor should not face any problem in any case.

This Bill is quite useful but it should not be misused in the market. I would like to cite an example. The Family Planning Programme launched by the Government

was nice for controlling population explosion and for the development of the country but we are the sufferers and we know how it was misused during emergency and even the bachelor boys and girls were sterilized. Therefore, the Government should make such provisions in the Bill that it may not be misused. Transplantation should be done in Government hospitals under the supervision of expert doctors and it should not be too costly to be borne by the common and the poor people. It should not be privilege of the rich people only and the poor should not be deprived of this facility. There should be an overall control on human organs and arrangements should be made to make these available at a reasonable price.

My submission to the Government is that the suggestions of the hon. Members should be taken into consideration and necessary changes should be made in it so that the weaker sections can also take advantage of it. With these words I conclude and support the Bill.

[English]

DR. K.D. JESWANI (Kheda): Mr. Chairman, Sir, I have already welcomed this Bill long ago. But at the same time, I would like to give some words of caution.

I show my serious concern over the behaviour of the Government towards the neglect of the whole process of transplantation of the human organs going on in our country for the last more than two and a half decades. Now it is only since last one year the Government has been pressing to hurry up the Bill. And in hurrying up the Bill, they have left out some of the good provisions while discussing in the Rajya Sabha. After the

discussion in the Lok Sabha, it was felt that the Bill needs still some of the ramifications and that was the reason why, it was referred back to the Select Committee. And this had taken a lot of time. Being a doctor and a surgeon by profession, I know the anguish of the doctors, the practitioners and the institutions, who have been involved in the transplantation surgery. And particularly since this Bill has appeared in both the Houses, there is a lot of apprehension in the mind of the institutions and the surgeons as well.

For the last two and a half decades, the surgery of transplantation was very well going on in our country. I would say that for the last ten years, this surgery of transplantation, particularly the renal transplantation and the hepatic transplantation, has come into being. Even the heart transplantation is not that far in the hands of the Indian surgeons, who have brought in the technology from the foreign countries. But the Health Department of the Government of India have not realised the seriousness of the whole situation. It was only when some of the incidents of wrongdoings in the commercial dealings of the human organs were found and they appeared in the newspapers, some sections of the community roused against this and then and there, the Government came out with this plea. Even at present, I see that the Government is only looking from this angle that in the international world, when we go out in the international fora, the people there just discuss about our wrong doings, selling of human organs and trading and all that. And that is the only fear in the mind of the Government. And that is the reason why, I feel, they are bringing this law. In fact, after bringing this legislation, the Government has thought of creating public opinion. Actually

speaking, the public opinion should have been created earlier because this legislation, enactment of this legislation, would involve proper definition of the brain stem death, the cadaveric donor and the storage of the organs and other infrastructural facilities for transporting these organs.

Now, we lack a lot of transporting the serious patients to the trauma centres. There is hardly any awareness of the brain stem death in the public. Now, before creating this type of public awareness in the masses, we have suddenly brought in this enactment of the Human Organs Transplantation Bill and, I think, that is going to go against it. I was talking of the public opinion. Actually speaking only three States - Maharashtra, Goa and Himachal Pradesh - already had the State legislations in this regard for a number of years. Even then the Government has come out with this Bill just one year before. Only last year it was brought to Rajya Sabha. Then for one year it was pending, it was tossing from Session to Session, as Dr. Patel has said. Today also, I would say, fortunately, we have brought in at the last moment of this Session. Otherwise, it would have tossed for two more months. Only these three States had enacted legislations and this Bill will be directly applicable to these three States only. Now, the Government have to say that after the enactment of this law, we will create the public opinion, we will use the constitutional provisions under Article 1 to 252 of the Constitution and then we will request the other States to adopt this law. I think, this is not going to be an easy task. But, at the same time, I would not wish that only for lengthening these processes, we should lengthen the enactment of this law. This legislation should have come earlier. But still we have suggested in the Joint Select

[Dr. K.D. Jeswani]

Committee to enlarge the definition of the near relatives. Now, at present, the whole practice is going on with the near relatives along with which more than fifty to sixty per cent of the practice is going on with the professional donors. You must have read in the periodicals also that in some of the States in the south, In Madras and Roundabout, there is a different public opinion about it. A number of people from the villages who have donated their kidneys have created a good opinion unfortunately a good opinion - about this type of transaction of their kidney organs to the donors. Now, this public opinion is going to work otherwise. I would not like to protect this type of public opinion. It is quite wrong. But then we have been actually faulty in creating a good public opinion. As against that, this type of a shabby public opinion has already erupted in the masses and in the classes. So, on this account only we wanted to request the Government to enlarge the definition of the near relatives. We have not said that you allow the people to buy the organs from the market. But then you have some of the relatives who are emotionally attached. For example, married sisters. Now, married sisters would hardly ever come forward - we have been practising this in our day-to-day life - for the donation of their kidneys. Now, even after so many years, we have not been able to curb the evil of professional blood donation, which is far less serious than this. How are we going to curb the whole evil of the wrong dealings in the donation of the organs?

So, these are some of the points against which I would like to caution the Government. I would again like to request the Government and the hon. Health Minister that rest of the things also we can accept. But I would request the

Government to accept these suggestions of the Select Committee about widening the area of the near relatives including the near relatives in the form of relatives who are emotionally attached like mother-in-law, father-in-law, sister-in-law and spouse.

These are some of the observations which I wanted to make.

With these words, I thank you very much for giving me an opportunity to speak.

21.00 hrs.

DR. MUMTAZ ANSARI (Kodarma):
Mr. Chairman, Sir, this is a very important Bill which has been brought before the House, that is, the Transplantation of Human Organs Bill, 1993. The Bill has already been passed by the Rajya Sabha. It has just been moved in this House and it will be passed here also. We praise this Bill.

There are certain important provisions in this Bill which must be taken into consideration. India was considered to be a big market for the sale of all human organs. This was bringing a black name to our country. One doctor in USA cited the example that you go to India and you will find people lining up before the hospitals for selling their organs. So, this is a good Bill and it must be aimed at regulating such type of market which is illegally functioning because people are suffering from starvation. Because people are suffering from shortage of food and shortage of all other necessities of life, they are selling their organs, and in order to regulate this type of a market, there must be important provisions in the Bill.

This Bill has been brought very late. It should have been brought much earlier

because for the last many years this type of sale of human organs has been going on in our country. In Delhi itself, one example was cited. It was published in many leading Papers of the country that one Pradeep Kumar's organ was extracted by a doctor. Because he was in the habit of purchasing smack, so in order to purchase smack, he sold his kidney. Certain medicines were administered and he was made senseless, and then his kidney was extracted. Afterwards, cases were filed and police help was also sought by the poor parents of that child. So, such type of human organs bazaars are going on, which are bringing a bad name to our country. People from USA, from some Arabian countries and also from other foreign countries, are coming here to purchase human organs because they know that if they come to India, such type of important and vital human organs are selling here at a very lower price of Rs. 50,000, or Rs. 70,000 or for a slightly higher amount of money. They are coming here with large amount of money and are purchasing human organs. So, I would like to say that the people who are suffering from poverty and starvation, are under compulsion to sell such type of important human organs. This should not happen.

Similarly, some children are kidnapped by criminals and miscreants who are also indulging in such type of trade which is being run in a very clandestine manner, which is being run underground. That is why I would say that a befitting fine should also be provided for in the Bill. Whoever they may be, whatever the nature of their profession may be and whatever the nature of their business may be, once they are found guilty of extracting the human organs from the body of any person and commercialising them by such type of

sale of organs, heavy fine and heavy punishment should be inflicted upon such persons in order to discourage such type of business which is going on in our country.

In our country, lot of accidents are taking place and nearly fifty-five thousand people die in such accidents every year. Once there is a provision that human organs, especially kidney, liver and heart which are very vital, can be extracted from the bodies of the dying persons who are involved in some accident, that will be more than sufficient to meet the demand for human organs. Then there will be no need for any sort of smuggling or for selling such type of human organs in the clandestine market. As you know, Sir, there are two kidneys in the body of a human being and one can work with one kidney also. He can walk and go to any place and live any length of life. So, the poor people are under compulsion to sell one kidney to earn food for themselves.

They are selling one kidney to others for the sake of getting petty amount of money, that is, Rs. 50,000/- because food is very much necessary. That is why, such type of things must be regulated. Similarly, in the case of accidents there must be some provision which has not been provided in the present Bill and this has been just defined as transportation of human organs; 'transplantation' is the correct word and this must be rectified. If you go to Denmark, France, Austria and other countries you can see that when accidents take place the doctors will come there and they will extract live heart, live liver and other human organs. That will be considered as 'presumed consent'.

Here, there is a good provision that if there is any donor and if he is making

[Dr. Mumtaz Ansari]

any sort of dying declaration, if he is on the verge of death, he can just donate important organs. There must be two witnesses for that. One will be a 'near relative'. I would like to emphasize on this point that it should not be defined as 'near relative'; rather it must be 'blood relative' like wife, husband, sons, daughters etc. They are very important relatives and they can stand eye witness because anybody can become 'near relative' and they can also sell their human organs to anybody. So, this is a delicate and important issue. That is why, if you say only 'near relative' some unwanted things will be done in a clandestine manner. Suppose some mafia is there, some vested interest will develop and they will pose to be 'near relative'. They will say that they are standing as eye witnesses and ask the doctors to extract any number of organs like kidney, eye etc. So, this will create some confusion and the confusion will be worse confounded once you just make a provision that there will be only one eye witness who is a 'near relative'. There must be two blood relatives and they must stand eye witnesses when human organs are extracted. If a patient is alive and if he is in his senses, they can take his organs. That is alright. But once his brain is dead and only the heart is functioning, in that case you can just take the help from two blood relatives like sons, daughters, husband, wife etc.

SHRI INDER JIT (Darjeeling): Wife is not a blood relative.

DR. MUMTAZ ANSARI: I know that. In the law it has not been defined, but in the present conditions wife is more than a blood relative. There may be partition or division between the blood relatives also. But wife is also known as 'better half'. So, she is more than a blood relative these days.

So, Sir, these are the things which must be taken into consideration. Similarly, irrespective of what our friends have told, I would like to say that there must be regularisation of prices also. As the whole economy has been liberalised and globalised, naturally the price hike will be there and the human organs will be available only to certain sections of the society who can afford and to those who can spend some crores of rupees. In that situation, where will the poor people go? Then, I would like reservations for harijans and backward classes who cannot afford huge amount of money. The human organs should be supplied free of cost to them and to the persons who is very poor and holding a high position in the society and rendering service to the society.

On that ground, it may be supplied free of cost.

Mr. Chairman, Sir, similarly, if there is any extraction of such human organs also, this must be done by a registered hospital, registered surgeon, registered medical practitioner, not by quacks as it happened in the Emergency period. During that time, a person who had already been operated upon was again operated. A person who was unmarried was also just operated upon.

MR. CHAIRMAN: There is sufficient provision in the Bill for that.

DR. MUMTAZ ANSARI: With these words, I conclude.

[Translation]

SHRI TEJ NARAYAN SINGH (Buxar): Mr. Chairman, Sir, I rise to support the Transplantation of Human Organs Bill. It is an important Bill and I

think that it should have been passed quite earlier. Although it has been delayed but now it should be passed. This Bill has provisions which were really essential. I would like to point out that this Bill includes the names of only two-three States whereas it should be implemented throughout the country so that all the people could be benefited by it.

With regard to donors, I would like to say that there should be no division. Any person who wants to donate any part of his body should be free to do so. There should be no discrimination in it. I would like to make my humble submission that many people in our country have adopted kidnapping as their profession. They kidnap a person and give some medicine and under the influence of that medicine take out organs of their body. I would like to suggest that provision for stringent punishment should be made for such crimes under this Bill. There should be provision to restrict all other persons, other than the medical practitioner to take out any organ of the body of a person. No other person should be given permission for doing it. This should be made an essential provision in this Bill.

Apart from it, various other provisions have been made in this Bill. I am not going to discuss all those but I would like to say that some restrictions have been imposed in it which should be removed.

With regard to the provision made in this Bill, that in the case of an unclaimed dead body, any part of that body can be removed within 24 hours with the consent of a medical practitioner. I would like to say that even after giving consent by a doctor, no organ of an unclaimed dead body should be

removed because people of our country practice different religions and religious rites. It may happen that some relations would like to see the dead body of their relative and they may be late to come to see the dead body due to some unavoidable reasons. Therefore, I would like to request and suggest that without identification of a dead body, no organ should be removed even after seeking concurrence of a medical practitioner or any authority. I would like to point out one more thing that no human organ should be removed from a human body without proper investigation about the disease he suffered because the organ removed from a patient and transplanted to the other needy person will infect his body. Therefore no organ should be removed for transplantation without medical investigation of the body.

This Bill will benefit a large number of people in the country because a lot of people die for want of kidneys. This Bill will increase the availability of kidneys in the country and thus I support this Bill.

[English]

KUMARI MAMATA BANERJEE (Calcutta South): Sir, I rise to support the Transplantation of Human Organs Bill, 1993. This Bill has already been passed in the Rajya Sabha and the Select Committee has already given the recommendation also. The earlier speakers have raised some points. But I think this Bill is a comprehensive one. This Bill has covered every point that Members have raised.

I want to mention only two points here because the time at my disposal is very limited.

Firstly, we have said that the Authorised Committee or Authorised

[Kumari Mamata Banerjee]

persons who hand over the kidney should identify the kidney. But in the Bill itself it is mentioned that "appropriate Committee" means the appropriate Authority appointed under Section 13. The Bill clearly mentions the punishment for removal of human organs without authority, punishment for commercial dealings in human organs and punishment for contravention of any other provision under the Act. Everything is covered in the Bill.

Regarding near relatives, some Members have said that there must be mention of some names like daughter-in-law or sister-in-law. But I oppose this suggestion because you will appreciate that now-a-days, on the one side, they may support by saying that "Yes, she is the better half. She may be giving kidney for husband or near relative." We have to appreciate that in our country the dowry debt is increasing day by day. Even in a particular family, for the money, some people can enforce their demand to give kidney for commercial purpose. I think after the Rajya Sabha has passed the Bill, if we want to make any new point, we cannot include it here. That is why, we have to think over this matter also. The Government has the provision. If anybody voluntarily donates the kidney, there is a provision. They can donate it. There is an authorised Committee. So, they will recognise the thing with blood or other thing. They have to see it from the point of view of medical grounds also. That is why, I oppose this. Near relatives means whatever the Bill has mentioned. I think Government should accept it. Voluntarily anybody can give. There is no harm.

My second point is, now-a-days it is a fact that kidney transplantation is very much expensive. At least Rs. 1,25,000/- or

Rs. 80,000/- is needed for this. I know doctors are doing very well, specially in Kerala, Madras and in Calcutta also we have started. But for poor people, it is a big problem. The Government should think over the matter as to who are the poor people. I know the Prime Minister is giving Rs. 20,000/- from his Relief Fund. But if one particular person is working in a private factory and his monthly income is Rs.700/-. I know the Prime Minister gives Rs.10,000/- and the Governor gives Rs. 4,000/- and the Chief Minister gives Rs.4,000/- from National Relief Fund. But from where will he collect the balance? That is why, we have to encourage voluntary organisations also so that they should come up and help these people. The voluntary organisation which really wants to do good work should be exempted from income-tax so that it can come up in a good manner. Government should encourage it.

My third point is, we do not have any system now for the preservation of human organs. I know some particular cases in my State. Some people wanted to donate their bodies after death. But there is no such infrastructure for the preservation of human organs. I would like to request the hon. Minister that the Government should look into this matter very seriously because this is a very good Bill. I welcome this Bill.

At the same time, Government should also seriously consider this matter.

With these words, I welcome this Bill. I request all the members to support this Bill because we should not have a political outlook in this matter. On humanitarian grounds, we have to support this Bill.

DR. KRUPASINDHU BHOI (Sambalpur): Mr. Chairman, Sir, in the Select Committee, this amendment was given notice of by Dr. Laxminarayan Pandeya. So, in order to remind him about this. I want to say that there are three categories of donors - the deceased person, the brain-stem death person and the living person. For the living person only, we have got an objection. Dr. Laxminarayan Pandeya has given notice of an amendment. As far as the deceased person and the brain-stem death person are concerned, there will be lakhs of people who will donate the organs of such people. So, there will be no scarcity for organs like kidney, liver, heart, lungs, pancreas etc. Dr. Laxminarayan Pandeya knows better that a brain-stem death person's liver, heart or lungs can be transplanted easily. During this February, I along with my colleague Dr. Pawar as also the other Members, attended the International Medical Parliamentarians' Forum in Bangkok. There, we have come across the definition of the term 'near relative' which has been recognised by the WHO. That is the international standard. As per the definition given by the hon. Minister Shri Shankaranand when he introduced the Bill in the Rajya Sabha, near relatives for a living person are spouse, son, daughter, father, mother, brother or sister. Except the spouse, all the others are to be genetically related. So, the definition of near relative - except the spouse who is better half - has been discussed and deliberated upon and all others have to be genetically related. So, I would request the hon. Member Dr. Laxminarayan Pandeya to realise the difficulties. I want to know whether we should depart from the international standard or we should stick to our Course of action. This is my question. There is no other question. As I said already, in the Select Committee, the amendment was given notice of by Dr. Laxminarayan

Pandeya. He is himself a doctor. He himself realises the difficulties in respect of what is genetically related. So, I would urge upon Dr. Laxminarayan Pandeya to agree to this and withdraw this amendment which he has moved.

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI PABAN SINGH GHATOWAR): Sir, I am grateful to all the hon. Members who have participated in this discussion. Fifteen hon. Members have taken part in the discussion on this Bill. While introducing the Bill, I have explained about the purpose of the Bill. I have explained, in detail, about the various sections of this Bill. There has been a persistent demand from various national bodies, medical, legal and social experts and they have been advocating the need to bring forward a comprehensive legislation to regulate the removal and the transplantation of the human organs from the deceased and the living persons. This has particularly been emphasised in the context of the disturbing report about the sale of human organs especially in respect of kidney and other organs which have been transplanted in our country.

While taking part in the discussion on this Bill, some of the Members have expressed their views regarding the various sections of the Bill. This legislation has been well-drafted. It has been drafted after the Singhvi Committee gave its report. Basing on the report of the Singhvi Committee, this Bill has been drafted. They have consulted a wide range of medical experts of this country. They have taken note of what is happening in the other parts of the world also.

Sir, there are many views. Some Members have expressed that the

[Shri Paban Singh Ghatowar]

Government wants to get this Bill passed hurriedly. It is not a fact.

I can tell you that this Bill was introduced in Rajya Sabha on 20.8.92 and passed on 5.5.93. And this Bill was introduced in this House on 11.5.93 and there was a discussion on it. That was sent to the Select Committee on 11.12.93. The Select Committee presented the Report on 21.12.93. There was wide-ranging deliberation in both the Houses and in the Select Committee and almost on all the points, hon. Members agreed. But there is only one point of disagreement about the definition of near relatives. As Dr. Bhoi has rightly pointed out, in this definition, only the genetically related near relatives are included besides spouses. Inclusion of spouse is not directly genetically related relative but on account of very close and special relationship between the husband and wife. The enlargement of this definition by inclusion of in-laws, father-in-law, daughter-in-law, mother-in-law, sister-in-law etc., should not be accepted because in-laws are not genetically related. And in the existing society, as Kumari Mamata Banerjee rightly stated that in-laws could be pressurised to donate their organ and that would lead to the abuse of the system permitted by law.

21.26 hrs.

[MR. SPEAKER in the Chair]

About the donor, there is a misgiving in the minds of many hon. Members that only the genetically related people can donate. It is mentioned in Section 9, sub-section 4 (a) and (b), that in case where a living donor authorises transplantation of his organ into the recipient other than his near relative, as is specified by the donor by reasons of affection or attachment towards the recipient or for any other special reason, such donor can donate with the prior

permission of the authorised committee. That is already mentioned in Section 9, sub-section 4(a)(b) of the main Act. So, there will be no difficulty of other people donating the organ. But to satisfy that they are not donating this organ under pressure of their family members of any other consideration, prior permissions of the authorised committee is required. That is clearly covered in the Act.

Some Members mentioned that only three States of our country have passed the resolution. But when we pass this Bill in our Parliament, this will create a public opinion. And with the pressure of the public opinion created, other States will also adopt this. Centre will also urge the States to do so as early as possible.

In case of hospitals and other things, it is very clearly mentioned here where they can do this transplantation, where the institution has to be registered and so on. They will get registered when expert and other facilities are available in these hospitals. With these few words, I request all the hon. Members to pass this Bill as passed by the Rajya Sabha and as reported by the Select Committee.

MR. SPEAKER: The question is:

"That the Bill to provide for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs and for matters connected therewith or incidental thereto, as passed by Rajya Sabha and as reported by the Select Committee, be taken into consideration."

The motion was adopted.

MR. SPEAKER: The House shall now take up clause by clause consideration of the Bill.

Clause 2 — Definitions

SHRI PABAN SINGH GHATOWAR:
Sir, I beg to move:

Page 4, —

for lines 36 to 38, substitute

'(i)' "near relative" means spouse, son, daughter, father, mother, brother or sister",

MR. SPEAKER: Dr. Pandeya, are you moving your amendment to this amendment?

DR. LAXMINARAYAN PANDEYA
(Mandsaur): I want to move my amendment, Sir.

MR. SPEAKER: You want to make a submission also. But is it necessary at this late hour.

[Translation]

DR. LAXMINARAYAN PANDEYA:
Hon. Mr. Speaker, Sir, I would like to make an amendment in the amendment moved by the hon. Minister.

I beg to move:

"That in the Amendment proposed by Shri Paban Singh Ghatowar and Printed as S.No. 3 in the List No. 1 of Amendments.

add after "sister"

"Son-in-law, mother-in-law and brother-in-law" (5)

I would like to say that hon. Minister has tried to mislead the House.

[English]

"If any donor authorises the removal of any human organ before his death..."

[Translation]

If someone donates his body after death he can authorise someone to do that. But hon. Minister is telling that definition of donor relative is different and definition of near-relative is different. He is inter-mingling the definitions of near relative and donor relative. I would like to make my humble submission that Select Committee has given its unanimous report on it after a comprehensive discussion.

[English]

"The Committee feel that the definition of the term "near relative" as given in the sub-clause is very restrictive as it includes only the spouse, son, daughter, father, mother, brother or sister. They are of the view that the scope of the term "near relative" should be enlarged so as to include son-in-law, father-in-law, mother-in-law and brother-in-law as well. The sub-clause has been amended accordingly."

[Translation]

It is a unanimous report. Select Committee has made several amendments into the Bill passed by Rajya Sabha and we have accepted that. Now hon. Minister says that it should be passed in the same manner as was

[Dr. Laxminarayan Pandeya]

passed by the Rajya Sabha. Hon. Minister has not given amendment to the amendments made by the Select Committee. Therefore I would like to say that the unanimous report given by the Select Committee should be passed. We are in favour of this Bill and I wish that it should be passed immediately but before passing this Bill the unanimous report given by the Select Committee should be passed by this House.

Hon. Minister has given one or two amendments and I am presenting my amendments for this Bill that should be accepted.

[English]

SHRI PABAN SINGH GHATOWAR: Sir, I will request Dr. Pandeya not to press for the amendment. I will request that the Bill be passed as passed by Rajya Sabha. I have already moved an amendment to the Select Committee Report. (Interruptions)

[Translation]

DR. LAXMINARAYAN PANDEYA: Hon. Mr. Speaker, Sir, I have mentioned earlier also that several amendments have been made in the Bill passed by Rajya Sabha.

[English]

SHRI PABAN SINGH GHATOWAR: About the enlargement of the definition of "near relative", I have already explained that there is a provision in the Act, according to which, when a person desires to donate his organ, he can very easily donate but he has to take the prior permission of the Authorised Committee because the Authorised Committee will examine whether person is donating

under pressure or under any other consideration.

[Translation]

DR. LAXMINARAYAN PANDEYA: Mr. Speaker, Sir, I would like to draw the attention of the House towards the amendments made in the Bill passed by Rajya Sabha. Hon. Minister has accepted all these amendments. I now hon. Minister says that it should be passed in the same manner as was passed by the Rajya Sabha, then what will happen to amendments made in it. No amendment has been made to the report given by Select Committee. Therefore, I request to accept my amendment regarding "near relative" and it should be accepted with the amendments made by Select Committee in the Bill passed by Rajya Sabha.

[English]

MR. SPEAKER: I shall now put Amendment No. 5, moved by Dr. Laxminarayan Pandeya to Amendment No. 3 moved by Shri Paban Singh Ghatowar to the vote of the House.

Amendment No. 5 was put and negatived.

MR. SPEAKER: I shall now put Amendment No. 3 moved by Shri Paban Singh Ghatowar to the vote of the House.

The question is:

Page 4, —

for lines 36 to 38, *substitute*

(i) "near relative" means spouse, son, daughter, father, mother, brother or sister; (3)

The motion was adopted.

Amendment made:

Enacting Formula

Page 5, —

Amendment made:

(i) line 7 omit "or";

"Page 3, line 1, - for 'Forty-fourth' substitute 'Forty-fifth'.(ii) *Omit* lines 8 and 9. (4)

(Shri Paban Singh Ghatowar)

(Shri Paban Singh Ghatowar)

MR. SPEAKER: The question is:

MR. SPEAKER: The question is:

*"That the Enacting Formula, as amended, stand part of the Bill."**"That clause 2, as amended, stand part of the Bill."**The motion was adopted.**The motion was adopted.**The Enacting Formula, as amended, was added to the Bill.**Clause 2, as amended, was added to the Bill.*

MR. SPEAKER: The question is:

*Clauses 3 to 25 were added to the Bill.**"That the Preamble and the Long Title stand part of the Bill"**Clause 1 — Short Title, Application and Commencement**The motion was adopted.*

Amendment made:

*The Preamble and the Title were added to the Bill.**"Page 3, line 6, — for '1993' substitute '1994'*

SHRI PABAN SINGH GHATOWAR:

(Shri Paban Singh Ghatowar)

I beg to move:

"That the Bill, as amended, be passed".

MR. SPEAKER: The question is:

MR. SPEAKER: The question is:

*"That Clause 1, as amended, stand part of the Bill."**"That the Bill, as amended, be passed."**The motion was adopted.**The motion was adopted.**Clause 1, as amended, was added to the Bill.*KUMARI MAMATA BANERJEE
(Calcutta South): It is only Transplantation
of Human Organs Bill and not

[Kumari Mamata Banerjee]

by Rajya Sabha, be taken into consideration."

Transportation of Human Organs Bill as is printed at one place.

and

MR. SPEAKER: It will be rectified, I suppose.

"That the Bill further to amend the Suppression of Unlawful Acts against Safety of Civil Aviation Act, 1982, as passed by Rajya Sabha, be taken into consideration."

MR. SPEAKER: Now what is the wish of the House? Is it to adjourn the House *sine die*.

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): There are two Bills belonging to the Civil Aviation Ministry. They could be passed without discussion because they have been gone into thoroughly by the Standing Committees. There should be no problem in getting these Bills through. They have been passed by the Rajya Sabha already.

MR. SPEAKER: Okay. The Minister, please.

The Government had enacted two Acts namely Anti-hijacking Act and Suppression of Unlawful acts against Safety of Civil Aviation Act in 1982 to deal with offences relating to the hijacking of the aircraft and to give effect to the convention on suppression of unlawful seizure of aircraft signed on 16th December 1970 at The Hague. As is widely accepted, hijacking is an international crime, which, apart from heavy financial losses, also causes traumatic experience to the passengers, crew members and their kith and kin, even when such act is committed without use of lethal weapons. A number of incidents took place particularly last year were in fact the handiwork of amateurs. Although the existing Acts provide for a minimum punishment of life imprisonment and fine, it has been the experience that their deterrent effect is diluted by the time consuming process of investigation and trial.

21.38 hrs

**ANTI-HIJACKING (AMENDMENT)
BILL**

As Passed By Rajya Sabha

AND

**SUPPRESSION OF UNLAWFUL
ACTS AGAINST SAFETY OF CIVIL
AVIATION (AMENDMENT) BILL**

THE MINISTER OF CIVIL AVIATION AND TOURISM (SHRI GULAM NABI AZAD): I beg to move:

"That the Bill further to amend the Anti-Hijacking Act, 1982, as passed

Considering the gravity of hijacking offences and the consequential disruption it causes, the Government have considered it necessary to review the provision of the Anti-hijacking Act, 1982, and the Suppression of Unlawful Acts against Safety of Civil Aviation Act, 1982 to incorporate suitable changes in these Acts to provide for prompt and professionally oriented investigation,

quick trial and early punishment of offenders.

The Amendment Bills now brought up before the House seek to incorporate the following changes to achieve the above objectives:

- (i) At present, the offences relating to hijacking are investigated by the local police. It is proposed in the new Bill to incorporate a provision in the Act empowering the Central Government to confer on any of its officers such powers of arrest, investigation and prosecution of cases of hijacking as are now exercised by police officers under the Code of Criminal Procedure, 1973.
- (ii) It is also proposed to make a provision making it mandatory for State Governments to specify 'Designated Courts' with the concurrence of Chief Justice of the concerned High Court for speedy trial and disposal of cases of hijacking. The Designated Court shall, as far as practicable, hold the trial on a day-to-day basis.
- (iii) Considering the gravity of the offence, it is felt that the ordinary procedures for obtaining bail should also be made more stringent. For this purpose, it has been proposed to include a provision that no bail can be granted for the offences under the Act without the prosecution being given an opportunity for hearing.

- (iv) As a further step to make the laws more deterrent, it is proposed that in certain cases where arms, ammunitions or explosives are recovered from the accused person, which are suspected to have been used in the commission of an offence or if there is evidence of use of force, threat of force, etc., in the commission of the offence, the burden of proof would stand shifted from the prosecution to the accused.

In brief, the Amendment Bill is intended to make the existing laws dealing with offences of hijacking more stringent so as to have a greater deterrent effect on potential offenders. This would also enable the Central Government to effectively discharge its international obligations in handling offences against safety of Civil Aviation.

I would urge the House to support the Bill and pass it for enactment. The Bill has been considered and recommended by the Parliamentary Committee on Transport and Tourism on 29th March, 1994. The Bill has also been passed by Rajya Sabha on 5th May, 1994.

MR. SPEAKER: I shall now put the consideration motion of the first Bill to the vote of the House. The question is :

"That the Bill further to amend the Anti-Hijacking Act, 1982, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. SPEAKER: The House will now take up clause-by-clause consideration of the Bill.

[Mr. Speaker]

The question is :

"That clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were adopted to the Bill.

MR. SPEAKER: The question is :

"That Clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

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

SHRI GULAM NABI AZAD: I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

MR. SPEAKER: I shall now put the Consideration Motion of the Second Bill to the vote of the House.

The question is :

"That the Bill further to amend the Suppression of Unlawful Acts against Safety of Civil Aviation Act 1982, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. SPEAKER: We will now take up clause by clause consideration of the Bill.

The question is :

"That Clauses 2 to 6 stand part of the Bill."

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

MR. SPEAKER: The question is:

"That Clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Long Title stand part of the Bill.

SHRI GULAM NABI AZAD: I beg to move :

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

VALEDICTORY REFERENCE

21.46 hrs.

MR. SPEAKER: Parliament Members, yesterday and today, we have been able to transact some business. The Ordinances have been passed and turned into law. Other Bills have also been

passed and we have been able to discuss some topics.

Unfortunately, the main purpose for which the Session was held, could not be fulfilled. There were some difficulties. We hope that the ingenuity of the Members of the Parliament would help in evolving some formulae which would help us in achieving the objectives.

We want to thank the Leader of the House, the Leader of the Opposition and Leaders of all other Parties for the understanding and cooperation extended by them to the Parliament and to the Presiding Officers. We also thank all those Members who least opened their lips and remained in their seats.

The Members of this House have cooperated with us and with one another in the best possible manner. They deserve our appreciation, thanks and congratulations.

The Press also has cooperated with the Parliament by reporting the topics which came up for discussion and the proceedings in the House to the people in an interesting manner. We appreciate what they have done.

Dr. R.C. Bhardwaj is looking after the duties of the Secretary-General of the

Lok Sabha from 1st of June 1994. We welcome him to the position of this great responsibility and wish him all success.

Shri C.K. Jain has ceased to carry on the duties of the Secretary-General from 31st May 1994. He did his best to discharge his duties to the best of his abilities. We are appreciative of all the good work done by him, especially at the time when international Parliamentary Conferences and Seminars were held. We wish him all the best in his life.

We would like to appoint him as the Honorary Officer of the Lok Sabha.

The Honourable Members would return to their Constituencies and would come back to the Parliament after some time. We wish them fruitful, happy and meaningful sojourn at their places in the service of the people.

21.50 hrs.

NATIONAL SONG

The National Song was played.

MR. SPEAKER: The House stands adjourned *sine die*.

21.51 hrs.

The Lok Sabha then adjourned sine die

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