

LOK SABHA DEBATES **(English Version)**

Fifth Session
(Tenth Lok Sabha)



सत्यमेव जयते

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LOK SABHA DEBATES

LOK SABHA

Wednesday, December 23, 1992/Pausa 2,
1914 (Saka)

*The Lok Sabha met at
Eleven of the Clock*

[MR. SPEAKER *in the Chair*]

[English]

OBITUARY REFERENCES

MR. SPEAKER: Hon. Members, I have to inform the House of the sad demise of three of our former colleagues Sarvashri Sinhasan Singh, Biren Dutta and Ganesh Ghosh.

Shri Sinhasan Singh was a Member of First, Second and Third Lok Sabha during 1952-67 representing Gorakhpur constituency of Uttar Pradesh. Earlier he had been a Member of Uttar Pradesh Legislative Assembly.

Educated at the Banaras Hindu University and Lucknow University, Shri Sinhasan Singh was an active political and social worker. He was imprisoned several times for taking part in national movements. A lawyer by profession, he was interested in the promotion of education and was associated with various educational institutions in different capacities. He was deeply interested in the developmental activities of his district.

An able and experienced parliamentarian, he actively participated in the proceedings of the House and made a valuable contribution thereto.

Shri Singh passed away at Gorakhpur

on 3rd December, 1992 at the age of ninety-three years.

Shri Biren Dutta was a member of the First, Third and Fifth Lok Sabha during 1952-57, 1962-67 and 1971-77 from Tripura West constituency of Tripura.

He served with distinction the States of Tripura as a Member of Legislative Assembly and as Minister in the State Council of Ministers. He had also served as a Commissioner of Agartala Municipality.

Shri Dutta was an active social and political worker. He was jailed several times for actively participating in the freedom struggle. He was also associated with the activities of Trade Union Congress of Tripura State.

He actively worked for the promotion of education in tribal areas of the State.

A man of letters Shri Dutta took keen interest in journalism and was editor of 'Desh Dak' a Bengali weekly. He also had some publications to his credit, including 'Projar Dabi' and 'Purba Bangar Lok Katha'.

Shri Dutta actively participated in the proceedings of the House.

He passed away on 18th December, 1992 at the age of about eighty-two years.

Shri Ganesh Ghosh was a member of the fourth Lok Sabha during 1967-70 representing Calcutta South constituency of West Bengal. Earlier he was a member of West Bengal Legislative Assembly during 1952-67.

Shri Ghosh devoted his whole life to the social and political activities in the State.

He actively participated in the proceedings of the House.

He expired on 22nd December, 1992 at the age of ninety-two years at Calcutta.

We deeply mourn the loss of these friends and I am sure the House will join me in conveying our condolences to the bereaved families.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Sir, as we mourn the death of these sons of India, I want to make a specific mention of Shri Ganesh Ghos. He belonged to that group which, perhaps for the first time fought the British with arms - that famous story of Chittagong Armoury Raid. For several days, long before 1942, they declared Chittagong to be independent of the British forces. The leader of that group, Master Surya Sen, as we used to call him, was hanged. But the others were sent to Andamans. Genesh Ghosh was one of them. Perhaps he was the last of those revolutionaries. He died this morning. Many of them, when they came back from Andamans, gave up their old approach to the struggle for freedom and adopted the new approach of communism and of scientific socialism and joined the communist movement when they were released.

I had the good fortune of acting as the chief election agent of Shri Ghosh both in 1952 and 1957 elections. Let me tell you that in the first elections of 1952, there were 13 candidates opposing him. He was an orator, but when he spoke he was simplicity itself. As a consequence, cutting across all political lines, all the candidates opposing him lost their deposits. I was fortunate enough to act as his election agent for the next terms also.

I do not know many of the present Members were there in the Fourth Lok Sabha. But those who had come in contact with him will always remember him as one who had such an iron will combined with simplicity. I will confess I have not seen another person of this mixture.

In mourning him, I do not want take

more of your time. Let us dedicate ourselves to the simplicity that India stands for and which he represented ably. This strong will which is a vital necessity for the present in our country, that is associated with him.

I pay my homage to him as you Sir, and join you and others also in conveying our condolence to the bereaved family.

MR. SPEAKER: The House may now stand in silence for a short while as a mark of respect to the deceased.

11.07 hrs.

The Members then stood in silence for a short while.

11.09 hrs.

RE. HOLDING OF ELECTION IN DELHI

[*Translation*]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir till yesterday morning we were made to believe that a Bill regarding Delhi would be moved to night and after getting it passed here it would also be got passed in the Rajya Sabha today itself. Once again we as well as the residents of Delhi have been deceived. In December, 1991 the hon. Home Minister had said in this very House the elections would be held in Delhi within 6 or 8 months time. As per their promise the elections in Delhi should have been held by August 1992, now it is December 1992 and a Bill to this effect has not yet been brought forward. Yesterday, the Home Minister said in the House that he was not able to get this Bill passed in this session. The proposed Delhi Municipal Corporation Bill has no teeth. It is toothless because subjects like electricity, water, hospital's fire brigade etc. have been taken away from the M.C.D. Transport had already been withdrawn. They wish to give the people of Delhi a toy in the form of this Bill and even that Bill is also not being presented here. In this way they are harassing the people of Delhi. Mr. Speaker, Sir, today the bureaucracy

is dominating in Delhi. You might be knowing and I would also like to remind you that the last elections of M.C.D. were held ten years ago on 5th February, 1983, in the first instance its tenure was extended by them by one year. Then it was said that since the elections for the metropolitan Council were due in a year the elections to the M.C.D. were also postponed by a year. After 1983 its elections were due in 1988. It was therefore, said that elections for the metropolitan Council and M.C.D. would be held together. Thereafter they extended this period by more year. When elections were to be held, the Government set up a committee. The Sarkaria Commission was entrusted the job of suggestions a new set up for Delhi within 6 months time. The time of 6 months passed. Then 1 year passed. The report was presented, but it was not published. The report was presented during Shri V.P. Singh's tenure as prime Minister. it was said that a full-fledged Assembly should be given to the people of Delhi and a Bill to this effect was also prepared. When the then Home Minister, Mr. Mufti Mohammed Syed tried to present that Bill, the present Minister, Shri P.R. Kumaramangalam snatched away the Bill from hands. This is the past history. Yesterday, Shri Ghulam Nabi said that they wated to put it on record that the Congress party wished to hold the elections in Delhi. Last time also this Bill was brought forward in the House on the last day of the session. it contained 103 amendments. When I asked you to extend the House by one more day you did not allow it. After that they made a promise to present the Bill on the first day of this Winter Session. Today it is the last day of the session and once again have refused to present the Bill. It shows that their intentions are not clear. They do not want to hold elections in Delhi deliberately. So, Mr. Speaker, Sir, in order to solve the problems of Delhi which are getting worse, Delhi needs its own Government which should be accountable and fully responsible to its people. It hardly matters as to which party come to power. It seems, the Government considering Delhi a colony. As such they do not want to hold elections in Delhi deliberately. That is why they are not presenting a Bill in this regard.

Mr. Speaker, Sir, I request the hon. Home Minister to make a statement regarding not fulfilling the promise he had made in December, 1991.

SHRI KALKA DAS (Karol Bagh): Mr. Speaker, Sir, I fully support whatever our leader, Shri Khuranji said, I want to add one more thing to it. For the last three years one crore people of Delhi are being deprived of the public amenities. In the absence of an elected Government in Delhi everybody is being harassed. Corruption is rampant everywhere in the administration.

Mr. Speaker, Sir, the point which I would like to add is that you said in the House that this Bill must be brought forward today and its priority would be changed. Even after your directions, the hon. Home Minister said that this Bill would not be presented today. It certainly is a blow to the dignity of the House. In order to provide public amenities it is necessary to hold elections. Shri Ghulam Nabi Azad said that the B.J.P. does not want elections. You can well understand that he is misleading the people of Delhi by his political gimmick. They are afraid of elections because, they know that if elections are held in Delhi, the Congress will lose ground. Therefore, as a strategic move elections are not being held in Delhi and as a result people of Delhi are suffering a lot in the absence of essential public facilities. Mr. Speaker, Sir, therefore, I would like to submit that you should direct the Government to hold elections in Delhi as soon as possible so that one crore people may get relief and essential services. I would like that the hon. Minister of Home Affairs should make clear the intentions of the Government in this regard and by when it would like to hold elections in Delhi. He said that the elections would certainly be held in Delhi by December. I would like that the Government should hold elections in Delhi at the earliest.

[English]

SHRI MRUTYUNJAYA NAYAK (Phulbani): Mr. Speaker, Sir, I am on a point of order.

MR. SPEAKER: What is your point of order?

SHRI MRUTYUNJAYA NAYAK: If the elections are held for Delhi, I want to know whether Khurana and the BJP will give an undertaking that they will not destroy Masjids and also the *Lal Kila*.

MR. SPEAKER: Is that your point of order? There is no point of order in this.

[*Translation*]

SHRI TARA CHAND KHANDELWAL (Chandni Chawk): Mr. Speaker, Sir, I would like you add one more point in the points raised by my colleagues Shri Madan Lal Khurana and Shri Kalka Das that the Government is subverting the democracy by not holding elections in Delhi. It is a blatant example of that. Lark elections were held in Delhi in March, 1983. Now more than 9 years have passed and after two months 10 years will be completed. I think that the people of Delhi are being denied their fundamental rights by not holding elections in Delhi. The citizens of Delhi are being deprived of their fundamental right of electing their representatives. As a result corruption is prevailing in Delhi and the development worked have come to a standstill. Everywhere red-tapism is prevailing in Delhi. I would like you ask as to how long the Government will not hold elections in Delhi. They are afraid that if elections are held in Delhi the Congress will be completely rooted out. The present position is that the Government did not present the Bill in the House. Keeping in view the atmosphere of the last 15 days and judging the feeling of people the Congress is afraid of that if elections are held in Delhi Bhartiya Janata Party will come to power and the Congress will lose the elections.

I would like to remind you that some time back the hon. Minister of Home Affairs had made a statement that the elections would be held Delhi by the month of December. The month December is also coming to an end after one week but the Government has not presented the said Bill. These people are afraid of presenting the Bill because they

fear that they will lose the elections. I would like to ask as to what the hon. Home Minister is doing in this regard. Tell us the final outline of the elections of Delhi that as to when the Government will hold it... (*Interruptions*).

SHRI BHOGENDRA JHA (Madhubani): Mr. Speaker, Sir, no such concept of supremacy of anyone is there in the Constitution.

[*English*]

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): Mr. Speaker, Sir, since I also belong to Delhi, I would just like to mention that at no time we had not agreed to bring the Bill. Madam Lal Khurana, his other colleagues and we all have concern for Delhi. What he says is partly right, but nobody can say that our intentions are not good. But, they had wasted seven days of this Session of Parliament. Who is going to make up for these seven days? (*Interruptions*)

SHRI RAM NAIK (Bombay North): Sir, yesterday also, the Minister of Parliamentary Affairs assumed that this bill will be passed.

[*Translation*]

SHRI SHARAD YADAV (Madhepura): Mr. Speaker, Sir, Khurana ji longs badly for it and he is right.

MR. SPEAKER: Leave it and come to the topic.

SHRI SHARAD YADAV: My another submission is that whenever Tytler ji stands here it seems that he is in a mood of first fighting. (*Interruptions*) Perhaps he is feeling bad.... (*Interruptions*) Mr. Speaker, Sir, I would like to submit that I have come to know from some reliable sources that yesterday in regarding promotions of SC and ST, the entire House.

MR. SPEAKER: No, no.

(*Interruptions*)

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, I would like to request you that hon. Minister of Home Affairs who is present in the House should say something about this issue....(*Interruptions*)

MR. SPEAKER: All Members have not to speak together on the same issue.

(*Interruptions*)

SHRI SHARAD YADAV: Mr. Speaker, Sir, my point is different.

MR. SPEAKER: All right, then you will speak after the hon. Minister of Home Affairs.

[*English*]

This is not a regular decision. You should understand this. We had a meeting and I think, the Government is coming up with a statement.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): To keep the record straight, I want to say. I think, if only one version of the BJP Members is reported in the Press, it will create a misunderstanding. That is why, I thought it necessary. Actually I never thought that he was going to make all kinds of things—I would not say allegations—but at the same time I am compelled to say these are insinuations.

Right for the last three Sessions, I have been waiting for discussing this Bill. Mr. Khurana knows it very well. In this Session also in the first week, it was shown on the business. You go through the Order Papers and you will come to know it. Business Advisory Committee somehow could not find time. To say that the Government is trying to run away and we are not honouring the promise that we have given, is not a statement of facts. But at the same time...(*Interruptions.*)

SHRI RAM NAIK: I am on point of order. Whatever might have been discussed in the Business Advisory Committee, can it be referred in this House this way? Can the

Business Advisory Committee be blamed for that? (*Interruptions*)

SHRI RAMKAPSE (Thane): It was never brought before the Business Advisory Committee.

SHRI RAM NAIK: We have cooperated with the Government in passing the Constitutional (Amendment) Bills. That way, this could have been done. It appears that the Minister is not interested, the Government is not interested.

SHRI S.B. CHAVAN: There is no question of casting any aspersion. It is a question of funding time. That is why, such a major Bill. (*Interruptions*)

SHRI ANNA JOSHI (Pune): whose duty is it to find them? It is your duty.

SHRI S.B. CHAVAN: The Government is also equally keen I must tell you very frankly, I have given the notice for the same. We are prepared but I do not want on the last day, such major Bill with almost 163 to 164 amendments to the Bill I donot think, it will be proper not to allow any kind of discussion on the Bill — to get it passed with out discussion We can understand the feeling of both side of the House that both the sides are equally keen to hold the elections as early as possible. We would like to see that this Bill, in the first week of next Session is being discussed in the floor of the House provided we get time.

SHRI MADAN LAL KHURANA: This is the fourth assurance you are giving. (*Interruptions*)

[*Translation*]

SHRI MADAN LAL KHURANA: You had assured last year in December. You should clearly tell when elections will be held in Delhi, so that its process may start. (*Interruptions*)

SHRI TARA CHAND KHANDELWAL: There is much difference between his words and deeds. He says something and does

something else. (*Interruptions*)

SHRI SURYA NARAYAN YADAV (Sahasra): Mr. Speaker, Sir, 40-45 members have spoken. You don't give us chance to speak. (*Interruptions*)

[*English*]

MR. SPEAKER: You please go to your seat. This is Parliament. I am watching you, are be having in a manner that you are not working in parliament. You go to your seat now. I do not appreciate this. You go to your seat now.

(*Interruptions*)

MR. SPEAKER: Every day you are getting up and behaving like this, as if you are not behaving in Parliament. I will be constrained to take action against you. I do not want this kind of goondaism to be carried on in this House. (*Interruptions*)

MR. SPEAKER: I am warning you. I have warned you more than once in this House. If you think that you can hold the House to ransom. I am not going to allow it.

You behave properly. Follow the rules. If you get the time, then you speak. Every day you speak and yet you are forcing yourself on the House.

(*Interruptions*)

SHRI LOKANATH CHOUDHRY (Jagatsinghpur): I am on a point of order. You allow me to speak. (*Interruptions*)

MR. SPEAKER: I will give you the time. I have called his name. Already he is on his legs. I will allow you to speak later on.

(*Interruptions*)

SHRI LOKANATH CHOUDHRY: My point is the word 'goondaism' you uttered is not proper.

MR. SPEAKER: I am sorry. I will withdraw it. But you are watching in the House that

every day he gets up like that and every day he behaves like this. This is the Parliament and the dignity of the parliament should be maintained. Every day I am allowing him to speak. what is this kind of thing going on in the Parliament? I am sorry, Lokanathji.

[*Translation*]

SHRI SHARAD YADAV (Madhepura): Mr. Speaker, Sir, I have come to know through a reliable source that at five o'clock today the hon. Minister of Welfare is to make a statement on the issue of promotion and on that Mandal. In this context, I would like to say that following the decision of the Supreme Court crores of people of the country are in a state of emotional unrest.

Today is the last day of the current session. I hope that the Government would be wise enough to arrive at a right decision and would implement the verdict of the court immediately. But I have a little suspicion if the Government would do it. Having come to know about the time of five o'clock fixed for the statement, I grew anxious and I am conveying my concern to the Government through you. The Government should make some decisive statement regarding the immediate implementation of the decision of the Court on the issue of promotion and that of Mandal Commission. The current session of Parliament would be over at five o'clock and with it this issue will again be pending in the same way as it has been pending for the last 47 years. This is what I want to submit.

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Mr. Speaker, Sir, I would like to add one more point to what has been said Sharad ji. That is very important. Yesterday it was assured that the Government would certainly make a statement on the issue, of promotion. We know, today is the last day of the current session. The Supreme Court has passed a very vital judgement on the Mandal Commission. The Court has set a period of four months for the implementation of its judgement. Out of these four months more than a month has already elapsed; but there is no indication from the Government side whether any efforts have been made or not

by the Central Government directing the State Governments for the speedy implementation of the decision. I would, therefore, request you to direct the Government that at the time of making a statement at 5 o'clock regarding reservation in promotion for Scheduled Caste and Scheduled Tribes it should also clarify whether the Government has made any effort to implement the report within the four months as stipulated by the Supreme Court.

SHRI TARA CHAND KHANDELWAL (Chandni Chawk): Mr. Speaker, Sir, Shri Kalka Das and myself have given a notice of Privilege Motion...*(Interruptions)*

MR. SPEAKER: I have not allowed you to raise it...

(Interruptions)

SHRI RAJENDRA KUMAR SHARMA (Rampur): Mr. Speaker, Sir, this is a very important matter and is related to Shri Tarun Gogoi and I would therefore like that you should direct him to reply.

75 per cent of total production of rice and paddy produced by the farmers of Uttar Pradesh is of fine variety. The present rate of that rice varies from Rs. 300 to Rs. 500 only per quintal whereas the rate of the same is Rs. 1000 to 1500 per quintal in Haryana and Punjab. In view of the increased prices of fertilizers and the unremunerative prices of their produce being to the farmers, they are in a very pritable condition.

Through you, I would like to request the Government to make a statement in this regard stating the steps proposed to be taken by the Government to check the constantly increasing prices of the inputs and to provide remunerative prices to the farmers of their produce. A single zone should be made to enable the farmers to have remunerative prices for their produce. Today the situation is that the rate of wheat in our state is Rs. 325 per quintal whereas the same wheat is sold in Maharashtra at the rate of Rs. 600 per quintal. Through you, I would like to submit that Shri Tarun Gogoi

may please give complete information in this regard. All the members of the House are anxious to know about it. The exploitation of the farmers must end. The farmers of Uttar Pradesh are suffering a lot. I would humbly request you to get a reply from Shri Tarun Gogoi...*(Interruptions)*

(English)

SHRI A. CHARLES (Trivandrum): Sir, we, on this side of the House, are also equally concerned about the implementation of the recommendation of the Mandal Commission. But I am really sorry to say...

MR. SPEAKER: This is over.
(Interruptions)

(English)

SHRI A. CHARLES: No, Sir, I want to put the recorded straight. *(Interruptions)*

(Translation)

MR. SPEAKER: If you linger on this topic, other members will also like to express their views on it.

(English)

SHRI A. CHARLES: I will just one minute, please. This is a very sensitive matter. I am sorry to say that one of the major political parties is trying to use it again as political issue. I belong to a backward community. I am backward-community man. I am really sorry to say that the former Prime Minister, when he issued the order, has complicated the whole thing. I would plead with the Government to study it carefully and implement the recommendations so that it may be beneficial to the backward community.

MR. SPEAKER: You please do not speak for the Government. The Government will speak for itself. *(Interruptions)*

MR. SPEAKER: In the enthusiasm of speaking, please do not complicate the matter. The Government is quite capable of

SHRI A. CHARLES: They had complicated the matter. Again they are complicating the matter. (*Interruptions*)

MR. SPEAKER: They are not complicating the matter. They are doing their duty. They are operating with you also. Please understand it and sit down now.

SHRI A. CHARLES: They are doing injustice to the backward community. (*Interruptions*)

SHRI MOHAN SINGH (Deoria): Mr. Speaker, Sir, the hon. Minister of agriculture of the Government of India has repeatedly assured and outside this House.. (*Interruptions*) that the farmers will get remunerative prices of their produce but the farmers of Uttar Pradesh are in a bad state. The Government has not so far opened the paddy purchase centres. The Kharif crop has arrived in the market, but the super fine quality of rice is being sold on a very low rate as has already been mentioned by our colleagues. The Government has not made any announcement to provide any support price. But on the contrary, the Government of India, instead of providing remunerative price for the rice to the farmers, is going to import rice from abroad. It is an unfortunate situation. I would like to submit to the hon. Minister that he should immediately give an assurance that the Government of India would make proper arrangements to purchase the Kharif crops of reasonable rates, from the farmers of Uttar Pradesh. The Government should also give an assurance that it would not import rice and would purchase the same from our farmers at that very rate. Same is the position in regard to sugarcane. Sugar cane crop is now ready. The crushing season has already started but the former Government of Uttar Pradesh had increased the rate of sugar cane only by one rupee. Whatever remunerative support price should be given to the farmers by the Government it is not being given to them. Now there is the rule of Government of India in Uttar Pradesh. So the Government of India should have also

announced the price for sugarcane. I would like to submit that the hon. Minister should make a statement and give a firm assurance in this regard.

SHRI CHANDULAL CHADRAKAR (Durg): Mr. Speaker, Sir, the Minister of Agriculture has announced recently that there would be no ban on the movement of foodgrains from one place to another throughout the country from Ladakh to Kanyakumari and foodgrains would be sold at the uniform rates from east to west which would enable the farmers to fetch remunerative prices. But some State Governments have imposed ban on the free movement of foodgrains. Through you, I would like to request the Minister of Agriculture and Shri Gogoi to help remove this ban immediately and the uniform rates of foodgrains should be given to the farmers all over the country. It should not be so that the farmers of one place may get double rates than the farmers of the other place. The Central Government and our Minister of Agriculture, Shri Gogoi should issue direction to every State Government in this regard immediately. The orders should be issued today, if possible, there would be no ban on the free movement from one place to another in the country. Only then the farmers would be able to get remunerative prices.

SHRI RAJVEER SINGH (Aonla): Mr. Speaker, Sir, my hon. Colleague Shri Rajesh Sharma has raised an important issue. We have discussed this some many times and we are discussing today also it. The Central Government is always in dilemma whether it is a matter of export of wheat or procurement of paddy. Government does not announce support price before the harvesting season begins. I said last time also that the farmer should be given at least the cost price. But he does not get it. His condition has worsened. He is not getting the cost price of his product. He produces fine quality bansmati rice after putting hard labour. We are in a position to export it. There is a great demand of it in abroad. But now the situation is that the farmers of Uttar Pradesh do not get the cost price of his paddy crop. What to speak of the profit, he does not get even the cost price of

his produce. Agriculture has become a business of loss. The farmers are in distress. Their condition is very bad. When we visit a village, we find the people virtually weeping because of sufferings.

I would like to request the Government to withdraw this law today itself. The entire country should be made a single zone. All the farmers in India should get uniform rates.

Mr. Speaker, Sir, it has also another aspect. It is the aspect of consumer. These days, rice is cheaper in our area, but it is dearer in Maharashtra and in Madras...
(*Interruptions*)

MR. SPEAKER: It is not the only point. So please do not speak much on this issue. Other members have also to speak. There are some other points also.

(*Interruptions*)

MR. SPEAKER: You please sit down. We should follow rules at least to some extent. Otherwise, nothing will come out of it.

(*Interruptions*)

[*English*]

SHRI LOKANATH CHOUDHURY (Jagatsinghpur): My friend Shri Chandrsakar was speaking. I just want to draw the attention of the Government to one fact. When in the market we will have a distress sale, what mechanism the Government is going to create to see that the peasant is not forced to sale crop at a price below than the support price. This has become an urgent problem because last year you know that the FCI did not collect that much of cereals that it was expected to. And that led to exports. I want to know, will not this policy of the Government, not going to the market and collecting it, leave the peasants, the cultivators at the disposal of the blood thirsty merchants?
(*Interruptions*)

MR. SPEAKER: It is not a regular discussion. There are many others who want to speak on the last day.

(*Interruptions*)

SHRI LOKANATH CHOUDHURY: I want to impress upon the Government that the Government should immediately go to the market with their agency to see that assured price is given to the cultivators.
(*Interruptions*)

MR. SPEAKER: Do you have anything to say? Mr. Minister, are you in a position to respond?

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI TARUN GOGOL): If there is a price below than the minimum support price, we will buy it let them bring it to my notice. (*Interruptions*)

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): This is a very unsatisfactory reply that he has given. (*Interruptions*)

MR. SPEAKER: I have not allowed you.

SHRI NIRMAL KANTI CHATTERJEE: He is on a different point.

MR. SPEAKER: That is why, you have to take your seat.

(*Interruptions*)

[*Translation*]

SHRI CHANDRA JEET YADAV (Azamgarh): Mr. Speaker, Sir, I would like to draw the attention of the Minister of Home Affairs to an important human problem. Thousand of families have been affected by the unfortunate riots that took place in the country recently. There are many families which have been ruined and have lost everything. Their houses have been burnt. They have no food to eat and no clothes to wear even in the winter and some people have lost their lives. The Prime Minister during his speech had announced that two lakh rupees will be given to each next of kin of all the persons killed in these riots. Mr. Speaker, Sir, some State Governments are not taking any concrete action to provide relief to the affected people. Only

announcements have been made. Yesterday, Shri V.P. Singh visited an affected area of Delhi and witnessed himself that the people of an entire street had been ruined and were weeping and crying for help.

I would like to request the Minister of Home Affairs to initiate relief work to provide them immediate assistance on humanitarian grounds. It should be ensured that they get all necessary help. Sir, the people of Ayodhya yesterday spoke to me about their sufferings. I am myself going there on 25th. Unfortunately all the people belonging to a minority community were attacked. 85 houses were burnt to ashes. The people who took shelter even in Police Stations faced a lot of problem. Police Stations were gheraoed just to kill them. *(Interruptions)*

[*English*]

MR. SPEAKER: We have discussed this issue for about 16/17 hours.

SHRI E. AHAMED (Manjeri): Let him have his say... *(Interruptions)*

[*Translation*]

SHRI CHANDRA JEET YADAV: I am concluding. *(Interruptions)*

They are unhappy even over providing relief.... *(Interruptions)*

[*English*]

SHRI VIJAY NAVAL PATIL (Erandol): What is happening here? What are they shouting for? What is this? *(Interruptions)*

MR. SPEAKER: Please complete it.

[*Translation*]

SHRI CHANDRA JEET YADAV: Mr. Speaker, Sir, the Government should provide relief to all the victims irrespective of their caste and community. *(Interruptions)**

[*English*]

MR. SPEAKER: Nothing will go on record.

(Interruptions)

[*Translation*]

MR. SPEAKER: You please sit down.

(Interruptions)

MR. SPEAKER: It will not go on record.

(Interruptions)

SHRI CHANDRA JEET YADAV: Mr. Speaker, Sir, I would like to draw your attention to one thing.... *(Interruptions)*

SHRI DAU DAYAL JOSHI (Kota): Mr. Speaker, Sir, in Jaipur, three persons have been burnt alive.... *(Interruptions)**

[*English*]

MR. SPEAKER: This is not going on record.

(Interruptions)

[*Translation*]

MR. SPEAKER: What is this. Please sit down.

SHRI CHANDRA JEET YADAV: Mr. Speaker, Sir, I am not pleading for any particular community. I am pleading for all those who are suffering, irrespective of the community they belong to and city they live in. It is the question of providing immediate succour to the victims. Secondly, many people were arrested in this connection. I can well appreciate the circumstances that were prevailing at that time. There was a need to take preventive measures.

MR. SPEAKER: All these things have

already been discussed. Please do not stretch it further.

(Interruptions)

SHRI CHANDRA JEET YADAV: My only submission is that the Government should take measures to release the innocent persons who were arrested. *(Interruptions)*

MR. SPEAKER: Look, what is this ! Please speak one by one. Today is the last day of this session. The Hon. Members will be allowed a little more time to speak today. But if four or five hon. Members speak at the same time on the same subject, how can it be possible? One hon. Member should speak on one subject. Then everybody will get time.

(Interruptions)

SHRI RAM NIHOR RAI (Robertsganj): Mr. Speaker, Sir, through you, I would like to draw the attention of the august House to a very important matter. The architect of the Constitution of India Dr. Bhimrao Ambedkar was conferred Bharat Ratna by the former Prime Minister Shri Vishwanath Pratap Singh during Janata Dal regime and late Shri Rajiv Gandhi had laid down the foundation of Dr. Bhimrao Ambedkar University at Lucknow in 1989. I am distressed to say that though land for that University has been allotted but grant is yet to be given by the Centre. The Kalyan Singh Government has allotted 225 acres of additional land for this University. The State Government also sanctioned Rs. 14 crore in 1989-90, Rs. 5 crore in 1990-91 and Rs. 2.5 crore in 1991-92. This great man who was the messiah of crores of Dalits, Harijans and the poor and who framed the Constitution, a University named after him was sanctioned only Rs. 1 crore in the year 1991-93.

I would like to submit that the Government should take over this University and complete this work soon. I am distressed to say that even a Vice Chancellor has not yet been appointed for this University. I would like to say that the construction work of this University which has been named after the messiah of crores of backward people, should be taken over by the Central Government

and it should complete the work under its own supervision. A Vice Chancellor should be appointed there immediately. Maximum funds should be sanctioned and it should be brought at par with other Central Universities and developed accordingly.

SHRI MANGAL RAM PREMI (Bijnor): Mr. Speaker, Sir, there is a temple of the Balmiki Samaj on the Mandir Marg. The people of the Balmiki Samaj are on a hunger-strike for last 4 months. Sir, sentiments of lakhs of people of Balmiki Samaj are associated with this Temple. Mahatma Gandhi had sat on hunger strike for 29 days in front of this temple at the time of our struggle for independence. A 'chabutara' which was raised on the site where he sat on hunger strike is also there. Today one can see a heap of debris in front of this temple. There is also a workshop. Buses come and stop and filths of the whole day are lifted from there.

Mr. Speaker, Sir, earlier this issue had been raised three times in this very House but no suitable action has so far been taken by the Government in this regard.

SHRI RAM VILAS PASWAN (Roseria): He is right. We raised this issue earlier also.

SHRI MANGAL RAM PREMI: Mr. Speaker, Sir, the hon. Minister of Home Affairs has since admitted this fact. A few days ago a conference was held here in October. The hon. Prime Minister said in the meeting of the Balmiki Samaj that he is going to set up a Commission for Safai Karamcharis. Though the said commission has since been set up, it is not being declared that the commission has been set. The matter is being suppressed. If justice is not given to the people of the Balmiki Samaj, it would be just like playing with the sanitation work. It is possible that the entire Balmiki Samaj of the country will be forced to raise its voice on the Balmiki temple issue. Earlier also, there has been clashes on this issue and one person was also killed. Therefore, I request the hon. Minister of Home Affairs to take a decision on this issue today itself. He should make a statement today and declare

that the workshop and the heap of debris would be removed from there. Otherwise, if the sentiments of the people of the Balmiki Samaj are continued to be hurt and the entire Balmiki Samaj raises its voice against it, the entire country will be ruined. Therefore, quick action should be taken on this issue.

SHRI KALKA DAS (Karolbagh): Mr. Speaker, Sir, I would like to express my views for a minute on this issue because this issue is related to my constituency.

MR. SPEAKER: You have spoken once. Let others also speak. You are not the only person to speak here.

(Interruptions)

MR. SPEAKER: Please sit down. I cannot oblige you.

(Interruptions)

SHRI KALKA DAS : Mr. Speaker, Sir, I would not repeat.

MR. SPEAKER: If you are not going to repeat then what else you are going to do? Please sit down.

(Interruptions)

MR. SPEAKER: All right. You speak after him. Now let Shri Tej Narayan Singh speak. Please sit down

(Interruptions)

SHRI TAJ NARAYAN SINGH (Buxar): Mr. Speaker, Sir, the communal forces in the country are bent upon doing disturbance. One can this assume from newspapers. The Government of Uttar Pradesh and the District Collector of Ayodhya have also expressed similar concerns. He has given indication that communal forces are still active in Ayodhya. It seems that the communal forces of the Uttar Pradesh are still discontent even after taking lives of so many people. A person like me understands that the communal forces of the country feel that the country has not yet been divided. It should be

divided. The people are still prepared to resort to stone throwing in the name of 'Ram Lala darshan'. The Supreme Court had allowed 'Puja' of Lord Ram there, but people have violated the orders of the Supreme Court on the pretext of that worship.

The people in villages who are uneducated do not violate the Supreme Court orders. The educated people have violated the Supreme Court orders. Therefore, I want to urge the Government that if it wishes to keep the country united and uphold the rule of law and the Constitution in the country, the communal forces should be eliminated. Please put some check on them even now. I still expect that some untoward incident will again take place in Ayodhya. I have read it in newspapers.

MR. SPEAKER: All right. This issue has been discussed for 16 hours.

(Interruptions)

[English]

MR. SPEAKER: Please take your seat now. What he says is not going on record.

*(Interruptions)**

[Translation]

MR. SPEAKER: Please take your seat. What you say is not going on record.

(Interruptions)

SHRI KALKA DAS: Mr. Speaker, Sir, the Balmiki temple on the Mandir marg is a historical Monument.

MR. SPEAKER: Is it necessary to speak twice?

SHRI KALKA DAS: Mr. Speaker, Sir, I am raising pertinent points.

MR. SPEAKER: That we all understand that it is your Constituency. Does it mean that the entire Parliament should work for your constituency.

SHRI KALKA DAS: I did not say so. If you are annoyed with me, I take my seat.

MR. SPEAKER: I am really annoyed.

SHRI KALKA DAS: If you don't mind I will conclude within one minute.

MR. SPEAKER: All right. Please speak soon.

SHRI KALKA DAS: Mr. Speaker, Sir, it is a historical temple. Mahatma Gandhi, Subhash Chandra Bose used to stay there. This issue has been raised several times and the hon. Minister of Home Affairs assured us that the workshop which operates in front of the Balmiki temple would be removed shortly. Hunger-strike is being held there for many months and many prominent citizens have tried to immolate themselves there, we have gone there many times and made them to withdraw their hunger strike. Now enough is enough. Please take care of their sentiments, lest it should take a serious turn.

Therefore, Mr. Speaker, Sir you should direct the Government to remove the this and the workshop from the front of the historical Balmiki temple and satisfy the people.

[*English*]

SHRI MRUTYUNJAYA NAYAK (Phulbani): Sir, we have learnt so much from our serious experiences in the past, having fought with China and Pakistan. In the recent statement, Mr. Sunderji, the former Chief of Army Staff has expressed his great concern that India has not been fully equipped with the nuclear weapons and nuclear bombs; and that the adjoining countries like Pakistan and China have been quite a great menace for the integrity of our country. So, I wish that the Government of India takes a very strong and stern decision in view of the need of the hour.

[*Translation*]

SHRI RAM VILAS PASWAN (Rosera):

Mr. Speaker, Sir, the hon. Minister of Home Affairs is present here, and I understand that he will hear our views with rapt attention. I would like to draw the attention of the Government and of this august House for 2 or 3 minutes only towards the weakest section of the society regarding which there has been always discussion in the House.

The first incident took place in Tsundur. But not a single persons has been punished as yet. Hon. Minister of Home Affairs, we have discussed this matter for sixteen long hours. The second incident took place at Kumher in Rajasthan. Now there is president's Rule and Bhartiya Janta Party is not in power there. Lodha inquiry Commission was set up there. The Commission asked the persons giving evidence to file an affidavit on a stamp paper of Rs. 25 and evidence will have to be submitted through an Advocate. Whenever anyone goes for obtaining a copy of the FIR, he is not provided the same. Even today people are frightened. Not a single culprit has been apprehended. All the people have by cotted it there. Therefore, I would like to request the hon. Minister of Home Affairs that he should give an assurance that all the conditions will be withdrawn. The man who has to appear before the judge is a poor man and belongs to the scheduled caste and a victim, he can go before the judge and can raise his voice. He should not have to obtain stamp paper and need not to take the services of lawyer to give evidence and he should be provided copy of the FIR. One and a half year, have passed after the incident of Tsunder. I also visited Sitapur district with Shri V.P. Singh. Thirteen people including a youth named Tikai were killed in a Police Station there. All this has been covered up. You gave an assurance on the matter raised by Shri Premi in the House. On the last day of the previous session you had given an assurance that the garbage in front of the Balmiki temple and the factory will be removed from there. Therefore, please throw some light on it including the matter related to the Tsunder and Kumher incidents. Today, it is the last day of the session and withdraw all those conditions.... (*Interruptions*)

You are the Minister in charge of Scheduled Castes and Scheduled Tribes.

(*Interruptions*)

[*Translation*]

SHRI RAM NAGINA MISHRA (Padrauna): Mr. Speaker, Sir, through you, I would like to draw the attention of the Government to the plight of the sugarcane growers in Uttar Pradesh. The price of sugarcane has not been announced and arrears worth billions of rupees payable to growers for the last so many years. The season has started one month back but the price of sugarcane is not being paid as yet. There are 105 sugar mills and billions of rupees are yet to be paid to the farmers by these mills. This is the plight of the sugarcane growers. Prior to this, the Ram Kola incident has occurred and today farmers are worried. Therefore, I would like to request the Government of India to announce the price of sugarcane for..... (*Interruptions*)

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, through you I would like to draw the attention of the House to a very serious incident. Last month an attempt was made on the life of the former Chief Minister of Nagaland Shri S.C. Jamir. Today, the Delhi Police is probing into the matter. The hon. Minister of Home Affairs is sitting here. Through you I want to point out that the alienation of North-East India that started earlier is gathering momentum with this incident. Some of the students of North-East States studying in the Delhi university the J.N.U., the Jamia-Milia University and Polytechnique etc. are being apprehended, brought to police stations and are being harassed. The students particularly belonging to the Tangful tribe are being apprehended and the girls are also being harassed. The girls are being arrested from their residences without the help of women Police. One of the students was taken to the police lock-up and hanged upside down and beaten on his sole. This news has appeared in the 'Times of India'. This is a very sensitive issue, therefore,

this must be examined..... (*Interruptions*)

[English]

MR. SPEAKER: You do not go to that extent. That will create a lot of bad feeling.

[*Translation*]

SHRI NITISH KUMAR: Action should be taken to enable the students of North-East States feel themselves secure in Delhi. Such signals should go from here so that the relations with the North-East States may further improve. The hon. Minister of Home Affairs is sitting here. He should pay serious attention to it.

[English]

SHRI E. AHAMED: Mr. Speaker, Sir, through you I would bring a matter of very great importance to the notice of the Home Minister.

12.00 hrs.

Shri Yadav has already mentioned this matter. This is about the cries of the people of Seelampur who not only lost their children but are even denied the preliminary things in life. They have no houses; they have no food and no clothing. And no relief team has reached there from the Government side. There are only some social organisations who are helping them. Even now, many of the innocent young men of that locality have been locked up by the Government. Mothers and elders were asking that as the police have already killed their children, why should they also put other relatives behind the bars without any reasons whatsoever. I would like to mention here that it would be quite disgraceful to the Government to have a constabulary who have taken a partisan attitude towards a particular community. I do not want to mention anything more. When I am speaking about riot victims, I mean all riot victims. From the side of the Members of minority community nobody in this House has come forward to place this matter except myself. Therefore, I would like to have some reply or assurance from the Home Minister

regarding the implementation of the assurance given by the Prime Minister on the floor of the House. (*Interruptions*)

MR. SPEAKER: The Government, the Opposition, the Chair and the hon. Members have been cooperating very very nicely. Today is the last day. We have some very important business also. I have allowed about one hour to express your views. It should be over within the next ten to fifteen minutes. Please do not prolong it. Make it very short and then we will go to the business.

[*Translation*]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Speaker, Sir, the Raj Kumar Mill of Indore. The Hira Mill and the Sajjan Mill of Ujjain, all these have reached stage of being closed down due to the wrong policies of the hon. Minister of Textiles. Thousands of labourers have come on the streets, they are agitating and are going on hunger-strike. The Government of Madhya Pradesh had submitted its package programme to the centre to run these mills on cooperative basis, but the centre has rejected it. Even the B. I. F. R. has also expressed its inability to run these mills. In such a situation, I would like to know from the hon. Minister of Textiles as to what he has thought about the further of thousands of labourers and whether he will take action to run the mills or not..... (*Interruptions*) The condition of these mills is otherwise very good. Their production is also good. Then what is that reason that the Government is not providing assistance? (*Interruptions*)

[*English*]

SHRIMATIMALINIBHATTACHARAYA (Jadavpur): Sir, we had visited some of the areas in the Mewat locality of Gurgaon on the 19th of this month. We found there that in the wake of unpleasant incidents that have taken place after the demolition of Babri Masjid, the police and the administration are taking an extremely discriminatory attitude towards one particular community without bringing

the real culprits to book. We also found that people were being arrested without any reason from one particular community. Men are spending their nights in the fields out of terror; they are being beaten up in the *thana* and in one particular village, Bhadas, women are also tortured. Sir, only this morning we have heard that after our visit, this torture has been precipitated and again the same women are being tortured.

MR. SPEAKER: You have brought it to notice.

SHRIMATIMALINIBHATTACHARAYA: I have written a letter to the Home Minister. Something must be done about it. Women are being tortured and beaten up. The Home Minister must respond to this. I am trying to help the administration (*Interruptions*)

[*Translation*]

SHRI ARVIND NETAM (Kanker): Mr. Speaker, Sir, through you I would like to draw the attention of the Government. The United Nation has decided to celebrate the year 1993 as the Indigenous year. According to my information, the Government of India is also a signatory. I would like the Government to give a statement about the steps being taken by it to celebrate the year 1993 as the Indigenous year.

SHRI RABI RAY (Kendrapada): Mr. Speaker, Sir, I had given a notice regarding a subject which I wanted to raise in the House.

[*English*]

MR. SPEAKER: May I request Rabi Rayji that as it happens to be a very important matter, let us not raise it in the Zero Hour, we can discuss it with the Government and take it up later on, if you do not mind. I am talking of that notice which you have given to me.

[*Translation*]

SHRI RABI RAY: What is it about....

MR. SPEAKER: It is about the resolution.

[English]

I have received one letter from you.

[Translation]

SHRI RABI RAY: No, what resolution are you referring to? I do not want to raise any such matters. My notice is about Doordarshan.

Mr. Speaker, Sir, I am aware of that and, you know, I cannot speak like that, but I would first of all like to say something about the issue for which I have given a notice. Shri V.P. Singh and Shri Sharad Yadav had raised this matter in a nice way. Through you I would like to remind that a statement is due to be made by the Government at 5 O'clock today. I have apprehensions whether Government would fully abide by the judgement of the Supreme Court which is aimed at safeguarding the interests of the backwards and downtrodden. Lot of discussions in this regard have already been held and the Government has been given a period of one month to undertake study of the things. The way discussions have been held and the way the Government is operating, makes me think that my suspicion may come true. I am afraid if the Government is entangled in legal complexities regarding the judgement of reserving 52% posts for the backwards. The Government should try to implement the judgement. So far as the question of the officers of S.C. and S.T. is concerned, the hon. Members have already expressed their concern. You may please direct the Government to clarify all these things in the statement to be made today at 5 P.M.

Mr. Speaker, Sir, the standard of Doordarshan programme is deteriorating. The Congress party along with all other opposition parties have complained in this regard in the last 8-10 days. I have the information that the News Room of Doordarshan Kendra is not functioning. Staff is on strike and everything is in a mess. I think the on going strike exposes only the inefficiency of the Government. I am afraid, it may cause an adverse effect. I would

therefore like to forewarn the Government to avoid an unpleasant situation wherein the credibility of Doordarshan programme is lost and the people would start watching the C.N.N. and the B.B.C. programme. Editing of all the programme is being done at Central production Centre at pitampura, Delhi. The Government has totally failed on this front. The standard of news being telecast is deteriorating fast. Today being the last day of the current parliamentary session, I would like to convey to the Government through you, that it should take some concrete steps so that the present strike may be called off and the standard of Doordarshan programme is raised. When the strike is called of it may also help the staff to improve their style of work. That is all I want to submit.

SHRI KASHIRAM RANA (Surat): Mr. Speaker, Sir, through you I would like to draw the attention of the Government to the alarming situation prevailing in Gujarat. The death toll recorded in the recent violence in the country is highest in Gujarat.

Sir, violence is still continuing there all due to the ineffectiveness and inaction of the Government of Gujarat. Considering the number of death toll in Gujarat the Central Government should have dismissed the State Government. But it has not been done. Many of the cities of Gujarat and particularly Surat that were in the grip of violence have suffered the loss of property worth several crore rupees, yet no action is being taken by the Central Government against the Government of Gujarat.

Sir, two persons have been killed in Morbi reportedly today itself. Even yesterday violence broke out in Raner and curfew had to be reimposed there. No effective step is, however, being taken by the State Government and police is also far from being active. Sir, the similar situation prevails in Morasa and Bharuch. There also nothing has been done by the Government to provide protection to life and property of the people.

Through you I would like to convey to the Central Government that innocent people are being killed in Gujarat. The police atrocities

on the people had increased so much that nearly two lakh labourers who had come from Orissa to work in Surat are returning to their homes out of fear. Consequently all the business and trade activities in the city of Surat will come to a stand still.

12.11 hrs

[MR. DEPUTY SPEAKER *in the Chair*]

Due to police atrocities people are migrating from towns to villages and elsewhere in search of safe shelter. The exodus of people is continuing. Nothing is being done on the part of the Government to check it. In Ahmadabad many downtrodden have been taken into police custody under section 302 and have been implicated in fabricated police cases. Innocent persons at other places have also been taken under police custody under section 302. Many persons have been falsely implicated in cases of TADA. In Gujarat more than 700 persons have already been taken in police under TADA.

Shri Kanti Lal, M.L.A. of Disha falling in my Constituency of Banaskantha has also been taken into police custody under section 302.

The law and order situation has worsened throughout Gujarat and continues to deteriorate. The Government has lost control on the situation and it has failed to check the chaos. I would therefore like to submit that the Government of Gujarat should be dismissed forthwith. The Central Government has dismissed the State Governments of Rajasthan, Madhya Pradesh and Himachal Pradesh without any valid reason whereas no action is being taken against the Government of Gujarat where the death toll is largest in the country and where people are still being killed. The State Government of Gujarat has totally failed in wielding any control on the situation. I would like to submit that the Central Government should immediately dismiss the Government of Chimanbhai Patel in order to create peace and order there.

delegation had visited Ahmedabad and Surat. The workers of the Congress party told the members of the delegation that the Congress party was primarily responsible for fanning violence which ultimately resulted in mass killings. The Congress party is behind these riots. I would therefore again submit that the Government of Gujarat should be immediately dismissed and the Central Government must provide protection to the life and property of the people of Gujarat. *(Interruptions)*

SHRI JAGMEET SINGH BRAR (Faridkot): Mr. Deputy Speaker, Sir, I have also given a notice I should therefore also be given an opportunity to express my views.

(Interruptions)

[*English*]

MR. DEPUTY SPEAKER: Mr. Haradhan Roy please.

SHRI HARADHAN ROY (Asansol): Mr. Deputy Speaker Sir, I would like to draw the attention of the Minister of.... *(Interruptions)*

MR. DEPUTY SPEAKER: Please sit down. I request all the Members to resume their seats.

(Interruptions)

SHRI HARADHAN ROY: Sir, you called me. But they are not allowing me to speak.

MR. DEPUTY SPEAKER: Please resume your seats. I think the hon. Members are not interested in ventilating their grievances in the Zero Hour. If they do not like to make use of the Zero Hour, I have no objection in taking up the regular business of the House.

It looks as if you are not interested in ventilating your grievances. You are very much compelling the Chair to go to the regular business during the Zero Hour.

Mr. Deputy Speaker, Sir, a Government

(Interruptions)

MR. DEPUTY SPEAKER: Then why do you not cooperate with the Chair? We have got another one hour. Most of you can ventilate your grievances.

(Interruptions)

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): I request that the hon. Home Minister may be called to reply to the debate. (Interruptions)

MR. DEPUTY SPEAKER: You are not interested in ventilating your grievances. In this way, I am very much compelled to go to the regular business.

SHRI HARADHAN ROY: Through you, I want to draw the attention of the hon. Minister of Steel to this fact that in spite of his assurances, the modernisation job in the Indian Iron and Steel company Ltd., Burnpur, has not yet started. I am not aware of the decision of the hon. Minister with regard to this. The workers are worried about their future and they are quite in the dark what is going to happen there.

So, I request the Minister to start the modernisation job there immediately. (Interruptions)

SHRIGHULAM NABIAZAD: I am sorry. It is very unfortunate.

12.17 hrs.

PAPERS LAID ON THE TABLE

Report of one man Commission of Inquiry headed by justice J.S. Verma to enquire into the Assasination of Shri Rajiv Gandhi and Memorandum of Action taken thereon etc

[English]

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): I beg to lay on the Table:-

1) A copy each of the following papers (Hindi and English versions) under sub-section (4) of Section 3 of the Commissions of Inquiry Act, 1952:-

(i) Report of the One-man Commission of Inquiry headed by Justice J.S. Verma to enquire into the Assasination of Shri Rajiv Gandhi, former Prime Minister of India on the 21st May, 1991 at Sriperumbudur (Volumes I & II)

(ii) Memorandum of Action taken on the above Report.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library See No. LT - 3212/92]

Annual Report Annual Account of and Review of the Working of the National Co-operative Housing Federation of India, New Delhi for 1991-92 etc.

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI SHEILA KAUL): I beg to lay on the Table:-

(1) (i) A copy of the Annual Report (Hindi and English versions) of the National Cooperative Housing Federation of India, New Delhi for the year 1991-92.

(ii) A copy of the Annual Account (Hindi and English versions) of the National Cooperative Housing Federation of India, New Delhi 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 Cooperative

Housing Federation of India,
New Delhi for the year 1991-
92.

[Placed in Library See No. LT
- 3213/92]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Central Government Employees Welfare Housing Organisation, New Delhi for the year 1991-92 along with Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Government Employees Welfare Housing Organisation New Delhi for the year 1991-92.

[Placed in Library See No. LT
- 3214/92]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Building Materials and Technology Promotion Council, New Delhi for the year, 1991-92 along with Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Building materials and Technology Promotion Council, New Delhi for the year 1991-92.

[Placed in Library See No. LT
- 3215/92]

**Annual Report Annual Accounts of and
Review on the Working of the Central
Wakf Council, New Delhi for 1991-92**

**THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS
AND MINISTER OF STATE IN THE
MINISTRY OF SCIENCE AND**

**TECHNOLOGY (DEPARTMENT OF
ELECTRONICS AND DEPARTMENT OF
OCEAN DEVELOPMENT) (SHRI
RANGARAJANKUMARAMANGALAM):** On
behalf of Shri Sitaram Keshri: I beg to lay on
the Table:-

- (1) A copy of the Annual Report (Hindi and English versions) of the Central Wakf Council, New Delhi for the year 1991-92.

- (2) A copy of the Annual Accounts (Hindi and English versions) of the Central Wakf Council, New Delhi for the year 1991-92 together with Audit Report thereon.

- (3) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Wakf Council New Delhi for the year 1991-92.

[Placed in Library See No. LT -
3216/92]

**Notification Under Essential
Commodities Act, 1955, Annual Report
and Review on the working of the
Madras Refineries Ltd., Madras for
1991-92 etc.**

**THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY AFFAIRS
AND MINISTER OF STATE IN THE
MINISTRY OF SCIENCE AND
TECHNOLOGY (DEPARTMENT OF
ELECTRONICS AND DEPARTMENT OF
OCEAN DEVELOPMENT) (SHRI
RANGARAJANKUMARAMANGALAM):** On
behalf of Shri B. Shankaranand: I beg to lay
on the Table:-

- (1) A copy each of the following
Notifications (Hindi and English
versions) under sub-section (6) of
section 3 of the Essential
Commodities Act, 1955:-

- (i) The Light Diesel Oil (Fixation

[Sh. Rangarajan Kumaramangalam]

of Ceiling Prices) Amendment Order, 1992 published in Notification No. S.O. 687 (E) in Gazette of India dated the 16th September 1992.

(ii) The Kerosene (Restriction on Use and Fixation of Price) Amendment Order, 1992 published in Notification No. S.O. 688 (E) in Gazette of India dated the 16th September, 1992.

(iii) The Kerosene (Fixation of Ceiling Prices)-Amendment Order 1992 published in Notification No. S.O. 689 (E) in Gazette of India dated the 16th September, 1992.

(iv) The Furnace Oil (Fixation of Ceiling Prices and Distribution) Amendment Order 1992 published in Notification No. S.O. 690 (E) in Gazette of India dated the 16th September, 1992.

(v) The Paraffin Wax (Supply, Distribution and Price Fixation) Amendment Order, 1992 published in Notification No. S.O. 691 (E) in Gazette of India dated the 16th September, 1992.

[Placed in Library See No LT - 3217/92]

(2) Acopy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-

(a) (i) Review by the Government

on the working of the Madras Refineries Limited, Madras, for the year 1991-92.

(ii) Annual Report of the Madras Refineries Limited, Madras, for the year 1991-92 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon

[Placed in Library See No. LT - 3218/92]

(b) (i) Review by the Government on the working of the Cochin Refineries Limited, Ernakulam for the year 1991-92.

(ii) Annual Report of the Cochin Refineries Limited, Ernakulam for the year 1991-92 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library See No. LT - 3219/92]

Annual Report of National Water Development Agency New Delhi for 1991-92.

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

A copy of the Annual Report (Hindi and English versions) of the National Water Development Agency, New Delhi, for the year 1991-92 alongwith Audited Accounts

[Placed in Library See No. LT - 3220/92]

Annual Report and Review on the working of the Handloom Export Council, Madras for 1991-92 etc.

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI ASHOK GEHLOT): I beg to lay on the table:-

(1) (i) A copy of the Annual Report (Hindi and English versions) of the Handloom Export Promotion Council, Madras, for the year 1991-92 alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Handloom Export Promotion Council, Madras for the year 1991-92.

[Placed in Library. See No LT - 3221/92]

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Textiles Committee, Bombay for the year 1991-92 alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Textiles Committee, Bombay for the year 1991-92.

[Placed in Library. See No LT - 3222/92]

(3) (i) A copy of the Review (Hindi and English versions) of the Indian Jute Industries Research Association, Calcutta for the year 1991-92 alongwith Audited

Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Indian Jute Industries Research Association, Calcutta for the year 1991-92.

[Placed in Library. See No LT - 3223/93]

Annual Report and Review on the working of the Central Warehousing Corporation for 1991-92

THE MINISTER OF STATE OF THE MINISTRY OF FOOD (SHRI TARUN GOGOI): I beg to lay on the Table:-

(1) A copy of the Annual Report (Hindi and English versions) of the Central Warehousing Corporation for the year 1991-92 alongwith Audited Accounts undersub-section (11) of Section 31st of the Warehousing Corporation Act, 1962.

(2) Review by the Government (Hindi and English versions) on the working of the Central (Hindi and English versions) on the working of the Central Warehousing Corporation for the year 1991-92.

[Placed in Library. See No LT - 3224/92]

Statement Correcting reply to Starred Question No 406 dated 22nd December 1992. re. mining activities in Aravelli Range.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): On behalf of Shri Kamal Nath: I beg to lay on the

[Sh. Ghulam Nabi]

Table:-

A Statement (Hindi and English versions) correcting the reply given on December 22, 1992 to Starred Question No. 406 by Shri Gurman mal Lodha, regarding mining activity in Aravalli Range.

[Placed in Library. See No LT - 3225/92]

Notification under Indian Telegraph Act 1885

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGALAM): On behalf of Shri Rajesh Pilot. I beg to lay on the Table:-

A copy of the Indian Telegraph (Fourth Amendment) Rules, 1992 (Hindi and English versions) published in Notification No. G.S.R 830 (E) in Gazette of India dated the 28th October, 1992 under sub-section (5) of Section 7 of the Indian Telegraph Act, 1885.

[Placed in Library. See No LT - 3226/92]

Annual Report and Review on the working of Shipping Corporation of India Limited, Bombay for 1991-92 etc.

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): 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:-

(a) (i) Review by the Government on the working of the Shipping Corporation of India Limited, Bombay, for the year 1991-92.

(ii) Annual Report of the Shipping Corporation of India Limited, Bombay, for the year 1991-92 along with Audited Accounts and comments of the Comptroller and Auditor General Thereon.

[Placed in Library See No LT - 3227/92]

(b) (i) Review by the Government on the working of the Dredging Corporation of India Limited, Visakhapatnam, for the year 1991-92.

(ii) Annual Report of the Dredging Corporation of India Limited, Visakhapatnam, for the year 1991-92 along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library See No LT - 3228/92]

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Cochin Dock Labour Board, Kochi, for the year 1991-92

alongwith Audited
Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Cochin Dock Labour Board, Kochi for the year 1991-92.

[Placed in Library See No
LT - 3229/92]

- (3) (i) A copy of the Annual Administration Report (Hindi and English Versions) of the Tuticorin Port Trust, for the year 1991-92.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Tuticorin Port Trust for the year 1991-92.

[Placed in Library See No
LT - 3230/92]

- (4) (i) A copy of the Annual Administration Report (Hindi and English versions) of the Kandla Port Trust, for the year 1991-92.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Kandla Port Trust, for the year 1991-92.

[Placed in Library See No
LT - 3231/92]

- (5) (i) A copy of the Annual Administration Report

(Hindi and English versions) of the Paradip Port Trust, for the year 1991-92.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Paradip Port Trust for the year 1991-92.

[Placed in Library See No
LT - 3232/92]

- (6) (i) A copy of the Annual Administration Report (Hindi and English versions) of the working of the Paradip Port Trust, for the year 1991-92.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Cochin Port Trust, for the year 1991-92.

[Placed in Library See No
LT - 3233/92]

- (7) A copy each of the following papers (Hindi and English versions), under sub-section (2) of section 103 of the Major Port Trusts Act, 1963:-

- (a) (i) Annual Accounts of the Mormugao Port Trust for the year 1991-92 together with Audit Report thereon.

- (ii) Review by the Government on the Audited Accounts of the Mormugao Port Trust for the year 1991-92.

[Placed in Library See No
LT - 3234/92]

(b) (i) Annual Accounts of the Tuticorin Port Trust for the year 1991-92 together with Audit Report thereon.

(ii) Review by the Government on the Audited Accounts of the Tuticorin Port Trust for the year 1991-92.

(c) (i) Annual Accounts of the Calcutta Port Trust for the year 1991-92 together with Audit Report thereon.

(ii) Review by the Government on the Audited Accounts of the Calcutta Port Trust for the year 1991-92.

[Placed in Library See No LT - 3235/92]

(8) A statement (Hindi and English versions) explaining reasons for not laying the Annual Report of the National Ship Design and Research Centre for the year 1991-92 within the stipulated period of nine months after the close of the Accounting year.

[Placed in Library See No LT - 3236/92]

(9) A copy of the Motor Vehicles (Uttar Pradesh Amendment) Ordinance 1992 (Hindi and English versions) published in Notification No. 3333 (2) / XVII-V-1-2 (KA) 21-1992 in Gazette of Uttar Pradesh dated the 2nd December, 1992 under clause (a) of article 213 (b) of the Constitution read with Clause (c) (iv) of the Proclamation dated the 6th December 1992 issued by the

President in relation to the State of Uttar Pradesh.

[Placed in Library See No LT - 3237/92]

Annual Accounts and Review on the Working of the Co-operative Stores Limited (Super Bazar) New Delhi for 1981-82 to 1985-86

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGALAM) On behalf of Shri Kamaluddin Ahmed, I beg to lay on the Table:-

(1) A copy of the Annual Accounts (Hindi and English versions) of the Cooperative Stores Limited (Super Bazar) New Delhi for the year 1981-82 to 1985-86 together with Audit Report thereon.

(2) A copy of the Review (Hindi and English versions) by the Government on the Audited Accounts of the Cooperative Stores Limited (Super Bazar) New Delhi for the year 1981-82 to 1985-86.

[Placed in Library See No LT - 3238/92]

Statement correcting the reply to Unstarred Question No. 2354 dated 23.7.1992 re: allotment of Land to MIG registrants in Rohini Residential Scheme and reason for delay in correcting the reply.

THE MINISTER OF STATE IN THE MINISTRY OF (URBAN DEVELOPMENT

(SHRI M. ARUNACHALAM): I beg to lay on the Table:-

A statement (Hindi and English versions) (i) correcting the reply given on 23rd July, 1992 to Unstarred Question No 2354 by Shri Kalka Das regarding allotment of land to MIG registrants in Rohini Residential Scheme and (ii) giving reasons for delay in correcting the reply.

[Placed in Library See No LT - 3239/92]

Annual Report and Review on the working of the Centre for Electronics Design and Technology Imphal for 1991-92 etc.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGALAM): I beg to lay on the Table:-

(1) (i) copy of the Annual Report (Hindi and English versions) of the Centre for Electronics Design and Technology Imphal for the year 1991-92 alongwith Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Centre, for Electronics Design and Technology, Imphal for the year 1991-92.

[Placed in Library See No LT - 3240/92]

(2) (i)

A copy of the Annual Report (Hindi and English versions) of the Raman Research Institute, Bangalore, for the year 1991-92 alongwith Audited Accounts.

(ii)

A statement (Hindi and English versions) regarding Review by the Government on the working of the Raman Research Institute, Bangalore for the year 1991-92

[Placed in Library See No LT - 3241/92]

(3) (i)

A copy of the Annual Report (Hindi and English versions) of the Indian Science Congress Association, Calcutta for the year 1991-92 alongwith Audited Accounts.

(ii)

A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Science Congress Association, Calcutta for the year 1991-92 .

[Placed in Library See No LT - 3242/92]

(4) (i)

A copy of the Annual Report (Hindi and English versions) of the Centre for Electronics Design and Technology, Srinagar, for the year 1991-92 alongwith Audited Accounts.

(ii)

A statement (Hindi and English versions) regarding Review by the Government

[Sh. Rangarajan Kumaramangalam]

(b) (i)

on the working of the Centre for Electronics Design and Technology, Srinagar for the year 1991-92.

Review by the Government on the working of the Bharat Immunologicals and Biologicals Corporation Limited, Bulandshahr, for the Year 1991-92.

[Placed in Library See No LT - 3243/92]

(ii)

Annual Report of the Bharat Immunologicals and Biologicals Corporation Limited, Bulandshahr for the year, 1991-92 along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for Development of Advanced Computing Pune, for the year 1991-92 along with Audited Accounts.

- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Centre for Development of Advanced Computing Pune, for the year 1991-92 along with Audited Accounts.

[Placed in Library See No LT - 3246/92]

(c) (i)

Statement regarding Review by the Government on the working of the Uranium Corporation of India Limited, Singhbhum, for the year 1991-92.

[Placed in Library See No LT - 3244/92]

(ii)

Annual Report of the Uranium Corporation of the India Limited, Singhbhum for the year 1991-92 along with Audited Accounts and Comments of the Comptroller and Auditor General thereon.

- (6) A copy each of the following papers (Hindi and English versions) under sub-section 1 of section 619A of the Companies Act, 1956:-

- (a) (i) Statement regarding Review by the Government on the working of the Electronics Trade and Technology Development Corporation Limited, New Delhi for the year 1991-92.

[Placed in Library See No LT - 3247/92]

- (ii) Annual Report of the Electronics Trade and Technology Development Corporation Limited, New Delhi for the year, 1991-92 along with Audited Accounts and Comments of the Comptroller and Auditor General thereon.

Annual Report and Review on the working of National Small Industries Corporation Limited New Delhi, for 1991-92 etc

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY (DEPARTMENT
OF SMALL SCALE INDUSTRIES AND
AGRO AND RURAL INDUSTRIES (PROF.
P.J. KURIEN): I beg to lay on the Table:-

[Placed in Library See No LT - 3245/92]

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

sub-section (1) of section 619A of the Companies Act, 1956:-

- (a) (i) Review by the Government on the working of the National Small Industries Corporation Limited, New Delhi, for the year 1991-92.

- (ii) Annual Report of the National Small Industries Corporation Limited, New Delhi, for the year 1991-92 along with Audited Accounts and comments of the Comptroller and auditor General thereon.

[Placed in Library See No LT - 3248/92]

- (b) (i) Review by the Government on the working of the Export Credit Guarantee Corporation of India Limited, Bombay for the year 1991-92.

- (ii) Annual Report of the Export Credit Guarantee Corporation of India Limited, Bombay, for the year 1991-92 along with Audited Accounts and comments of the Comptroller and auditor General thereon.

[Placed in Library See No LT - 3249/92]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Khadi and Village Industries Commission, Bombay, for the year 1991-92 under sub-section (3) of section 24 of the Khadi and Village Industries Commission Act, 1956.

- (ii) A statement (Hindi and English

versions) regarding Review by the Government on the working of the Khadi and Village Industries, Commission, Bombay, for the year, 1991-92.

[Placed in Library See No. LT - 3250/92]

- (3) A copy of the annual Accounts (Hindi and English versions) of the Khadi and Village Industries Commission, Bombay, for the year 1991-92 together with Audit Report thereon under sub-section (4) of section 23 of the Khadi and Village Industries Commission Act, 1956

[Placed in Library See No. LT 3251/92]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Spices Board, Cochin, for the year 1991-92.

- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Spices Board, Cochin, 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 Spices board, Cochin, for the year 1991-92.

[Placed in Library See No. LT - 3252/92]

- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Federation of Indian Export Organisation, New Delhi, for the year 1991-92. along with Audited Accounts.

[Sh. P.J. Kurien]

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Federation of Indian Export Organisation, New Delhi, for the year 1991-92.

[Placed in Library See No. LT - 3253/92]

- (6) (i) A copy of the Annual Report (Hindi and English versions) of the Central Institute of Tool Design, Hyderabad, for the year 1991-92 along with Audited Accounts.

- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Central Institute of Tool Design, Hyderabad, for the year 1991-92.

[Placed in Library See No. LT - 3254/92]

- (7) (i) A copy of the Annual Report (Hindi and English versions) of the Coir Board Koshi, for the year 1991-92 under section (19) of the Coir Industry Act, 1953.

- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Coir Board, Kochi, for the year 1991-92.

[Placed in Library See No. LT - 3255/92]

- (8) (i) A copy of the Annual Accounts (Hindi and English versions) of the Coir Board, Koshi, for the

year 1991-92 together with Audit Report thereon under sub-section (4) of section 17 of the Coir Industry Act, 1953.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the audited Accounts of the Coir Board, Koshi, for the year 1991-92.

[Placed in Library See No. LT - 3256/92]

- (9) (i) A copy of the Annual Report (Hindi and English versions) of the Electronics Service and Training Centre, Ramnagar for the year 1991-92 along with Audited Accounts.

- (ii) A Statement (Hindi and English versions) regarding Review by the Government on the working of the Electronics Service and Training Centre, Ramnagar for the year 1991-92.

[Placed in Library See No. LT - 3257/92]

Annual Report and Review on the working of the Railway Sports Central Board for 1991-92.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGALAM): On behalf of Shri Mallikarjun, I be to lay on the Table:-

- (1) A copy of the Annual Report (Hindi

and English versions) of the Railway Sports Control Board for the year 1991-92 along with Audited Accounts.

the Comptroller and Auditor General thereon.

[Placed in Library. See No LT - 3259/92]

- (2) A copy of the Review (Hindi and English versions) by the Government on the working of the Railway Sports Control Board for the year 1991-92.

- (2) A copy each of the following papers (Hindi and English versions) under section 619A of the Companies Act, 1956:-

[Placed in Library. See No LT - 3258/92]

- (i) Review by the Government on the working of the U.P. State Agro Industrial Corporation Limited, Lucknow for the year 1985-86.

Annual Report and Review on the Working of the States Farms Corporation of India Ltd. New Delhi for 1991-92 etc.

- (ii) Annual Report of the U.P. State Agro Industrial Corporation Limited, Lucknow for the year 1985-86 along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJANKUMARAMANGALAM): On behalf of Shri Mullappally Ramachandram: I beg to lay on the Table:-

- (3) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above.

[Placed in Library See No LT - 3260/92]

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

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the National Cooperative Union of India New Delhi for the year 1991-92.

- (i) Review by the Government on the working of the State Farms Corporation of India Limited, New Delhi for the year 1991-92.

- (ii) A copy of the Annual Accounts (Hindi and English versions) of the National Cooperative Union of India, New Delhi for the year 1991-92 together with Audit Report thereon.

- (ii) Annual Report of the State Farms Corporation of India Limited, New Delhi, for the year 1991-92 along with Audited Accounts and comments of

- (iii) A copy of the Review (Hindi and English versions) by the

[Sh. Rangarajan Kumaramangalam]

Government on the working of the National Cooperative Union of India, New Delhi, for the year 1991-92.

[Placed in Library. See No LT - 3261/92]

SHRI RAM NAIK (Bombay North): I am on a point of order. So many Ministers are not present in the House. Today is the last day of the session. Every Minister who has to lay his paper has to inform you in advance. What to know whether all those Ministers who are not here have submitted such letters. If they have not submitted such letters, the Parliamentary Minister can be authorised to lay papers on their behalf if they are not present in the House. I want to know from you whether those Ministers who are not present in the House have intimated to you or not. (*Interruptions*) I do not want to know from the Minister. (*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGALAM): The Speaker has specifically said about it. (*Interruptions*)

MR. DEPUTY SPEAKER: It is the collective responsibility. Any Minister can do it.

[*Translation*]

SHRI NITISH KUMAR (Barh): Mr. Deputy Speaker, Sir, your rule will provide an opportunity to the hon. Ministers to have leisure. The rule provides that the hon. Ministers will have to seek your prior

permission for their absence from the House. How are we to know whether the paper being shown by Shri Ghulam Nabi Azad is authentic or not, it should be laid on the table of the House... (*Interruptions*)

[*English*]

SHRI ANNA JOSHI (Pune): Then why are their names here? (*Interruptions*)

SHRI GHULAM NABI AZAD: We have got a letter. (*Interruptions*)

SHRI RAM NAIK: They must inform the Speaker. (*Interruptions*)

SHRI RANGARAJAN KUMARAMANGALAM: We have already informed the Speaker about it. (*Interruptions*)

Annual Report, Annual Accounts and Review on the working of the National Institute of Rural Development, Hyderabad for 1991-92

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJAN KUMARAMANGALAM): On behalf of Shri G. Venkata Swamy: I beg to lay on the Table:-

- (1) A copy of the Annual Report (Hindi and English versions) of the National Institute of Rural Development, Hyderabad for the year, 1991-92.
- (2) A copy of the Annual Accounts (Hindi and English versions) of the National Institute of Rural Development, Hyderabad for the year, 1991-92 together with Audit Report thereon.
- (3) A copy of the Review (Hindi and

English versions) by the Government on the working of the National Institute of Rural Development, Hyderabad for the year, 1991-92.

[Placed in Library See No. LT - 3264/92]

[Placed in Library See No. LT - 3262/92]

Annual Report and Review on the working of the National Instruments Ltd; Calcutta for 1991-92 etc.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF HEAVY INDUSTRY AND DEPARTMENT OF PUBLIC ENTERPRISES) (SHRI P.K. THUNGON): I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of Section 619A of the Companies Act, 1956:-

(a) (i) Statement regarding Review by the Government on the working of the Hindustan Cables Limited, Calcutta for the year 1991-92.

(ii) Annual Report of the Hindustan Cables Limited, Calcutta for the year 1991-92 along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library See No. LT - 3263/92]

(b) (i) Statement regarding Review by the Government on the working of the National Instruments Limited, Calcutta for the year 1991-92.

(ii) Annual Report of the National Instruments Limited, Calcutta for the year 1991-92 along with Audited Accounts and comments of the Comptroller and Auditor General thereon.

Annual Report of National Council for Hotel management and Catering Technology, New Delhi for 1991-92 etc.

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION AND TOURISM (DEPARTMENT OF TOURISM) (SHRIMATI SUKHBUNSA KAUJ): I beg to lay on the Table:-

(1) (i) A copy of the Annual Report (Hindi and English versions) of the National Council for Hotel Management and Catering Technology, New Delhi, for the year 1991-92 along with Audited Accounts.

[Placed in Library See No. LT - 3265/92]

(ii) A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering Technology and Applied Nutrition, Bombay, for the year 1991-92 along with Audited Accounts.

[Placed in Library See No. LT - 3266/92]

(iii) A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering, Technology and Applied Nutrition, Madras, for the year 1991-92 along with Audited Accounts.

[Placed in Library See No. LT - 3267/92]

[Smt. Sukhbuns Kaur]

(viii)

A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering and Nutrition, Ahmedabad, for the year 1991-92 alongwith audited Accounts.

[Placed in Library See No. LT - 3272/92]

(iv) A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering Technology and Applied Nutrition, Goa, for the year 1991-92 alongwith Audited Accounts.

[Placed in Library See No. LT - 3268/92]

(ix)

A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering Technology and Applied Nutrition, Bangalore, for the year 1991-92 alongwith Audited Accounts.

[Placed in Library See No. LT - 3273/92]

(v) A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering Technology and Applied Nutrition, Bhubaneswar, for the year 1991-92 alongwith Audited Accounts.

[Placed in Library See No. LT - 3269/92]

(x)

A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering Technology and Applied Nutrition, Jaipur, for the year 1991-92 alongwith Audited Accounts.

[Placed in Library See No. LT - 3274/92]

(vi) A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering and Nutrition, Lucknow, for the year 1991-92 alongwith Audited Accounts.

[Placed in Library See No. LT - 3270/92]

(xi)

A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering Technology and Applied Nutrition, Bhopal, for the year 1991-92 alongwith Audited Accounts.

[Placed in Library See No. LT - 3275/92]

(vii) A copy of the annual Report (Hindi and English versions) of the Institute of Hotel management, Catering Technology and Applied Nutrition, Hyderabad, for the year 1991-92 alongwith Audited Accounts.

[Placed in Library See No. LT - 3271/92]

- (xii) A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering Technology and Applied Nutrition, Chandigarh, for the year 1991-92 alongwith Auted Accounts.
[Placed in Library See No. LT - 3276/92]
- (xiii) A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management and Catering Technology, Thiruvananthapuram, for the year 1991-92 alongwith Audited Accounts.
[Placed in Library See No. LT - 3277/92]
- (xiv) A copy of the Annual Report (Hindi and English versions) of the Food Craft Institute, Udipur, for the year 1991-92 alongwith Audited Accounts.
[Placed in Library See No. LT - 3278/92]
- (xv) A copy of the Annual Report (Hindi and English versions) of the Institute of Food Craft Institute, Faridabad, for the year 1991-92 alongwith Audited Accounts.
[Placed in Library See No. LT - 3279/92]
- (xvi) A copy of the Annual Report (Hindi and English versions) of the Institute of Food Crafts Institute, Gangtok; for the year 1991-92, alongwith Audited
- Accounts.
[Placed in Library See No. LT - 3280/92]
- (xvii) A copy of the Annual Report (Hindi and English versions) of the Food Graft Institute, Gwalior, for the year 1991-92 alongwith Audited Accounts.
[Placed in Library See No. LT - 3281/92]
- (xviii) A copy of the Annual Report (Hindi and English versions) of the Pondicherry Institute of Hospitality Crafts, Pondicherry, for the year 1991-92 alongwith Audited Accounts.
[Placed in Library See No. LT - 3282/92]
- (xix) A copy of the Annual Report (Hindi and English versions) of the Institute of Hotel Management, Catering and Nutrition, New Delhi, for the year 1991-92 alongwith Audited Accounts.
[Placed in Library See No. LT - 3283/92]
- (2) A copy of the Review (Hindi and English versions) by the Government on the working of the Institute of Hotel management, Catering Technology and Applied Nutrition at New Delhi, Bombay, Madras, Goa, Bangalore, Lucknow, Hyderabad, Ahmedabad, Bhubaneswar, Jaipur, Bhopal, Chandigarh, Thiruvananthapuram and Food Craft Institutes at Gwalior, Udaipur, Faridabad Gangtok, Pondicherry and National Council for Hotel Management and Catering

[Smt. Sukhbans Kaur]

Technology, New Delhi, for the year 1991-92.

[Placed in Library See No. LT - 3284/92]

Annual Report and Annual Accounts of Employees State Insurance Corporation for 1991-92 etc.

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI PABAN SINGH GHATOWAR): I beg to lay on the Table:-

- (1) A copy of the Annual Report (Hindi and English versions) of the Employees' State Insurance Corporation for the year 1991-92.
- (2) A copy of the Annual Accounts (Hindi and English versions) of the employees' State Insurance Corporation for the year 1991-92 together with Audit Report thereon.

[Placed in Library See No. LT - 3285/92]

Annual Report and Review on the working of the Gem and Jewellery Export Promotion Council, Bombay for 1991-92 etc.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF SMALL SCALE INDUSTRIES AND AGRO AND RURAL INDUSTRIES (PROF. P.J. KURIEN): On behalf of Shri Salman Khursheed: I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Gem and Jewellery Export Promotion Council, Bombay, for the year 1991-92 along with

Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Gem and Jewellery Export Promotion Council, for the year, 1991-92

[Placed in Library See No. LT - 3286/92]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Diamond Institute, Surat, for the year 1991-92 along with Audited Accounts.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Indian Diamond Institute, Surat, for the year 1991-92.

[Placed in Library See No. LT - 3287/92]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Export Inspection Council and Export Inspection Agencies (Volume - 1) for the year 1991-92.

- (ii) A copy of the review (Hindi and English versions) by the Government on the working of the Export Inspection Council and Export Inspection Agencies (Volume - 1) for the year, 1991-92.

[Placed in Library See No. LT - 3288/92]

- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Overseas Construction

Council of India, Bombay, for the year, 1991-92 alongwith Audited Accounts.

1991-92.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Overseas Construction Council of India, Bombay, for the year, 1991-92.

- (ii) Annual Report of the Projects and Equipment Corporation of India Limited, New Delhi for the year 1991-92 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

[Placed in Library See No. LT - 3289/92]

[Placed in Library See No. LT - 3292/92]

- (5) A copy of the Tea Board (Amendment) Bye-laws, 1992 (Hindi and English versions) published in Notification No. G.S.R. 452 in Gazette of India dated the 10th October, 1992 issued under sub-section 50 of the Tea Act, 1953.

Annual Assessment Report on the programme and its implementation for accelerating the spread and development of Hindi and its progressive use for the various official purposes of the Union

[Placed in Library See No. LT - 3290/92]

[*Translation*]

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

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRIRAM LAL RAHI): Mr. Deputy Speaker, Sir, I beg to lay the following papers on the table of the House:-

- (a) (i) Statement regarding Review by the Government on the working of the India Trade Promotion Organisation, New Delhi for the year 1991-92.

A copy of the Annual assessment report on the programme and its implementation for accelerating the spread and development of Hindi and its progressive use for the various official purposes of union (Hindi and English versions)

- (ii) Annual Report of the India Trade Promotion Organisation, New Delhi for the year 1991-92 alongwith Audited Accounts and Comments of the Comptroller and Auditor General thereon.

[Placed in Library See No. LT - 3293/92]

Notification issued by the President in relation to the State of Uttar Pradesh

[Placed in Library See No. LT - 3291/92]

[*English*]

- (b) (i) Review by the Government on the working of the Projects and Equipment Corporation of India Limited, New Delhi for the year,

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE (KUMARISELJA): I beg to lay on

[Kumari Selja]

the Table a copy of each of the following Notifications (Hindi and English versions) under clause (a) of article 213 (2) of the Constitution read with clause (c) (iv) of the Proclamation dated the 6th December, 1992 issued by the President in relation to the State of Uttar Pradesh:-

1. The Uttar Pradesh State Universities (Amendment) (Third), Ordinance, 1992 published in Notification No. 3326 (2)/ XVII-V-1-2 (KA) 39-1992 in Uttar Pradesh Gazette dated the 29th November, 1992.

[Placed in Library See No. LT - 3294/92]

2. The Uttar Pradesh Basic Education (Amendment) (Second) Ordinance, 1992 published in Notification No. 3317 (2)/ XVII-V-1_2 (KA) 38-1992 in Uttar Pradesh Gazette dated the 29th November, 1992.

[Placed in Library See No. LT - 3295/92]

12.22.hrs

MESSAGES FROM RAJYA SABHA

[English]

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

- (i) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in Rajya Sabha, I am directed to enclose a copy of the Multimodal Transportation of Goods Bill, 1992, which has been passed by the Rajya Sabha at its sitting held on the 22nd December, 1992"

- (ii) "In accordance with the provisions

of rule 111 of the Rules of Procedure and Conduct of Business in Rajya Sabha, I am directed to enclose a copy of the Indian Medical Council (Amendment) Bill, 1992, which has been passed by the Rajya Sabha at its sitting held on the 22nd December, 1992."

- (iii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in Rajya Sabha, I am directed to enclose a copy of the Dentists (Amendment) Bill, 1992, which has been passed by the Rajya Sabha at its sitting held on the 22nd December, 1992."

12.22.1/2 hrs.

BILLS AS PASSED BY RAJYA SABHA

[English]

SECRETARY GENERAL: I beg to lay on the Table the following Bills, as passed by Rajya Sabha:-

- (i) The Multimodal Transportation of Goods Bill, 1992
- (ii) The Indian Medical Council (Amendment) Bill, 1992
- (iii) The Dentists (Amendment) Bill, 1992.

12.23 hrs.

PUBLIC ACCOUNTS COMMITTEE

ACTION TAKEN STATEMENTS

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): I beg to lay on the Table (English)

and Hindi versions) of the Statements showing action taken by Government on the recommendations contained in Chapter I and final replies in respect of Chapter V of the following Reports:

- (1) 115th Report (7th Lok Sabha) on Arrears of Assessments
- (2) 16th Report (8th Lok Sabha) on Construction of Staff Quarters at Pankha Road, New Delhi and Construction of Staff Quarters at Salt Lake, Calcutta.
- (3) 68th Report (8th Lok Sabha) on Construction of a sub-standard airfield.
- (4) 72nd Report (8th Lok Sabha) on National Co-operative Development Corporation.
- (5) 86th Report (8th Lok Sabha) on Development of a Weapon system and wrongful appropriation of public revenues to non-public funds.
- (6) 113th Report (8th Lok Sabha) on Union Excise Duties Non Levy of Duty on Products Captively consumed-Cellulose Xanthate.
- (7) 135th Report (8th Lok Sabha) on National Project on Biogas Development.
- (8) 171st Report (8th Lok Sabha) on Costly equipment lying idle in Regional Telecommunication Training Centre, Hyderabad.
- (9) 176th Report (8th Lok Sabha) on Complete loss of gold articles.
- (10) 186th Report (8th Lok Sabha) on Review on compensation claims.

(11) 9th Report (8th Lok Sabha) on India Government Mint Bombay - Overview.

(12) 17th Report (9th Lok Sabha) on Supply of drinking water to problem villages.

(13) 29th Report (10th Lok Sabha) on Infructuous and avoidable extra expenditure in the acquisition of certain special purpose naval vessels.

12.23 1/2 hrs

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES

*Thirteenth Report, Fourteenth Report,
Fifteenth Report and Minutes.*

[English]

SHRI K. PRADHANI (Nowrangpur): I beg to present a copy each of the following Reports and Minutes of the Sitzings relating thereto (Hindi and English versions) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes:

- (1) Thirteenth Report on Ministry of Petroleum & Natural Gas - Reservations for and employment of Scheduled Castes and Scheduled Tribes in Gas Authority of India Limited.
- (2) Fourteenth Report on Ministry of Civil Aviation and Tourism (Department of Civil Aviation) - Reservations for and employment of Scheduled Castes and Scheduled Tribes in International Airports Authority of India.

[Sh.K. Pradhani]

- (3) Fifteenth Report on Ministry of Welfare - Working of Integrated Tribal Development Projects in Orissa.

12.24 hrs.

MATTER UNDER RULE 377

(i) Need to take over leased land from Management Trusts In Tamil Nadu

[English]

SHRI K. THULASIAH VANDAYAR (Thanjavur): The endowment lands in Tamil Nadu are under lease for a long time. The leases are reluctant to pay the due rents to the concerned Trusts. The leases want only avoid paying the due rents which are commensurate with the rise in cost. Lacs of acres of leased lands are in the enjoyment of private individuals thereby incurring heavy losses to the management trusts.

Most of the trusts are ready to surrender their leased lands to the Government. The only thing the Government must do is to take over the lands and pay the compensation at market rate to the management trusts. By this measure the Government can solve the problem of landless labourers and agricultural labourers and the tillers of the soil will have a fair chance to own the land which would increase the productivity. As part of land reforms, I request the Central Government to initiate necessary steps to take over leased lands which are being offered by the management trusts on payment of adequate compensation.

- (ii) Need for laying of railway line between Manmad and Nardana on Central Railway.**

SHRI BAPU HARI CHAURE (Dhule):

There has been long pending demand for laying of railway line between Manmad and Nardana on Central Railway.

This link will connect Central Railway with Western Railway. It will also shorten distance by about 50 kms. for the trains running between Ahmedabad and Bangalore or Trivandrum.

Further constructing Manmad Nardana Railway will help the backward tribal people of Dhule and Nasik Districts. Hence I urge upon the Railway Minister to order for survey of this railway line and also sanction some amount for its construction in the ensuring Railway Budget. (*Interruptions*)

[Translation]

SHRI SURAJ MANDAL (Godda): Mr. Deputy Speaker, Sir, I have been raising my hand for the last nearly one hour and fifteen minutes but I have not been given a chance to speak. Why are we not given a chance to speak here?... (*Interruptions*) You do not give an opportunity to those members who do not make a noise. Today is the last day of the session. Even then we are not given a chance to speak.. (*Interruptions*)..... Keeping this trend in view I boycott the House.

12.26 hrs

Shri Suraj Mandal then left the House.

(iii) Need to protect the interests of the farmers of Sriganganagar, Rajasthan

[Translation]

SHRI BIRBAL (Ganganagar): Mr. Deputy Speaker, Sir, the boundary of Sriganganagar district touches Punjab and Haryana and the border villages have business dealings in the Abohar and Elnabad markets. The farmers want to have transactions with commission agents of those

markets and sell their product in the neighbouring markets, which is quite natural and justified. The farmers are being harassed for past some time. They are not allowed to carry their produce freely and penalty is being imposed upon them assuming their goods as belonging to the businessmen.

The farmers are being deprived of their right to sell their produce freely. They have to undergo a complex and cumbersome procedure to submit Form No. I B.C.C. This procedure, therefore, should be streamlined with a view to facilitate the farmers and to save them from harassment.

I, therefore, request you to lift this ban and allow the farmers to take their produce anywhere.

- (iv) **Need to ensure punctuality in running of trains originating from/passing through Madhya Pradesh**

[*Translation*]

SHRI SHIVRAJ SINGH CHAUHAN (Vidisha): Mr. Deputy Speaker, Sir, majority of trains originating from/passing through Madhya Pradesh run very late. It causes inconvenience to the passengers who travel to attend the governmental and other important work. For example, the express train running from Indore to Vilaspur runs late from two to eight hours on most of the days. The passengers travelling to/from Jabalpur for judicial purposes experience a great difficulty. In the same manner, passengers going from Indore, Devas, Ujjain, Bhopal to Delhi to attend important cases in the Supreme Court and some other important work mainly travel by Malva Express. Mostly this train too runs very late. The position of other trains - Mahanadi, Chattisgarh, Selam, etc. passing through the State is almost the same which causes great inconvenience to

the passengers. The Ministry of Railways should take steps immediately to improve the situation.

- (v) **Need to take over Magdalla Airport, Gujarat for operating air services to Delhi, Calcutta and Madras**

[*English*]

SHRI KASHIRAM RANA (Surat): The airport at Surat which is owned by the State Government, has a 4300 feet runway with asphaltic concrete surface, Surat is the second largest city in the State and the area around it is developing into one of largest industrial areas in the country. The State Government had agreed to acquire additional land at the cost of Rs. 233 lakhs at their own cost and also to carry out ancilliary works like extending 3300 feet runway to 4300 feet providing hanger, toilet blocks, widening and strengthening of apron wire fencing, external water supply and drainage levelling of land, street lights, office building, control tower, etc. with the understanding that the airport will be taken over by the NAA for development as a full fledged airport. The State Government have also taken a cabinet decision to hand over the airport to the NAA. However, the BAA has informed the State Government that due to resource problems, they are not in a position to take over Surat airport, meanwhile work of extending the runway from 3300 feet to 4300 feet with a 40 mm. asphaltic concrete surfacing, providing hanger, toilet blocks, wire fencing, etc. has been completed.

Taking into account all these points, I urge the Central Government to take over Magdalla Airport immediately and operate the Air services for Delhi, Calcutta, Madras.

MR. DEPUTY SPEAKER: No. you cannot speak. You please sit down. We have

[Sh. Kashiram Rana]

to run the House on proper lines.

*(Interruptions)

MR. DEPUTY SPEAKER: Once your name is not in 377 then it is not possible for you to speak. The names which are listed, only they are called. They are expected to participate in 377

(Interruptions)

MR. DEPUTY SPEAKER: This will not go on record.

(vi) Need to allow export of Sandalwood in all forms

SHRI P.G. NARAYANAN (Gobichettipalayam): Under the new Export and Import Policy from 1.4.1992 the export of wood and wood products are banned. The Sandalwood in Tamil Nadu forms a large share of the revenue of the Forest Department. The amount earned from sandalwood is now nearly 50 per cent of the State Forest Department's Revenue. The State Government of Tamil Nadu requested the Central Government to reconsider the matter and to allow the export of sandalwood in all forms. If, for any reason this is not possible to retain the provisions, exporting sandalwood in the form of powder, chips, dust and flakes not exceeding 50 gms. each in the new policy on Export and Import may be considered.

In the new Export Policy export of sandalwood in the form of chips, powder and flakes were examined but the export of sandalwood was allowed only after value addition, the value addition norm being 350%. This was done in order to maximise export earning per unit value of the sandalwood. This would also generate more employment

opportunities for the artisans and others.

I, therefore, urge upon the Government to reconsider the matter and to allow the export of sandalwood in all forms.

(vii) Need for reopening of Aara-Sasaram railway line, Bihar

[Translation]

SHRI TEJ NARAYAN SINGH (Buxer): Mr. Deputy Speaker, Sir, due to closure of Aara-Sasaram Light Railway by the Martin Burn Company in 1976, the passengers of that area who had been availing this railway facility since 1911, are now experiencing a great difficulty.

A survey was conducted to reopen broad-gauge railway line during the tenure of late Shri Kedar Pandey. But due to sudden demise of Shri Kedar Pandey no progress has been made in this regard.

The balance sheets of the former Light Railway from 1959 to 1969, which were published in the History of Indian Railways, clearly show that it was running in profit of Rs. 3 lakh every year.

Keeping in view its profit and public convenience, it has become necessary to reopen Aara-Sasaram light railway line.

Therefore, the Central Government is requested to immediately take appropriate action in this regard.

(viii) Need for a bypass at Bareilly, Uttar Pradesh

SHRI SANTOSH KUMAR GANGWAR (Bareilly): Mr. Deputy Speaker, Sir, Bareilly is a major city of Northern India. The Central Government has taken a decision to develop

12.36 hrs.

it as a Counter Magnet City.

Bareilly is situated on National Highway No. 24 between Delhi and Lucknow. There is a heavy load of traffic. A proposal relating to construct a bypass and widen the existing National Highway No. 24, has been under consideration for a long time.

I request the Central Government to take immediate action to construct a bypass in Bareilly and widen the above road keeping in view the urgent need therefor.

(ix) Need to clear the proposal and provide funds for reconstruction of certain major bridge in Orissa

[English]

SHRI GOPI NATH GAJAPATHI (Berhampur): The proposal for reconstruction of some major bridges in Orissa, namely, Rushikulya Bridge Badanadi Bridge at Aska, Godahada Bridge near Malabhanja, another near Hinjilikatu, Jarou No. 1 near Soroda and Loharkhandi Bridge near Bhanja Nagar of Ganjam district in Orissa have been pending since 1990. All these bridges are badly damaged and parts thereof have been washed away due to unprecedented floods during July and November, 1990. An estimate had been made for Rs. 32.50 crore towards the reconstruction of these bridges and submitted before the Central Government for World Bank's assistance. The World Bank team visited the sites from 3.10.1991 to 6.10.1991. Thereafter, no steps have been taken for sanctioning funds for these six bridges.

The people of Ganjam district are facing a serious problem on account of the disruption of roads, following the damage of these bridges. Hence, I urge the Hon. Minister of Surface Transport to expedite funds sanctioning for these projects to enable reconstruction and repairing works expeditiously.

**STATUTORY RESOLUTIONS RE.
APPROVAL OF PROCLAMATION IN
RELATION TO THE STATES OF UTTAR
PRADESH, MADHYA PRADESH,
HIMACHAL PRADESH AND RAJASTHAN
- CONTD.**

[English]

MR. DEPUTY-SPEAKER: We will now continue further discussion on the Statutory Resolutions in respect of Uttar Pradesh, Madhya Pradesh, Himachal Pradesh and Rajasthan.

Shri R. Jeevarathinam.

Shri S.B. Chavan, the Home Minister.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Mr. Deputy-Speaker, I rise to reply to the debate on the Notifications which have been issued in respect of the four States, namely, Uttar Pradesh, Rajasthan and Madhya Pradesh where the President's rule has been imposed. I have to express my gratefulness to all the hon. Members who have participated in the debate. (Interruptions)

[Translation]

SHRI SWAMI CHINMAYANAND (Badaun): Mr. Deputy Speaker, Sir, I would like to request the Minister of Home Affairs that a ban has been imposed on 'darshan' in Ayodhya for the last 15 days.... (Interruptions)

12.37 hrs

At this stage, Shri Madan Lal Khurana and some other hon. Members came and stood near the Table.

(Interruptions)

[English]

MR. DEPUTY-SPEAKER: You kindly hear me. You try to listen to me. (Interruptions)

MR. DEPUTY SPEAKER: This is not the proper time for you to raise this issue. Kindly go back to your seats.

(Interruptions)

MR. DEPUTY SPEAKER: Kindly resume your seats.

(Interruptions)

MR. DEPUTY SPEAKER: You had a full chance of discussing each State for many days; this is not the proper time for you to raise these issues.

(Interruptions)

MR. DEPUTY SPEAKER: You please go back to your seats.

(Interruptions)

MR. DEPUTY SPEAKER: Kindly resume your seats.

(Interruptions)

MR. DEPUTY SPEAKER: We have to follow certain rules.

(Interruptions)

MR. DEPUTY SPEAKER: How can you break the rules?

(Interruptions)

MR. DEPUTY SPEAKER: The hon. Minister will speak. You had a chance to have a discussion. You have discussed.

(Interruptions)

MR. DEPUTY SPEAKER: Whatever you

feel, you can discuss. You can ventilate your grievances. But now the Home Minister will reply.

(Interruptions)

MR. DEPUTY SPEAKER: You please resume your seats.

(Interruptions)

12.41 hrs.

At this stage Shri Madan Lal Khurana and some other hon. Members went back to their seats

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Deputy Speaker, Sir, we will not listen to any such speech which goes against democracy. *(Interruptions)*

SHRI RAJVEER SINGH (Aonla): Mr. Deputy Speaker, Sir, I have also given my name to speak.

[English]

MR. DEPUTY SPEAKER: The hon. Minister will reply now.

SHRI RAM NAIK (Bombay North): Yesterday the debate was not complete. We will not allow him to speak. *(Interruptions)*

MR. DEPUTY SPEAKER: How can you say so? What is the rule?

SHRI RAM NAIK: the rule is that the debate was not complete.

MR. DEPUTY SPEAKER: I do not agree.

(Interruptions)

[Translation]

SHRI MADAN LAL KHURANA: Four State legislative Assemblies have been dissolved. Has it been done under any rule? (Interruptions) The Governor of Rajasthan had sent his report to the Prime Minister direct. Was it under any rule? (Interruptions)

[English]

MR. DEPUTY SPEAKER: Let the hon. Minister reply to the debate.

(Interruptions)

MR. DEPUTY SPEAKER: Kindly resume your seats. Swamiji, please resume your seat.

(Interruptions)

MR. DEPUTY SPEAKER: Let us follow the rules. You had your say. You have ventilated your feelings. let us not violate the rules. let us follow the rules.

(Interruptions)

MR. DEPUTY SPEAKER: Let the hon. minister speak.

(Interruptions)

MR. DEPUTY SPEAKER: I am sorry. This is not correct. I request the hon. Members to go back to their seats. I have said that they will have a chance to speak. All of you will have a chance to speak.

(Interruptions)

MR. DEPUTY SPEAKER: Swamiji also will have a chance to speak. You will have a chance to speak. One hon. Member from the Congress and another from the Opposition will have a chance to speak.

(Interruptions)

MR. DEPUTY SPEAKER: All of you will get a chance to speak.

(Interruptions)

[Translation]

SHRI CHINMAYANAND SWAMI (Badaun): Mr. Deputy Speaker, Sir, when efforts are being made today to minimise prevalent tension and bring normalcy, 'Darshan' of Ramlala is not being allowed in Ayodhya at this juncture. (Interruptions)

As assurance was made that no restriction would be imposed on 'Barshan'. But when people went there for 'Darshan' they were not allowed. (Interruptions)

In this way the court orders are being violated and impediments are being created in the way of bringing normalcy. (Interruptions)

[English]

MR. DEPUTY SPEAKER: Nothing is going on record.

(Interruptions)

[Translation]

SHRI MADAN LAL KHURANA: Not going on record! (Interruptions)

12.43 hrs.

At this stage Shri Madan Lal Khurana and some other hon. Members came and stood near the Table.

[English]

MR. DEPUTY SPEAKER: Let up not discuss other issues now. If you feel that democracy has been murdered, you will have a chance to rebut what the Government

says, when you speak. You will have a chance to rebut it.

(Interruptions)

MR. DEPUTY SPEAKER: You have to follow certain rules.

(Interruptions)

12.45 hrs.

At this stage, Shri Madan Lal Khurana and some other hon. Members went back to their seats.

(Interruptions)

MR. DEPUTY SPEAKER: I request the honourable leaders to interfere and sort out the problem.

(Interruptions)

[*Translation*]

SHRI MADAN LAL KHURANA: The Governor of Rajasthan is writing to the prime Minister that the State Government may be dismissed. and this Government is teaching us rules.... *(Interruptions)*

[*English*]

SHRI RAM NAIK: Sir, it is our right. We must be allowed to speak. *(Interruptions)*

MR. DEPUTY SPEAKER: Surely you will be given a chance to speak. One Member from Congress Party and another from this side will be allowed to speak. *(Interruptions)*

[*Translation*]

DR. LAXMINARAYAN PANDEYA (Mandsaur): This House would function as *per rules and conventions.* *(Interruptions)*

SHRI RAM NAIK: This Government has dismissed the State Governments and debate is not being allowing to be held here. What do they talk about? *(Interruptions)*

SHRI MADAN LAL KHURANA: The Government is murdering the democracy. *(Interruptions)*

[*English*]

MR. DEPUTY SPEAKER: You will have a chance to speak. One member from Congress Party and another from this side will be allowed to speak.

SHRI RAM NAIK: Why is the debate not being allowed?..... *(Interruptions)*

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRIGHULAM NABIAZAD): Sir, I do not agree with the hon. Members that they were not allowed to speak on this subject. As far as yesterday's debate on this subject is concerned, only two Congress Members of parliament have spoken and four BJP Members of Parliament have spoken. And yet they are saying that they were not allowed to speak.... *(Interruptions)* I am not saying that you do not speak. But do not say that everybody has spoken and you have not been allowed to speak. Let the record be straight. Four Members from your side and only two from this side have spoken on this subject... *(Interruptions)*

[*Translation*]

SHRI NITISH KUMAR (Barh): Mr. Deputy Speaker, Sir, there is no use of running the House with technicality. You have called Shri Chinmayanandji. I would like to request you that Swamiji may be allowed to speak. Then whatever you like to do, you may do it so that the business of the House can be conducted smoothly. You have to see to this aspect also. You have called Swamiji and Khuranaji is shouting and

disturbing him. It seems as though Khuranaji does not want him to speak.

[English]

MR. DEPUTY SPEAKER: I have not called the name of Swamiji.

(Interruptions)

[Translation]

12.49 hrs.

[MR. SPEAKER *in the Chair*]

SHRI NITISH KUMAR: Mr. Speaker, Sir, we have sorted out the matter before you came here. Swamiji was speaking. Khuranaji was disturbing him.

(Interruptions)

SHRI MADAN LAL KHURANA: Nitishji, don't joke like this....

(Interruptions)

SHRI CHINMAYANAND SWAMI (Badaun): Mr. Speaker, Sir, through you, I would like to submit to the hon. Minister of Home Affairs that before making a statement...

[English]

MR. SPEAKER: One minute please. We have cooperated so far, We will cooperate also. I will allow you to speak for a very short time. But then we shall have to transact this business today. I was told that Shri Jeevarathinam's name was called out. let him speak first and then I will allow you.

Mr. Home Minister, I will allow you afterwards.

(Interruptions)

*SHRI LOKANATH CHOUDHURY (Jagatsinghpur): Sir, we have also given our names. Will you give a chance?.. (Interruptions)

MR. SPEAKER: Okay, you will be allowed. Now, Shri Jeevarathinam.

[Translation]

SHRI R. JEEVARATHINAM (Arakkonam): Hon'ble Speaker, Sir, I Welcome and support the Statutory Resoulution moved by the Hon'ble Home Minister Shri S.B. Chavan as regards to the promulgation of President Rule in four States.

Shri Kalyan Singh was the Chief Minister of Uttar Pradesh. He was aware of the plans of the Kar Sevaks. Thousands people were mobilised there. As a responsible Chief Minister of a State, he should have made use of the Central Security Forces sent over there. But he did not prevent the act of thousands of people gathered over there and finally the Babri Masjid was razed to ground. The Masjid constructed 450 years ago was demolished. A State Chief Minister should have remained neutral as he is common to all the people irrespective of their religion, caste and creed. But, the Masjid was razed to ground when he was at the helm of affairs. Two to three lakhs of Kar Sevaks were brought there. But did he do anything to prevent them? Did he seek or made use of the Central Forces? Hence his mistake is a very great criminal act. He gave promises to the Union Govt. He gave solemn assurance to the highest Court of the land. Apart from assuring the Supreme Court and High Court, he went on assuring the country. But he had failed to keep his words. An ordinary citizen on violating a Court's order is punished by law. Hence, I request the Govt.

to prosecute him and punish him for his hand in gloves act. I also welcome the dismissal of Rajasthan, Himachal Pradesh and Madhya Pradesh State Governments and I do welcome the imposition of President's Rule in those BJP ruled States. Those who participated in this discussion were referring to the use of Article 356. I think this is the powerful weapon the Centre would wield and it is like Ram Ashthra. Like lord Ram punishing those who erred, the centre uses this Ram weapon against the erring State Governments. Hence I welcome the timely action of the Centre.

They were also referring to Freedom Struggle. I do not think BJP men know anything about Freedom Movement. Mahatma Gandhi mobilised the entire Countrymen and won the Independence for us. Who assassinated him? The hands of RSS, the then Hindu Maha Sabha were behind it. Why did they resort to it? Why was he shot to death? Did they ever condole the death of Mahatma Gandhi? So, they know nothing about Freedom Movement. Instead they enjoy the won Freedom. They have nothing to do with the Independence movement. Did they shed tears or toiled and moiled? It was fought and won by Congress. In the name of democracy they enjoy the freedom and spoil the country and vitiate the democratic system.

[English]

MR. SPEAKER : Right, Mr. Jeevarathinam please conclude. Very good! you have to conclude.

[Translation]

*SHRIR. JEEVARATHINAM: Mahatma Gandhi, Pandit Nehru, Mrs. Indira Gandhi

and Shri Rajiv Gandhi won a recognition for India in the international arena. But the BJP has trashed that image.

[English]

MR. SPEAKER: Music of words.

SHRI R. JEEVARATHINAM: Several temples have been demolished in foreign countries. In Bangladesh there are about two crores of Hindus. They all took part in Freedom movement. Sacrificed a lot. What is their fate now? What will be the condition of those living in Pakistan? Hence it would be fitting to take appropriate measure against the BJP men who perpetrated a crime. Likewise, I would like to point out the way in which we won our Freedom. We did not resort to hooliganism and agitated with loud slogans like this. We had a systematic method in an orderly fashion.

In 1944, I was in Madras Jail. Renowned freedom fighter Shri N.G. Ranga was also put in prison there. The present Central Minister Shri V.C. Shukla's father Shri R.S. Shukla was also put in jail there then. They spoke about Netaji Subhash Chandra Bose. When his Indian National Army men landed in Madras, they were all arrested by the Britishers and they were awarded death sentence under the Martial law. They went to gallows chanting 'Vande Mataram' and expressed the hope that India would win freedom. They faced death chanting Vande Mataram continuously in a chorus. Thus we sacrificed a lot and won the freedom. But, these people who have come to this House making use of religion are spoiling the country.

[English]

MR. SPEAKER: Please conclude. Now it is not going on record. Please now sit down

(Interruptions).

MR: SPEAKER; One minute please. He says that he is winding up.

[Translation]

SHRIR. JEEVARATHINAM: What went on during the Freedom struggle? These BJP men did not participate in the Freedom movement then. When Mahata ma Gandhi was arrested they never expressed sorrow and they never condemned. Today BJP was Hind Maha Sabha then. Dr. Kare was its president. He pleaded with the Britishers not to give freedom. Their voicing against Independence is a historical fact. I request you to weigh my observations. Communist support us today. I appreciate them. I would like to add that they took part in the Freedom struggle. They sacrificed a lot. They went to prison many a times. But BJP men have come to Parliament somehow and put hurdles to the very functioning of the House. These people never fought for freedom and what they do now is totally wrong. I think the chair for this opportunity and with this I conclude.

SHRI CHINMAYANAND SWAMI: Mr. Speaker, Sir, through you I would like to request the Minister of Home Affairs that when efforts are being made to restore peace and order in the country and as the Government as well as all the people are quite worried over it and everyone knows it that worship of Ram Lala is being performed at Ayodhya since 1949 and it has been made clear in the orders of the Allahabad High Court given in 1949, 1956 and 1986 that puja 'archan' and darshan will not be banned. On the last 7th December it was broadcast on All India Radio that no hurdle would be created in the performance of 'Punjab-Archana' of Ram Lala. Through you I would like to submit to the hon. Minister of Home Affairs that the curfew has been in force there since 8th December and 'Darshan' is not allowed to all for the last 15 days. The daytime curfew has been lifted from the whole of Ayodhya but

'darshan' is not being allowed. There are many saints who have been there for the past 20 years and it is their vow that they would take food only after having 'darshan' there. Now they are eating ruits only as they are not being given permission to have 'darshan'. Such a report has been received. The District Collector had given an assurance that arrangement would be made to allow darshan at the earliest possible time. On the 22nd December, the time for darshan was fixed between 3 p.m. to 5 p.m. The list of the names of these saints, who could go for darshan, was submitted, when they reached there for darshan they contacted the District Collector in the control room immediately but they were told that the Government has received the directions just now from the Union Ministry of Home Affairs that 'darshan' should not be allowed. On this, the entire Ayodhya is tense and tension is mounting throughout the country.

I would like to submit that so long as the orders of the Allahabad High Court are in force, the right to offer worship and have 'darshan' there is the fundamental right of citizens and it should not be violated. Also, immediate arrangement for 'darshan' should be made failing which situation may become more tense. It will be difficult for you to decide as to who will be held responsible for it. Therefore, through you, I want to request the hon. Minister of Home Affairs to mention it in his statement. It is also noteworthy here that a four day festival is to be celebrated there from 23rd to 26th December. The convention of celebrating this festival has been continuing for the last 44 years. Hurdles have been created even for that festival. All these conventions have been violated and the feelings of the local saints have been hurt directly. Mr. Speaker, Sir, I want to tell the Minister of Home Affairs that till the verdict of the Court, wherein worship has been allowed, is not changed the Government should not create any hindrance at all. If any hindrance is created, it may create tension in the

[Sh. Chinmayanand Swami]

[English]

country once again. I want to request the Government once again that it should permit darshan and worship there forthwith so that the saints observing fast may not curse it and the country may not fall prey to a new crisis.

13.00 hrs.

It is, therefore, very essential and under the provisions of the Constitution it is the duty of the Government to honour their faith. Sir, prior to coming to the House, I had a talk with him. The District Magistrate was telling it repeatedly that until the Centre permits, the darshan cannot be resumed. This too had appeared in all the newspapers that the petition was filed amidst the discussion, and the Judge agreed that darshan and worship should not be banned. Therefore,

I request the Government not to play with this issue of faith and the rights of the people to have faith in any religion should not be infringed on the pretext of law and order. Their religious feelings should not be suppressed. Therefore, I wish that the hon. Minister should made it clear in his statement as to what he is going to do in this regard. (Interruptions)

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, the hon. Minister of Home Affairs should make a statement in this regard. We want his reply (Interruptions) A District magistrate is saying that the instructions from the Centre are awaited.. The Government should give a reply in this regard. (Interruptions)

SHRI RAJVEER SINGH (Aonla): Mr. Speaker, Sir, yesterday the sadhus and mahatmas were called at 15.00hrs and insulted.. we want reply in this regard.

MR. SPEAKER: Every speech is not answered.

SHRI RAM NAIK (Bombay North): Sir, the hon. Minister can reply on this point. (Interruptions)

MR. SPEAKER: You have made your point and very forcefully also. The hon. Minister will reply later.

(Interruptions)

[Translation]

SHRI ASTBHUJA PRASAD SHUKLA (Khalilabad) : Mr. Speaker, Sir, the hon. Minister should give a reply in this regard.

SHRI BRIJBHUSHAN SHARAN SINGH(Gonda): The people of the entire country want answer to this question.

[English]

MR. SPEAKER: You are obstructing another hon. Member. I have called Shri Lokanath Choudhury. You go back to your seat.

(Interruptions)

[Translation]

SHRI RAJVEER SINGH: This is a mockery of the sentiments of the people of the country. The hon. Minister of Home Affairs should reply to it.

13.03 hrs.

At this stage Shri Phool Chand Verma and some other hon Members stood on the floor near the table.

[English]

MR. SPEAKER: The House stands adjourned to meet again at 2.00 p.m.

13.03 hrs.

[English]

*The Lok Sabha then adjourned till
Fourteen of the Clock.*

*The Lok Sabha re-assembled after Lunch
at
two minutes past Fourteen of the Clock.*

[MR. SPEAKER *in the Chair*]

STATUTORY RESOLUTION RE.
APPROVAL OF PROCLAMATION IN
RELATION TO THE STATES OF UTTAR
PRADESH; MADHYA PRADESH;
HIMACHAL PRADESH AND RAJASTHAN-
CONTD

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, darshan of Ramlala in Ayodhya has been banned after the 7th December. What Government has to say in this regard? The hon. Minister of Home Affairs must tell the House whether he will allow darshan or not. (*Interruptions*)

SHRI PHOOL CHAND VERMA (Shajapur): A festival is to be celebrate there after three days. I want to know whether the Government will allow to celebrate that festival or not. The hon. Minister must tell it in the House. Will the festival be celebrated or not? (*Interruptions*)

SHRI ASHTBHUJA PRASAD SHUKLA (Khalilabad): Besides the festival, worship too should be started there which has been banned by the Government. What arrangements are going to be made by the Government to ensure restoration of worship and celebration of the festival? The Government should clarify the position in the House (*Interruptions*)

SHRI LOKANATH CHUDHURY (Jagat singhpur): Sir, may I make a submission that you allow the Minister to reply? (*Interruptions*)

[Translation]

MR. SPEAKER: All right. Some persons from your side and some others from this side too are to speak.

SHRI ASHTBHUJA PRASAD SHUKLA: Mr. Speaker, Sir, the festival was to start there today itself. But the Government did not give its permission as a result of which the festival could not be started as yet.

DR. LAXMINARAYAN PANDEYA (Mandsaur): The position regarding the proposed celebrations of the festival has not been made clear as yet. Honouring the orders of the Court, the festival should be allowed. (*Interruptions*)

SHRI MADAN LAL KHURANA: Worship has been restored there through the courts orders only. The festival is celebrated every year. But due to unfavourable attitude of the Government the things have come to a stand still. We want to know as to what arrangements are being made by the Government in this regard. (*Interruptions*)

SHRI ASHTBHUJA PRASAD SHUKLA: Mr. Speaker, Sir, the atmosphere of the House is very calm. But a number of saints and mahatmas are observing fast there. We want to know us to what arrangements are being made by the Government to restore 'Satsang' there. The hon. Minister is sitting here very silently. (*Interruptions*)

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, we want that the Government should made arrangements to start festival there. That festival is being celebrated there for the last 44 years. It was to be started on

[Sh. Madan Lal Khurana]

the 26th, but nothing could have been possible in this regard. (*Interruptions*)

[*Translation*]

SHRI BRUBHUSHAN SHARAN SINGH (Gonda): Mr. Speaker, Sir, the hon. Minister should make it clear whether he intends to give permission for the darshan of Ram Lala or not. (*Interruptions*)

SHRI GURCHARAN SINGH DADAHOOR (Sangrur): The proposed mandir has got to be constructed. There cannot be any dispute about it. (*Interruptions*)

[*English*]

MR. SPEAKER: I think all the Members have been cooperating very nicely and I am sure that on the last day of the Session also you are going to cooperate. You have made your point very cogently and very forcefully. It is noted by every body and having done that. I suppose that you should allow the debate to go on.

(*Interruptions*)

[*Translation*]

SHRI ASTBHUJA PRASAD SHUKLA: Mr. Speaker, Sir, the hon. Minister is not cooperating. The hon. Minister should give a reply. The moment he makes a promise in this regard. Ceremony will start there. (*Interruptions*)

[*English*]

MR. SPEAKER: I think all the Members have been cooperating very nicely and I am sure that on the last day of the Session also you are going to cooperate. You have made your point very cogently and very forcefully. It is noted by everybody and having done

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(*Interruptions*)

[*Translation*]

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[*English*]

THE MINISTER OF PARLIAMENTARY AFFAIRS (Shri Ghulam Nabi Azad): How can he reply to a specific point? This point has come out of the speech of an hon. Member and when he replies to the whole debate, he will reply to this point also. (*Interruptions*)

[*Translation*]

SHRI SHYAM BIHARI MISRA (Bilaur): Mr. Speaker, Sir, if the hon. Minister of Home Affairs does not want to give permission for darshan of Ram Lala, he should then make it clear and if he wants to give that permission then also he should make it clear so that a ceremony may begin there. He should make his intention clear in this regard. (*Interruptions*)

SHRI ASTBHUJA PRASAD SHUKLA: Mr. Speaker, Sir, the hon. Minister of Home Affairs is present in the House. He should clear the position. I fear that the people who may go to offer prayer they may not be lathi charged there. The hon. Minister should, therefore, make his decision known to us. (*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker, Sir, I am sorry I was absent from the House. This is my fault..

(Interruptions)

SHRI VILAS MUTTEMWAR (Chimur): If I know everything then I would have also known the reasons as to why he is not replying. The fact is that I do not know everything.

Mr. Speaker, Sir, you know an issue has been raised. The present session is closing today. We will not be here to bother the hon. Minister of Home Affairs. We will have to search him for that somewhere else. The main thing is that an important issue has been raised by Swami Chinmayanand ji. He has been in touch with the people on Ayodhya Affairs. The Government is also not unaware of the role played by him in the affairs of Ayodhya and he has now received information that tension is prevailing in Ayodhya as people are not being allowed to have the darshan of Ram Lala. As long as curfew continued people were silent. Now there is in curfew, it has been removed. Now Prakatotsav is to be celebrated. People do not require the approval of the Government for darshan or prayer or Arti. Offering of prayer and arti has been allowed by the High Court. I would like to ask whether the Government would now violate the orders of the court? Does the Government want to create tension again? We want that peace should prevail there.

Mr. Speaker, Sir, you can just imagine the situation. People are to assemble there on the eve of 'Sankranti'. Lakhs of people will gather there. Those who have been having a darshan for the last 40 years, if they are prevented from having a darshan, then this will certainly give birth to a new situation. Now the Kalayan Singh Government is no more there whom the Government would now accuse to escape from responsibility. Now it is to face the situation.

We want to drag out the Government from the present impasse, but the

Government is adamant. There is one thing more. When the saints and sadhus met the District Magistrate Yesterday, they were told by him that it was not within his power to take any decision regarding darshan, he further told that any decision in that regard would be taken by Delhi. This is compelling me to raise this issue in the House. I am raising this question before the hon. Minister of Home Affairs who is present here. He has to take a decision in this regard. He should take decision soon without any delay. Now only making promises will not do, he will have to make a reply. (Interruptions)

[English]

SHRI SOMNATH CHATTERJEE: I hope the Government does not submit to the threats that are being made on the floor of the House.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: He should not bother for them.

SHRI SOMNATH CHATTERJI: We will have to bother, you know.

[English]

This House cannot be run by the fundamentalists. (Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE: They have staged dharna here in the past for reinstating some employees... (Interruptions). We are, however, not threatening the Government, we are just asking the Government, we are just asking the Government to remain alert.

SHRI MADAN LAL KHURANA: This is not a threat, this is the truth. (Interruptions)

[English]

SHRISOMNATHCHATTERJEE: These who have openly violated the order of the Supreme Court are talking of High Court order now. The High Court never said; Break-down, demolish the structure and there construct a new temple and worship. (Interruptions)

[Translation]

MR. SPEAKER: When a Senior Member speaks something here, his every word, even his every pause have got some meaning. You should keep that in mind. He is not insisting on an immediate reply. He has asked to make the reply later.

[English]

It means, we are trying to facilitate the going on in the House. Let us try to continue it.

Shri Loknath Choudhury.

SHRILOKANATHCHOUDHURY: Sir, I had no intention to speak. As I understood, the debate was concluded yesterday and the Home Minister is to reply today.

MR. SPEAKER: It was not so. I am saying, yesterday it was not concluded. If you want to speak, you can speak.

SHRIJASWANT SINGH: The point and the request made by my senior colleague is..

MR. SPEAKER: If Mr. Lokanath Choudhury says the same thing probably, he does not have information about it

[Translation]

SHRI MADAN LAL KHURANA: What I want to say is that first of all a reply to what Vajpayee ji has said should be made. (Interruptions)

MR. SPEAKER: You should not be

boastful only because you have got a chance to express your views. Chavan Sahab has replied to your question while sitting in his seat. (Interruptions)

MR. SPEAKER: You are again rising. I think he is already replying for what you want to ask. Now you need not emphasis.

(Interruptions)

MR. SPEAKER: This is a Parliament.

(Interruptions)

[English]

MR. SPEAKER: If you do not understand what I am saying, then I cannot help you.

(Interruptions)

[Translation]

SHRI MADAN LAL KHURANA: Please tell us whether you are permitting to have darshan or not? (Interruptions)

MR. SPEAKER: You please sit down and Loknathji should also take his seat. The cooperation which you are getting from this side or that side should also be appreciated. It will not serve any purpose if you try to talk loudly without any reason.

(Interruptions)

[English]

SHRI E. AHAMED (Manjeri): We have heard their views. They have to hear our views also. (Interruptions)*

MR. SPEAKER: Nothing is going on record.

SHRI LOKANATH
CHOUDHURY(Jagatsinghpur) : The

dismissal of the four Governments, I think, is to me a historic decision. It is for the first time in Indian history that really this Section was invoked to protect our Constitution, the basis of which is secular. This is my first point. No doubt, doubts are there. The doubts have come because during the last 45 years, this was misused. This was misused for partisan purposes. As a result, a situation, an atmosphere, has been created when it has really been imposed, to safeguard our Constitution. Doubts are being expressed. We will have to learn a lesson. The lesson is that when wrongly you do something, you also create a pre-condition for a state in which a proper action is being challenged. That is my view.

My second point is that, it is being argued that they were democratically elected Governments.

MR. SPEAKER: May I say one thing? On the Agenda, we have the Dunkel proposal also which also you want to discuss. This point has been discussed for 16-17 hours.

SHRI LOKANATH CHOUDHURY: It has been discussed but I want to lay stress on one point. The stress is that the founding fathers have said that 'When the State Government cannot be run according to the Constitution.' so, we know it is a political party, called BJP and it is not Kalyan Singh Government only which has violated. The whole BJP party has not condemned it. My friend Shri Bhogendra Jha yesterday requested that "If you are sorry for what Shri Atal Bihari Vajpayee said, then you construct the Masjid there." Then also alone this will pave the way to believe that you have no intention to break the masjid.

SHRI ATAL BIHARI VAJPAYEE: It will not be Babri masjid then. It will be Atal Bihari Masjid. (*Interruptions*)

SHRI LOKANATH CHOUDHURY: The second point I want to know is this. A point

has been raised that the Communist parties, specially my party, the CPI, have submitted to the Sarkaria Commission that Article 356 will not be there. So far as I remember, in our Memorandum, we have said that Article 356 is a necessity to keep the federal structure of this country. Those who are all arguing against Article 356 of the Constitution are arguing so because of its misuse. They also should understand that India is not a unitised State where its values can be well-protected. So, those who are advocating that India will be divided into administrative units if the federal structure is maintained have their own philosophy. So, this philosophy is against the federal structure. Therefore, I think what the prime Minister has said is that taking all the past experiences into account, Article 356 should be reviewed; it should be maintained there to protect the Constitution and its values. So, all these aberrations that had taken place during the last two years are there. (*Interruptions*) so, the situation has come to such a culmination when the secular structure of the country is being attacked. It is a very big thing. We should all feel concerned about it as free Indians. My point is that the position has come to such a stage to which all the political formations of the country have contributed either directly or indirectly. Now, time has come when there should be real heart-searching. There should be self-criticism. People ask: why the CPI and the CPI (M) supported the Government? No doubt, we have our own differences with the Government. In the economic and political fields, we will fight against the Government. So far as the principle of secularism is concerned, we stand with those forces including the Government, with those who will defend the very spirit of the Constitution. It should be understood. (*Interruptions*) Please hear me. So, Sir, I conclude by saying that a situation was created where there was no way out except resorting to Article 356 and Article 356, for the first time in the India history, has been invoked to protect the very spirit of the Constitution; to protect India.

With these words, I conclude my speech.

SHRISATYNARAYAN JATWA (Ujjain): Mr. Speaker, Sir, the democracy has taken a new turn during the last 42 years. Eighty-six elected Governments have been toppled by using Article 356 of the Constitution during this period. Are you agitated because the structure has been demolished? Do you have any justification for dismissing elected Governments. The demolition of the structure is just a pretext for remaining in power and keeping the concept of polarisation intact. The Central Government has dismissed the B.J.P. Governments in four States, for the sake of narrow political gain even though the Government of Madhya Pradesh was safeguarding the Human Rights and had waived of the loans of farmers. Similarly, the Governments of Himachal and Rajasthan had given new dimensions to development and 'Antyodaya' programmes. The Government of Uttar Pradesh had eliminated the 'Mafia' groups and worked for the well being of the people. But all this was in vain. The Prime Minister Shri Rao adopted all methods to pacify the Karsewaks but the structure could not stand the pressure of Karsewaks. There was a need to save the skin of the Government in the international arena. The Government could not withstand the pressure. To save the Chair, the Prime Minister has dismissed the four Governments with the help of article 356 on plea of safeguarding the Constitution. But, the Central Government announced that the Babri Masjid will be rebuilt. We asked as to how the Government will construct the Babri Masjid as it has no existence now. The idols of Ramlala have been reinstalled there. The Central Government asserted if the idols were reinstalled, let them remain reinstalled. They are reinstalled there and we are in power here. When the Central Government will reconstruct the Babri Masjid then how will it be termed as the original Babri? In fact, it will be known as Raori Masjid constructed by the Rao Government.

B.J.P's progress has been envied by you. So the Governments of B.J.P. in these States were thrown out of power under article 356. Thus they suffered a bolt from the blue.

'Charaiveti' is our motto and we will continue to march ahead. We will break the chains of ban and liberate the democracy. We accept the challenge Let us accept it for the sake of safeguarding the democratic values. We will continue to fight for preserving democratic norms.

Nobody can check the flight of aspirations in the world. Ideas and thoughts cannot be banned. If we are full of spits who can stop our march. As change is the law of nature, it cannot be stopped through suppression and misuse of power. Those who trample democracy cannot remain in power for long.

Even if we had to sacrifice 24 State Governments instead of 4, we would have done it in the interest of the country. We are giving a call for struggle as democracy has been betrayed. We have not lost war nor have we accepted defeat. We have resolved to fight tooth and nail with those who have stabed us in the back.

Ram is the pride and soul of the nation. It is the burning desire of the people that temple should be constructed at the birth place of Lord Rama and the banks of the Saryu river. Mr. Speaker, Sir dialogue is the essence of democracy. With these words, I thank you and the House for listening to me.

[English]

SHRI E. AHAMED (Manjeri): Sir, while supporting the motion, I may make some observations only with respect to two points. The first point is with respect to what the Swami ji has mentioned here about the public *darshan* to be permitted thereat Auodhya.

Sir, in 1950, there was an injunction given by the Faizabad Court at the instance of the Hindu side that is one party saying that the idles should not be removed from the Babri Masjid till the title is decided. Thereafter, in 1986, as everybody know, the door was unlocked and the public *darshan* of the idols in the Babri Masjid was allowed. These are the facts.

Now, the idelos were removed voluntarily by those people and the Babri Masjid was demolished. The orders of 1950 and 1986, according to me, have become defunct. They cannot apply to the new situation. They have removed the idols against the orders of the Court. They have demolished the Mosque against the orders of the Court. Now, they say again that what orders the Courts have passed it may be made applicable to them. In a civilised society where the rule of law is maintained can the Government accept that proposition? What exists now on the Babri Masjid site is an unlawful construction. The idols are not deities in the eyes of law nor the temporary canopy a temple. Therefore, those who claim the right of *darshan* should approach the Court for a fresh order., They shall not come here because it was the orders of the Court that they have violated and they have to satisfy the Court. If they claim any right on it, which, according to me, will not be maintainable in law as well as in facts. In the meantime, I request the Government that under the circumstances that we are placed, we should not vitiate the situation further. We have seen, witnessed what happened to this country. Is this the ideal of Hinduism? No, it is the ideal of fascism that they are preaching. A mosque has been demolished. When somebody is coming forward to reconstruct it, you say: "No, it shall not be done." What hustle is it? What fair play is three? Is there any canon of justice in this country? Therefore, my humble submission here is that the patience of the minoties shall not be tested. Everybody has a limit of it. We are not claiming anything

unlawful. We are not asking for anything which is extraordinary. We are only asking for anything which is extraordinary. We are only asking for the justice. If that shall not be given, what will be our position, Mr. Minister? That is what I request you to say. Therefore, I say that if possible the Government has to freeze the present situation and no access should be given to anybody till a decision is taken by the Government. And I also ask the Government to implement that decision and assurance given to the Muslims, the country and the international community that Babri Masjid Shall be re-constructed. The Government has said this. That is one point. (*Interruptions*)

My dear friend, I have my views. You may have your views. But I have my views. (*Interruptions*) What is it? We are to live in this country as a citizen of this country. But do not think that you are the only one who has the monopoly over this country. We are also citizens. We are asserting our right as a citizen of this country and the privileges given under the Constitution. We are not asking anything extra. (*Interruptions*)

[*Translation*]

SHRI DAU DAYAL JOSHI (Kota): you are responsible for dividing India and creating Pakistan. Now you are becoming patriots.

[*English*]

SHRI E. AHAMED: You are to go to Pakistan. You are the proxy people. (*Interruptions*) I am now afraid of it. (*Interruptions*)

Sir, I may humbly submit. (*Interruptions*)
 Dau Dayalji, you will find your friends in Pakistan. You are quite unfit to be here in this democratic, socialist, secular country. I am one who has gone to Pakistans and the United Nations on behalf of my country. (*Interruptions*) Who is he? What right he has

[Sh. E. Ahamed]

has stated nothing but a historical fact.

got to ask me to go to Pakistan? Is it their monopoly? Is it their family property? It is my country. I am citizen of this country. I was born in this country. I am living in this country and I will die in this country as a citizen of this country. (*Interruptions*)

MR. SPEAKER: You please sit down.

(*Interruptions*)

MR. SPEAKER: Whatever he is speaking, will the not go on record

(*Interruptions*)*

[*Translation*]

SHRI DAU DAYAL JOSHI: It is a fact that Muslim League pressed the most for the creation of Pakistan. (*Interruptions*)

SHRI DAU DAYAL JOSHI: If it is not a fact that Shri Jinnah of Muslim League was behind the creation of Pakistan, you may expunge these words from the proceedings of the House.

(*Interruptions*)

SHRIBHOGENDRAJHA: (Madhubani): Mr. Speaker, Sir I am on a point of order. The hon. Member has used the words..* Please let these words be expunged from the proceedings of the House. It is a disgrace to the House. (*Interruptions*)

MR. SPEAKER: What is this going on? If you want to run the House in your own style, I will go to my Chamber. You may run the House yourselves.

(*Interruptions*)

SHRIDAUDAYALJOSHI: It is historical fact that Muslim League was behind the partition of the country.

SHRIBHOGENDRAJHA: Mr. Speaker, Sir, these words should be expunged. Because it is a disgrace to the House and the country. (*Interruptions*)

[*English*]

SHRI E. AHAMED: I need not learn politics from due Dayalji.

[*English*]

MR. SPEAKER: Please come to the point.

MR. SPEAKER: Joshiji, you are going beyond a certain limit. This is not correct. I will go through the record whether there is something objectionable. I could not hear. This is exactly what I am saying, Allow the Presiding Officer..

SHRI E. AHAMED: I want to say is about the use of Article 356 in this country. There is a history of using Article 356. There were est abolished conventions-whether it is well or not is a matter to be decided by the people. In 1977 when the great Shri Morarji Desai was the Prime Minister of India he had dissolved some other State Governments with the Assemblies. (*Interruptions*)

[*Translation*]

I will go through it, whatever is objectionable will be expunged.

MR. SPEAKER: This history is not necessary. We do not have the time. There are other items on the agenda.

SHRI DILEEP BHAI SANGHANI(Amreli): Mr. Speaker, Sir, he

(Interruptions)

SHRI E. AHAMED: When Shrimati Indira Gandhi came to power, she also dissolved some of the Assemblies and their Government. It was not because the Government was not able to function under the letter of Article 356. But it was because of the spirit of Article 356 that Government could not function. That was the reason they had given.

MR. SPEAKER: That has already been given. Please conclude.

SHRI E. AHAMED: Here also, on the very same reason, the Government has every right to dismiss these Governments. Three dombs of Babri Masjid have been collapsed, three Governments have also collapsed.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Mr. Speaker, Sir, through you, I would like to submit that the manner in which the Central Government has dismissed the State Governments elected by the people, is virtually murder of democracy and disgrace to the constitution. Today, our communist friends are very much pleased to see our houses burning or over the dismissal of our Governments in these states. But, Mr Speaker, Sir, I would like to warn them that the fire would not confine to our houses alone, it could spread to the houses of our neighbors as well and the State Governments ruled by their party can also be dismissed by the misusing article 356. Because if once a lion tastes human blood, it becomes a man-eater. The Central Government has become State Governments eater. It dismissed these State Governments which were adhering to the provisions of the constitution and following the orders of the Central Government. The law and order situation in those states was far better than that in the congress ruled

states. I would like to remind Shri Chanvan that once Chandravardai, a great poet had said.

"Char baana 24 gaj angul asht praman,

Ate par sultan hai mat chuko chauhan."

I referred to it to remind Shri Chavan that he should have acted impartially. If the law and order situation in the country deteriorated, communal riots took place and if any State Governments were to be dismissed for that, these were the Governments of Maharashtra and Gujarat because in these states maximum blood shed took place.

Through you, I would like to submit to the minority communities that BJP do consider them the citizens of this country and they will continue to be the citizens of this country. But at the same time they should know it very well that this Government is too weak to protect them. These people are a divided lot among themselves so they cannot safeguard their interests. It is only the organised and strong Hindu Society in majority that is capable protecting them. They are like the elder brothers bother so them Brothers will live together with respect and love each other. However, this minority community has set up an example before the whole country. There have been riots but it has been for the first time since 45 years or independence that communal tension rose to such an extent that hundreds of temples were demolished throughout the country. One thing more is painful that though the matter relates to Ayodhya or India yet Pakistan discussed the issue in the National Assembly continuously for two days. Today, Pakistan is interfering in our internal matters. Have these members of Janata Dal criticized Pakistan for this act and questioned as to why they discussed our internal matter in their National Assembly unnecessarily?

Today is the martyrdom of Swami

[Prof. Rasa Singh Rawat]

Shradhanand ji whom Mahatma Gandhi respected as an elder brother. When Swami Shradhanand ji's sacrifice took place, Mahatma Gandhi said, "Alas! I may also die the same death". In the Kakinada Congress Convention presided over by Ali Bandu-Maulana liaquat Ali and Shauqat Ali a resolution was moved that the people of Scheduled Castes be merged into two communities to remove untouchability from the society. The proposed ratio was 36 crore Hindus and 3 crore Muslims. Swami Shradhanand ji had objected to it and said that the society could not be divided, We would uplift the downtrodden and would made the society prospers and the country strong and remove the untouchability to string the society in the thread of unity Maharishi Dayanand Saraswati, the founder of Arya Samaj had said once." "Ekovasha Sarvabhutantratma". It means that God is one and resides in every human-being. Sir, Lord Ram is our national identity, the is feelings of majority commujnity. Sir, we would have to sense the feeling of this country. Today, even village farmers greet each other by saying ' Ram-Ram'.

MR. SPEAKER: Everybody knows all these things.

PROF. RASA SINGH RAWAT: Therefore, on the issues of dismissing the State Governments I would like to say that

"Na Soorat Buri Hai, Na Seerat Buri Hai,

Bura Wahi Hai Jiski Neeyat Buri Hai:.

This Government has evil intentions . It has adopted biased attitude, . We wanted to bring a Breach of Privilege Motion on this issue. The date of elections to those Assemblies which have been dissolved should be announced. But no announcement

to this effect has been made here. Though the House is in session the hon. Minister of Human Resource Development makes an announcement outside the House that elections would be held within a year. Election should be held within six month time. The leaders sitting that side are not understanding that the people of the country want 'Ramrajya'.. (*Interruptions*)

MAJORD.D. KHANORIA (Kangra): Mr. Speaker, Sir, The BJP Governments were dismissed on the 15th evening. It will always be remembered. The situation in Himachal Pradesh was quite normal. Not a single incident was reported from anywhere in the State. There was complete peace. I would like to submit to you that on the 13th, the then Chief Minister of Himachal Pradesh called on the Governor. The Governor said that Himachal Pradesh was perfectly peaceful and no riot has taken placed anywhere in the State. Thereafter, Central Minister Shri Sukh Ram visited Himachal Pradesh is a peaceful State and there was no riot. Peace was prevailing everywhere. But on the 15th, the Himachal Pradesh on the 14th and told people there that Himachal Pradesh Government alongwith other two BJP Governments was dismissed. It was a great shock to 51 lakh people there. When the Bhartiya Janata Party came to power in Himachal Pradesh, the State was gifted with a deficit of Rs. 290 crore an liabilities of Rs. 127 crore. It inherited this burden from the Congress Government. Himachal Pradesh was just reaching the stage of self-sufficiency and development works of the Government were started everywhere. The Chief Minister of our party was doing his job sincerely and the Bharatuiya Janta Party was marching ahead. We had introduced the Anaty day Scheme for six lakh people and took steps to provide them rations at cheaper rata and import them good education. The Government of India conceded to their demand to generate power at the royalty of 12 per cent. (*Interruptions*)

The Congress Government generated only 272 megawatt of power in 40 years and supplied it to other States. (Interruptions) When the Chief Minister of our State Shri Santa Kumar left Shimla and covered a distance of 250 kilometers, a caravan of 400 vehicles accompanied him. The people of Himachal Pradesh were waiting to greet him. (Interruptions)

The people of Himachal Pradesh want to stand by us. They will not spare the Congress people. Himachal Pradesh was just reaching the Stage of self-sufficiency. Had it been given an opportunity to continue for two or three more years, it could have emerged as a prosperous State. But we were not given this opportunity. (Interruptions)

MR. SPEAKER: Now I am calling Shri Dau Dayal Joshi whose speech will contain replies to all speeches. Therefore, please let him speak peacefully for 5 minutes.

SHRI DAU DAYAL JOSHI: Mr. Speaker, Sir the former Chief Minister of Andhra Pradesh, Dr. Chenna Reddy was sent to Rajasthan as the Governor with the objective of dismissing the Rajasthan Government. This has all along been the endeavor of the Congress party. The B.J.P. Government in the state continued to stay in power after a faction of the Janata Dal under the leadership of Shri Digvijay Singh snapped ties with it. The Janata Dal was split into many factions there. Some of them joined other parties. One faction emerged as the largest one and joined hands with the Bharatiya Janata Party due its policies and practices and supported it. It was once said that Janta Dal will again be split. Even then the Bharatiya Janata Party Government stayed in power. The Congress party caused a split in it in a planned manner. Thereafter the able administrator Shri Bhairan Singh Shekhawat, an his Government on the basis of his competence and maturity. Efforts were made

five times on various occasions to dismiss the of Rajasthan. But the Rajasthan Government under the able administrator ship of Shri Bhairon Singh Shekhwat could not be dismissed at any rate. The Congress had sent the Governor to dismiss the Government there in a very planned manner. It is only four days back that the Governor made a statement that Rajasthan was doing well. Under the able leadership of Shri Bhairon Singh Shekhawat, Rajasthan was proving to be a very good Government. He did not want to dismiss the Rajasthan Government. But it was a conspiracy hatched in a planned manner by the Centre. Messages were sent over telephone time and gain and the was asked to dismiss the Rajas' an Government.

It was for the first time that the Rajasthan Government started providing assistance to the poor. It reached the poor and provided them funds for their upliftment. The poor were extended all possible help. It was for the first time that the Collector and the S.P. visited the doors of the poor and people felt that there was a Government in the true senses. Till now, all the previous Governments were looting public money. This statement made by the Governor created a commotion within the Congress. The recorded tape of his statement was sent to the hon. Prime Minister. People complained against the Governor of the State. They demanded his immediate removal. But the Rajasthan Governor, who has also been an able administrator listed the merits of the State Governments and did not bother as to what the people were saying. Consequently, the Rajasthan Government was dismissed on the basis of a conspiracy in planned way.

I would like to cite only one example. Shri Nathuram Mirdha is sitting here. I want to ask him as to who engineered riots in Malpura and how did it occur. Can anybody say it, Why 16 people were killed? When a person belonging to the Mali community saw three of their women being raped, he could

[Sh. Dau Dayal Singh]

not tolerate. The Government appoints Esquire Committees. Let it appoint one more such committee and investigate as to who caused this riot. They caused the riots. It was they who teased women, looted and committed all misdeeds and levelled allegations against our Government. There can be no greater misfortune for the country than this. All this will be revealed after the investigation report is received. I would like to ask Shri Chavan to hold an inquiry into it and it should also be found as to who provoked the riot and who led the riot and what were the reasons therefor. If an investigation is made, the truth will come out.

When I was a Member of Rajasthan Legislative Assembly I had asked about the total no. of riots that took place in the State during 1988-89 and 1989-90. I was replied that they were 16. Who provoked these 16 riots? What were the reasons behind them? The reason behind 15 out of the total 16 riots, was that people belonging to a particular community threw stones at a mosque. When a demand was made not to play marriage band in form of a mosque riot took place. All this was done by the people of a Particular community during the couyren rule. As Prof. Rasa Singh Rawat said, people of that particular community hurled 4 bombs at me when I was campaigning during my first election. Now I won the election for the second time. I do not care for those bombs. No matter whether I die today or tomorrow. I can claim that I have been getting Muslim votes and I will continue to get the same in future also. I would like to request Shri Shahabuddin not to misguide the Muslims. They have been living as usual. It is these people who make political mileage on their votes. Except 4 or 5 years' congress rule, the condition of the Muslims in Rajasthan has not improved at all. Only 2 per cent of their

population has been educated. If there is someone to misguide them, it is Congress people. These C.P.M. People too are wooing them to get their votes. But they cannot save the congress Government in the Centre also. It is the majority community which will save the Government one day.
(Interruptions)

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, I simply want to know whether the Government will allow darshan of Ram Lala in Ayodhya or not. (Interruptions)*

[English]

MR. SPEAKER: All this is not going on record.

(Interruptions)*

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Sir, I am going to reply to the debate. During the course of the debate, in my own way, I will try to reply.
(Interruptions)

14. 55 hrs

At this stage Shri Rajveer Singh and some, other hon. Members commend stood on the floor near the Table

(Interruptions)

[Translation]

SHRI MADAN LAL KHURANA: We are ready to give a patient hearing, but we must know whether darshan of Ram Lala would be allowed or not.. (Interruptions)

MR. SPEAKER: Yes, he will speak, you may please take your seat first.

(Interruptions)

SHRISHYAM BIHARI MISRA (Bilhaur): Hon. Minister, may tell us first whether the darshan would be allowed or not. We will listen anything only thereafter. (*Interruptions*)

[*English*]

MR. SPEAKER: Please go to your seats.

(*Interruptions*)

MR. SPEAKER: No, not like this. Let him speak..

(*Interruptions*)

[*Translation*]

SHRI DAU DAYAL JOSHI: Please do not keep the House in the dark. (*Interruptions*)

[*English*]

MR. SPEAKER: The House stands adjourned to meet again at 4 PM.

14, 57 hrs.

*The Lok Sabha then adjourned till Sixteen
of the Clock.
sixteen of the Clock*

[MR. SPEAKER *in the Chair*]

STATUTORY RESOLUTION RE.
APPROVAL OF PROCLAMATION IN
RELATION TO THE STATES OF UTTAR
PRADESH MADHYA PRADESH HIMACHAL
PRADESH AND RAJASTHAN. CONTD.

[*Translation*]

MR. SPEAKER: Shri S.B. Chavan.

(*Interruptions*)

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, he should first of all

tell us when would the darshan of Ram Lala be allowed? We want to go there for darshan (*Interruptions*)

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Speaker, Sir, all the Members of Parliament of the Bhartiya Janata Party want to go there tomorrow for darshan. So, the hon. Minister of Home Affairs may please tell us first when would the darshan be allowed? (*Interruptions*)

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Mr. Speaker, Sir keeping in view the present situation of Ayodhya, I would first of all like to appeal to all the hon. Members from both sides in the House to extend cooperation in tackling the situation so that the issue does not become more complicated. I would therefore again appeal to one and all to extend full cooperation. I would convey the views expressed by Members from both sides in the House about darshan to the State Government of Uttar Pradesh because this matter relates to the State Government, and only after it, they will be able to take their decision.

SHRI ATAL BIHARI VAJPAYEE (Lucknow): Mr. Speaker, Sir, the assurance given or the statement made by the hon. Minister of Home Affairs is not satisfactory. There is President's rule in Uttar Pradesh.

SHRI S.B. CHAVAN: But today it is under their power.

SHRI ATAL BIHARI VAJPAYEE: The authorities of Ayodhya are putting the responsibility on the Centre. The Centre is again putting responsibility on them. I would like to submit that there should be clear instructions in this regard and if the Government is not in a position to pass clear instruction then we are bound to express our protest. We do not want to further complicate the Ayodhya issue. This is what I want to

[Sh. Atal Bihari Vajpayee]

submit to you. The decisions taken by the Government should not complicate the matter, we are demanding explanation for that. Our State Government have been dismissed. You have dissolved the Assemblies. This is a blow to democracy and we know the hon. Minister is to rise to justify it. Anyway, we are ready to fight that political battle, but the Government must note that saints, and devotes are pining for darshan. I would request that the Government should not complicate the matter any further.

SHRI S.B. CHAVAN: Mr. Speaker, Sir, I would once again like to appeal to Shri Vajpayee, particularly all those who belong to the B.J.P. that it is no use complicating the situation further in view of the circumstances prevailing in the country. I would, therefore, like to seek the support of you all for leaving the issue to the State Government because this matter comes under the jurisdiction of the State Government. We would accept the decision the State Government takes.

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, we are not satisfied with it.

SHRI MADAN LAL KHURANA (South Delhi): We are therefore walking out.

16.05 hrs.

Shri Atal Bihari Vajpayee, Shri Madan Lal Khurana and some other hon. Members then left the House.

[English]

SHRI S.B. CHAVAN: Mr. Speaker, Sir, I must express my grateful thank to all the hon. Members for very candid opinions that they have expressed about different aspects of the issue which was under discussion.

ave come under

President's Rule and hon. Members were having some kind of a reservation in their minds which I can understand. Sarkaria Commission has also given a particular kind of recommendations. Actually, there was a time when even the Government was also thinking in terms of taking a very liberal kind of attitude about the entire thing.

When this chapter was being discussed in the Sub-Committee of the Inter-State, unfortunately some of the hon. Chief Ministers could not be present in that meeting; and that is why, this got postponed. I have personally written to all the Chief Ministers who are members of the Sub-committee to please come for this meeting, because this is a very important issue on which we would like to have to opinions of all the Chief Ministers concerned. Now, it has become a wider issue in which we cannot possibly confine merely to the recommendations of the Sarkaria Commission. But, we will definitely have to provide some kind of a provision by which, if god forbids, a situation of this nature were to arise again we may not find ourselves in a position that unless certain conditions are fulfilled, we cannot possibly move in the matter; that sort of a situation should not arise. I can well understand that it should be tackled in such a manner that there should be no scope for misutilization. But while providing for a word 'misutilization', we cannot possibly take an attitude that as if we are going to leave entirely free for the State Government to do whatever they like. We will have to tackle the situations which are very abnormal; and for tackling the abnormal situations, if there are some provisions required in, Article 356, certainly a wider scope, we will have to consider that aspect of the question.

Yesterday, of course, those hon. Members had walked out. But, still, I would like to keep everything on record, because it is not correct that this is a murder of democracy as they have alleged. And, at

least, after destroying the mosque, they have no moral courage left to say that they are the torch-bearers of the democratic values or secular values.

I am really sorry to say that, one of the hon. Members, who was the ex-chief Justice of a High Court, he had been pleased to state that this is a murder of democracy. I am sure, that he is aware of the fact that the Chief Minister of Uttar Pradesh and Uttar Pradesh and Uttar Pradesh Government, have not only given a solemn promise to the National Integration Council, but there are more than half a dozens of letters which are in my possession wherein he has very clearly stated that there was no question of violating the court order or damaging or destroying any disputed structure. But he had also given an undertaking in the shape of an affidavit. Large number of affidavits are there with the Supreme court, wherein they have solemnly promised that they will take every measure to protect the disputed structure. In spite of that when the structure was destroyed, the way the hon. Members on the other side were talking, did not show even the slightest indication of any kind of remorse on their part or repentance that they have done anything wrong.

On the other hand, the way they were talking, I am surprised to see that, they were taking pride in doing certain things which according to me is not proper, which engulfed the entire country in a kind of situation which in fact, we wanted to avoid. But things have happened and now it becomes our responsibility to see that conditions are being created wherein all the sections of the society, whether they belong to majority or minority, must get a feeling of confidence that we can live here with self-confidence. That we are equal citizens in this country and mere stating in the constitution is not good enough. By our own actions, they should feel satisfied that here is a country which does not make any kind of discriminations of

distraction based on either religion or caste.

This country has gone back almost 50 years, if I am allowed to say so Sir. We will have to make a concerted effort. International propaganda is going on, our neighbours are very much interested in denigrating.

SHRI NITISH KUMAR (Barh); You should address the Chair;

SHRI S.B. CHAVAN: Yes, I realise it. But is this the only point left now? I am sure that you are also equally serious about this matter. This is not such a trifling matter wherein you can take such liberty.

Anyway, the point which I was dealing with was, we will have to create conditions in this country wherein not only in the country but internationally also the kind of prestige and reputation which our country was enjoying before, that prestige we have to bring back and it is really not easy. The circumstances in which the things have happened here have given tremendous amount of setback to the progress that we have made in this direction. But we feel quite confident with the kind of scene that we have at.

I will appeal to all my friends that without any reservation, the upper-most thing which should be in the minds of all sections and in the minds of all political parties will have to be how to preserve the secular character of our polity?

If we are not able to do that, then, whatever other developmental plans and all other things are concerned, I do not think that we will be able to make any kind of progress if there is no peace and tranquillity in the country. So my appeal and I had my doubts from the very beginning that in fact this was a deliberate attempt to divert the attention from the basic issues of the poorer sections of the society. The social transformation and every other programme that the Government

[Sh. S.B. Chavan]

had for the upliftment of the poor, that entire thing got completely diverted as if construction of *Ram Temple* or destruction of the Mosque is the only issue and all other issues had become totally irrelevant

We will have to bring back again the same programmes and see that we are able to do justice to the poor sections of the society, so that we have a balanced society, wherein everybody feels that they are involved in the upliftment of this entire country; advancement of this entire country. That kind of situation will have to be created and it will require some kind of a political polarisation. From this very major incident which has taken place, if we can learn the lesson of political polarisation, I am sure, we will be able to bring back the kind of ethos of our country which this country was very

Sir, the next point, which the hon. Member had raised was about the letter in the case of Rajasthan being addressed to the Prime Minister of India and not to the President, was also one of the issues. He went to the extent of saying that this was worth throwing away as a waste paper. I do not know, but the hon. Member must be aware of the fact that Article 74 is applicable even in the case of the President. It is the Council of Ministers which has to aid and advise the President. The normal practice is, that all the Governors are supposed to write a letter to the President. In this case it was written to the Prime Minister after the Cabinet took the decision. The recommendation of the Cabinet took the decision. The recommendation of the Cabinet to the President was also accompanied by a copy of the letter which the Prime Minister had received. Ultimately it is the Council of Ministers which will have to apply their mind, and give their recommendations to the President and I do not think that there has been any legal and constitutional lacuna left

in this. That is why, I thought that it was quite adequately explained by the Council of Ministers also.

On all the other points. I do not think I should unnecessarily take the time of the House. I would merely request all the hon. Members that these four State Governments had to be dismissed because of very peculiar circumstances prevailing.

One hon. Member referred to it, that when the meeting of the National Integration Council was called, all the Chief Ministers abstained from attending the meeting. That means there was a definite opinion that they had formed and thereafter we find in the case of *kar seva* also when a number of people were being sent—this is not a new thing that I am going to tell the hon. House—all the Chief Ministers and all the Ministers, they were trying their level best to see that a large number of *kar sevaks* were sent for *kar seva* at Ayodhya. So, this is a common purpose, common ideology that they had. And, after they came back, I got the information that they were very much praised in public, they were also received at certain places by responsible people.

It is clearly showing that, in fact, they did not feel that they had done anything wrong by destroying the Mosque. If they had felt that they had really committed a wrong, a kind of situation that prevailed in the four States, that did not justify the kind of atmosphere, the kind of feeling, that they wanted to create.

I must also bring to the notice of the House that in all the four States Governments, the Governors had submitted their reports that it has become impossible to carry on the administration of the Government according to the provisions of the Constitution.

I must also put on record that this was not a command performance. It was on their

[Sh. S.B. Chavan]

own that the Governors wrote to the Government of India and on the basis of the information that the Government of India had and also supplemented by the reports of the respective Governors that the Government of India had to take this kind of a decision. It was not a pleasant decision. We tried our level best to avoid the same, but at the same time we could see very clearly that we had to choose between the two; complete disorder and communal disharmony on the one side and keeping some kind of an order, to bring back some kind of normalcy. We had to choose between the two and we chose that the normalcy needs to be brought back and the kind of an atmosphere of hatred which was being spread by a special doctrine, which they had adopted, which ultimately culminated into the destruction of the Mosque, that had to be stopped. This will be considered, Though this is a great challenge, we had to convert that challenge into an opportunity and see that we were able to bring the same glory that we enjoyed before.

I am sure that all the members will try to cooperate with us in this House. I would request the House to pass the promulgation of the President's rule in the case of the four States. Thank you.

SHRIMATIMALINIBHATTACHARAYA (Jadavpur): Sir, today we have witnessed noisy scenes in this House. Also some threats have been issued. In the light of this, I would like to have an assurance from the hon. Minister that proper measures are being taken to ensure that law and order is maintained at the disputed site, where the mosque has been demolished, so that no one can enter that area to create disturbances.

SHRI S.B. CHAVAN. I have stated very clearly in the beginning of my speech that the

situation is very difficult, but at the same time we are taking all measures necessary to protect the area and see that the normalcy is brought back. The efforts are being made to create a situation by which some kind of a situation of conflict should not be created. And it would be our effort to see that not only we protect the same but we also bring about some kind of an understanding and normalcy in that area.

MR. SPEAKER: The question is:

" That this House approves the Proclamation issued by the President on the 15th December, 1992 under article 256 of the Constitution in relation to the State of Madhya Pradesh."

The motion was adopted

MR. SPEAKER: The question is:

" That this House approves the proclamation issued by the President on the 15th December, 1992 under article 256 of the Constitution in relation to the State of Rajasthan."

The motion was adopted

16.22 hrs

SALARY, ALLOWANCES AND PENSION
 OF MEMBERS OF PARLIAMENT
 (AMENDMENT) BILL

Motion Re-Resumption of Debate

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD) I beg to move:

[Sh. Ghulam Nabi]

1954, be taken into consideration".

" That the debate on the motion for consideration and passing of the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1992, which was adjourned on 20th August, be resumed now".

The motion was adopted

MR. SPEAKER: The House will now take up Clause by Clause by Clause consideration of the Bill.

MR. SPEAKER: The question is:

The question is:

" That is debate on the motion for consideration and passing of the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1992, which was adjourned on 20th August, 1992, be resumed now".

" That Clause 2 stand part of

the Bill".

The motion was adopted

Clause 1 was added to the Bill.

The motion was adopted

MR. SPEAKER: The question is:-

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRIGHULAM NABI AZAD): Mr. Speaker, Sir, as you are aware, this House discussed the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1992 on 20th August, 1992. The Bill seeks to increase the number for single air journeys from any place in India to any other place in India admissible for Members of Parliament, from 16 to 28 per annum, and to allow unavalied journeys out of those admissible for Members of Parliament to be utilised for taking one companion or spouse in an air journey.

" That Clause 1 stand, part of

the Bill"

The motion was adopted

Clause 1 was added to the Bill.

As the Bill has already been discussed, I now request that it may kindly be adopted without further discussion.

MR. SPEAKER: The Question is:

" That the enacting formula and long title stand par of the Bill".

The motion was adopted

The Enacting Formula and the Title were added to the Bill.

MR. SPEAKER: I shall now put the motion for consideration of the Bill to the vote of the House.

SHRI GHULAM NABI AZAD: Sir, I beg to move:

The question is:

" That the Bill be passed"

" That the Bill further to amend the Salary, Allowances and Pensions of Members of Parliament Act,

MR. SPEAKER: The question is:

That the Bill be passed.

[Sh. Ghulam Nabi Azad]

The motion was adopted

16.25 hrs.

MOTION RE IMPLICATIONS OF THE
DUNKEL DRAFT TEXT ON TRADE
NEGOTIATIONS

[English]

MR. SPEAKER: Now we shall take up item No. 35 regarding implications of the Dunkel draft text.

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY (DEPARTMENT
OF SMALL SCALE INDUSTRIES AND
AGRO AND RURAL INDUSTRIES (PROF.
P.J. KURIEN): Sir, I beg to move:

" That this House do consider the implications of the Dunkel draft text on trade negotiations with special reference to its effect on India's interests."

MR. SPEAKER: Motion moved:

" That this House do consider the implications of the Dunkel draft text on trade negotiations with special reference to its effect on India's interests".

SHRI CHITTA BASU (Barasat): Sir, I rise to urge the Government to reject the Dunkel draft text and naturally I shall here to put across certain grounds for my request to the Government.

This Dunkel proposal has got four specific aspects and one is connected with another. There is a linkage among all the aspects of the proposals. It has got an aspect which we

call TRIPS- Trade Related Intellectual Property Rights. It has got another aspect which is called TRIMS- Trade Related Investment Measures. It has got another aspect which we call GATS- General Agreement on Trade and Services. The fourth aspect is Multilateral Trade Organisations. These are all separate entities, separate treaties.

Before the current Uruguay Round of discussion, the TRIPS, the TRIMS and other aspects were not within the purview of the General Agreement on Trade and Tarrif discussion. They were kept outside the purview of this. As a matter of fact, if we accept this proposal as it is, it will be a single undertaking and the entire package has to be ratified either on the basis of take it or leave it. As I have already mentioned, there is a clear linkage between these four aspects. We should delete the linkage between these different treaties with the rights of rejecting or accepting these treaties for safeguarding our national interests. I do not know whether the Government of India has emphasised upon this aspect and if so, what has been the reaction or response of the other countries.

The next is a self-executing treaty and as such, all our laws and policies will have to be reformed in accordance with provisions of the text. Therefore, I think it is not in the national interest of our country.

If we accept the TRIPS, we should know what would be the damage to our economy. The Dunkel Text in relation to TRIPS is totally against all the major elements of the Indian patent regime. It places tremendous hindrances to our domestic enterprises, research and development efforts etc. It would result in the price increase of medicines, pesticides beyond the capacity of the common man.

If we accept the TRIPS proposal. then we would lead to the full dependence upon the imports of these items. This will ultimately

[Sh. Chitta Basu]

lead to the strengthening of the grip of the multi-national corporations. As a matter of fact, this will damage our nationally accepted objective of self-reliant economy. Therefore, this will be injurious to the interests of the nation.

If we discuss the proposals in the area of TRIM, you will find that these proposals will be equally dangerous, equally injurious and equally harmful to the cause of the nation and our economy will be subservient to the economy of other countries. In areas of trade related investment measures, if we accept the proposals, foreign investors will have total freedom of operation in the domestic market.. It would also seriously impede our efforts at achieving self-reliance and further accentuate our balance of payment problem. The transfer of technology would be highly curtailed. This proposal will facilitate all-out market proposals, if we accept, will oblige us to treat the foreign companies at par with indigenous companies.

Therefore, if all these proposals are accepted, these proposals are not in the interest of the nation. They will be injurious, harmful and shall lead us to an economy which will be disastrous for the country's economic independence. If the economic independence is endangered, political independence cannot also remain the same. Therefore, in the nation's interest, I oppose all the proposals relating to TRIM.

Let us take GATS - General Agreement on Trade Services. This relates to services. In the services sector, the Dunkel Text propose to open up new avenues in trade through service corporations in banking, in the insurance, in telecommunications, in travel and in transport etc. These are the areas where we can plan our economy keeping in view the needs of the people. These are the areas for which we have

already made plans. We have got our planned economy. We have in certain cases, accepted the principle of subsidy in the transport.

I have forgotten one thing. I wanted to mention earlier that if we accept the proposals in the case of agriculture- I shall come to it later on, there will be adverse impacts.

If we accept this GATS this will open us, as I have said earlier, new avenues for the trade through services. This will again be injurious and harmful to the cause of India's interests. It will also go counter to the interests of the planned economy. It will go against our banking interests. It will go against our insurance interests. It will go against our goal of attainment of self-sufficiency in all these essential services which are now under plan. Sir, it would distort naturally our developmental priorities for the weaker sections of the society.

Sir, I would also like to mention that this proposal would also lead to the domination of the service sector by the commercial considerations and it will ultimately lead to the control over the vital service sector like the financial services, telecommunications, media and all other aspects.

Sir, I will be failing in my duty if I do not mention about the adverse impact on the agriculture of our country. In the agricultural sector, if we accept this proposal, our Government will be forced to abolish the existing subsidies for inputs like water, power, fertilisers or pesticides, and credit will be severely curtailed.

Sir, our agriculture is dependent heavily on these subsidies. Therefore, Sir, you know, it is not necessary for me to explain how our agricultural economy would suffer if the subsidy on irrigation, if the subsidy in the supply of power if the subsidy on fertilisers and if the subsidy on other essential inputs is withdrawn. If we accept this proposal, we

shall be forced to withdraw the subsidy. It will also affect the price level of our agricultural produce. Now the Government will have to take recourse to postpone the purchase by the public sector agencies. There will not be support price, there will not be subsidy and there will not be any kind of subsidy for the public distribution system which ultimately helps the weaker sections of our society.

Sir, if the patent system is extended to seeds, plants and biogenetic substances, that will also cause tremendous harm to our national economy particularly the agricultural economy. Having regard to these things, let me sum up and conclude.

Sir, having regard to all these aspects, this proposal will militate against the national interest, this proposal will result in the curbing of the economic sovereignty of the country, this proposal will blatantly interfere with the micro and macro economic decision-making of our country, this will frustrate the pursuit of our own developmental priority and, Sir, this will disastrously expose the Indian economy to the arm-twisting of the foreign countries which are more powerful than us. Therefore, Sir, I demand that the Government must reject all these harmful proposals and thereby uphold the Indian economy, uphold the principle of self-reliant economy for the country and thereby ensure the economic independence and ultimately the political independence of the country.

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE:
(Lucknow): Mr. Speaker, Sir, the present session of Parliament is coming to an end today. A few hours have been allotted for the discussion on this important issue. The issue has been pending for the last one year. There is no cabinet Minister of Commerce in the Council of Ministers, there is only a Minister of State in the Ministry of Commerce. This proposal is the talk of the world today.

A paper for discussion was also issued by the Government. I have seen it, that is not sufficient. What was actually required on the part of the Government was to publish a white Paper and the Parliament should have been provided with an opportunity to hold discussion. Later on, a committee of Ministers was constituted. It was in a sense, an effort to put aside the Parliament from the scene. I ask, what was the achievement of that committee of Ministers. A discussion is going on GATT and 'Uruguay Round' throughout the world. The Government has changed in America. President Clinton is making a strategy in connivance with Prime Minister Major. France has, however, expressed its dissent but we need to consider the proposal in the backdrop of the situation of our own country as also from the point of views of our own interests. The proposal is comprehensive enough including all the affairs of life. It includes the areas of medicine, cotton cloth, agriculture, industry, services, investment, technology, employment, environment, and culture etc. and along with all these the trade of India is also included in the list. The 'Dunkel Draft text' is such a document that either it will have to be accepted fully or will have to be rejected fully. If there is something good in it and if we want that part to be accepted, then there is no permission for that.

With regard to Tokyo there was some relaxation. Had we wished, we could have made selection keeping our interests in view. But, now the door for that is closed. The most objectionable thing is that the 'Dunkel Proposal' is adversely affecting the 'Indian patent Law' which has been giving permission to us for manufacturing medicine and we have made tremendous advancements in that field. The Dunkel proposal creates difficulty. There is no solution to the problem of the likely increase in the favour of liberalisation within the country. Unnecessary control is there and the bureaucracy is creating obstacles. There are not as much

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opportunities for competitiveness as are required because the industrialist of India does not want to compete. The foreign companies want a safe market. They have developed in a habit of earning undue profit. But there must be a competition in the market. However, India has to think over its interests before involving itself in the competition with the foreign companies.

Mr. Speaker, Sir, it would have been better if a Joint Parliamentary Committee would have been constituted and this Dunkel Proposal would have been referred to it. I am not an expert. We should have sought the opinion of experts if necessary. If there was a need we should have asked for the required material from abroad; and some people could have gone abroad all procedure. Still there is time, I would like to request the hon. Minister to constitute a Joint Parliamentary Committee in this regard. It is not a case of embezzlement. The Joint Parliament Committee may continue to do its work. It has relation with that.

SHRI RAM NAIK (Bombay North): We are doing excellent work.

SHRI ATAL BIHARI VAJPAYEE: I would like to congratulate you. As soon as you make somebody a scapegoat, they will realise the position.... (Interruptions) A Joint Parliamentary Committee can be constituted and this matter can be referred to it. In this matter, the State Governments should also be consulted. It is correct that you have dismissed out State Governments. Even though I am speaking to protect the rights of those States Governments which have not yet been dismissed. That is why I repeat that the State Governments should also be consulted in this regard. My colleagues of West Bengal should congratulate me that I do not indulge myself in such type of politics as they are doing.

SHRI SOMNATH CHATTERJEE (Bolpur): You have no Government but your opinion is still there.

SHRI ATAL BIHARI VAJPAYEE: Our opinion will always be the same. When we will form the Government at the Centre, we will say good bye to the Dunkel Proposal.

MR. SPEAKER: Sir, my suggestion is that the meeting of the National Development Council may be convened for discussing the Dunkel Proposal.

SHRI SOMNATH CHATTERJEE: Sometimes you speak very well.

SHRI ATAL BIHARI VAJPAYEE: The Government should make up its mind first. The resolution moved by the Government does not show the clearcut picture of the Government's views as well as the thinking of the Government. The Ministers have also not taken any clearcut decision in this regard and they should not do so. If we accept the Dunkel Proposal as it is, the Government will have to bring comprehensive changes in national activities which may have far reaching consequences these cannot be changed without the consent of Parliament. But the Government should at least place the material before Parliament. Therefore all repeat my two proposals. Firstly the Joint Parliamentary Committee should be constituted and the Dunkel proposal may be referred to it and secondly, a meeting of the National Development Council may be convened. Alongwith this, the Government should hold negotiations with other countries too. If a big country like India does not expose the cause and interests of developing countries then who also will speak? But I have read the paper prepared by the Government, which says that if any big country seeks an amendment, then our Government would also avail the opportunity for pressing for an

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amendment. Such language does not befit the dignity and the prestige of India. I admit that we are facing financial problems and these problems have also been created by the Congress Government. But I am not making it a party issue and this juncture. If we too cannot take a stand on the objectionable aspects of the Dunkel Proposal, how will other developing countries face it. The Government should hold consultations negotiations with them and should explain the difficulties which are being faced by it. If there is some difficulty in European countries about agriculture even then America is not ready to provide us a safe market there. It has also introduced a quota system. It is under Japanese economic pressure. These countries do not hesitate in taking steps to protect their interests. We should also not hesitate to do so. We should hold negotiations with developing countries and evolve a proposal which would not only safeguard the interest of our country but also boost our image in the international arena.

I reiterate that the issue of medicines is a complicated matter. The pharmaceuticals would be the worst affected and if the prices of medicines rise, the people will never spare the Government.

SHRI SOMNATH CHATTERJEE: A special session should be held for the purpose.

SHRI RABI RAY (Kendrapada): Mr. Speaker, Sir, today, a turn is being witnessed in the history of Parliament. I am glad to say that 250 M.Ps after cutting across the party lines, have written to the Prime Minister that he should not sign on the proposal without getting it approved from the Parliament which is the representative body of 85 crores of people; After a number of postponements, we have got the opportunity to have a discussion on this important issue.

Mr. Speaker, Sir, I am one of those who

believe that the East India Company which was a multinational Company had come to India as a traders about 250 years back. The history is evident as to how the company grasped the political power in India and ruled over us for 180 years. A book consisting of 465 pages on Dunkel proposal has been received by us. I guess that Shri Kurienji might not have read it. No M.P. can have the courage to say that he has read this book. He is unable even to understand this book. We have come to know that 400 experts of the U.S.A. Government are having discussions on this trade negotiations. Keeping it in view, what our Government is doing in this regard. The Parliament very well knows about the Government's inactivity in this respect. Today, I would like to submit one thing more than the House. Each word and every sentence of the Dunkel Proposal is a symbol of neo-colonialism and economic slavery. I would like to appeal to all the M.Ps irrespective of their party affiliation that they should speak unanimously that they are not prepared to accept this documents which is a clearcut symbol of economic slavery. What is the stand of the Central Government regarding the Dunkel; Proposal? What are the positive aspects of the proposal mentioned by Shri Chidambaram, the former Minister? Does it suit India or not? Perhaps the Congress M.Ps may not support the Government on this issue. In that case that the present Minister will do. We have to examine it. Whether it suits India or not. In view of all these things. I would like to highlight the history of the Dunkel Proposal.

Mr. Speaker, Sir, when the negotiation in this regard was going on in 1989, Shri Dinesh was the Minister of Commerce in the then Congress Government. It was the black day in our history. The India which was the leader of the developing countries in the matter of trade, gave up its moral right to lead the developing countries as soon as it accepted the entire proposal of America. It was the beginning of the entire affairs. I would like to suggest the hon. Minister that

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when he speaks on the subject, he should first make an introspection and then speak. I would like to make an allegation against the then Government. At that time India completely came under the influence of America and gave up its moral right to lead the developing countries. Today's Dunkel proposal means the destruction of our agriculture and small scale industries as they will work under the multinational companies. All the employment opportunities are based on the small scale industries and not on the heavy industries. I mean to say that say...

[English]

To be or not be is the question.

[Translation]

Therefore, India has to survive as a sovereign nation with all its dignity and prestige. Our sovereignty has been mortgaged in the name of the Dunkel Proposal. The Government has promised to issue a white paper on the subject. Today, the entire House is discussing the matter. Other nations are looking towards the Parliament of India with a great expectation and are waiting for its decision. But the white paper has not been issued by the Central Government so far. It is least concerned about it. There is nothing new in the note circulated by the Cabinet Committee. The Government should put forth its clearcut and comprehensive views on the Dunkel Proposal.

Mr. Speaker, Sir, the meeting regarding the Dunkel; Treaty has been postponed till 15th January, What the Government is going to do in this regard. Will a Ministerial meeting be held prior to the meeting? Will the proposed delegation of India ventilate our views and protest in the meeting to be held on the 15th January because the Government has not

formed any opinion on this issue. Therefore, I would like to submit politely to all the hon. Members of the Houses that we won't be able to do any justice, it is the job of the experts. I would like you to keep our sovereignty as well as that of Parliament unimpaired. The existing agricultural system can be improved but we cannot allow our agriculture to be carried out under any international discipline.

Through you, I would like to make an allegation on the Government that it has practically accepted the Dunkel proposal by not taking decision, though it has not signed it. For instance I would like to make a mention of import of wheat. We imported wheat worth Rs. 1500 crore, though there was no reason for doing so. The entire House knows that the Government has taken this step just for the sake of kickback. What would be the fate of Indian agriculture if we sacrificed it at the altar of international discipline suggested in the Dunkel proposals? Will multinational corporations or America or Dunkel Sahib decide the fate of our agriculture? Perhaps the Government has accepted this. Otherwise what was the reason that we agreed to pay more than Rs. 500 to the farmers of Canada and Australia and paying Rs. 300 less to our farmers and this went in for import with Rs. 1500 crore. The reason behind it is that America is aware of the fact that the way and the speed with which our agriculture is developing will, one day or the other become equal of the American agriculture. In order to do away with our agriculture system and in order to sign the Dunkel proposals this Government is basically accepting that line.

Mr. Speaker, Sir, the way the Government has reduced the custom duty on imported items in the Budget for 1992-93 and put an extra burden of Rs. 2500 crore in the form of increase in sales-tax and excise-duty reflects how the Government is accepting the substance of Dunkel proposals. Now, I would like to place some figures

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before the House with your permission. There is a medicine called Toveromycine being sold at a price of Rs. 16.82 in India. Its price is so less only because we have not accepted Dunkel proposals so far. The price of the same medicine in Pakistan is Rs. 150.08 and in the USA it is Rs. 387.50. You can well imagine as to what does it mean by it.

Therefore, Mr. Speaker, I would like to submit that the most dangerous thing in these Dunkel proposals is cross retaliation whose symbol in Carla Hills and probably President Clinton would also keep these proposals with him. She was also a trade representative during Presidentship of Bush. She had said openly here that if the Government of India did not agree to the conditions of American Government with regard to intellectual property, it would give rise to cross retaliation in the country. Moreover, restrictions under Super-301 have already been imposed on us. 5 per cent duty has been increased on all the textile goods exported from the country. I would like to submit that Cuba has friendly relations with us. It needed one lakh tonne of rice and we had raised the issue in this very House, But Cuba was prevented at the instance of America, this House knows this fact. I think it is an attack on our economic sovereignty. Now the question is how far the House succeeds in having a controlling on that and in rescuing our economic sovereignty. It is a matter to be considered.

Therefore, my submission is that Mr. Dunkel, who is a symbol of the international trade, knows it very well that there is a proposal to set up an organisation to implement this treaty. That is a multi-lateral Organisation and all developing nations will not only be affected by that but will be ruined like Latin American countries. I would like to submit that our position will be worse than that of Latin American countries. What is

happening in Somalia today? What will be left when our entire agricultural system is done away with and public Distribution System is discontinued. Perhaps, the Dunkel proposals would prove fatal to the entire legacy of our national movement which has been our tradition based on three principles of Swadeshi, Swavlamban and Rozgar and which we have obtained from our national movement and incidentally we are celebrating the Golden Jubilee of 1942 Revolution.

17.00 hrs.

Today, the question before the Parliament is how will be able to regain the economic sovereignty which our Government has mortgaged, whether we would be able to regain it or not. Therefore I would like to make a suggestion to the House not to leave the matter just after having a casual discussion on it. I would like the Government to follow the slogan of Swadeshi, Swavlamban and Rozgar. When the Dunkel proposals are likely to be signed by January, 15, 1993 or within the next couple of months this Government may make it clear to those who have brought Dunkel proposals that our Parliament is still having discussion on it and that the Parliament has not yet taken any decision on it. Unless the supreme Parliament of this country takes any decision on it, the final decision on it will not be taken. This should be made clear to the Dunkel proposal advocates. Therefore, my submission is that we won't be able to do anything concrete unless a Joint Parliamentary Committee (JPC) on it is constituted. In view of the prevailing circumstances I would like to submit that until the committee consisting of the Members of all political parties evaluate what in the interest of the country and what not, India should not sign the proposal. The entire House should have single opinion that there is no other way than to get the matter evaluated by JPC. Mr. Speaker, Sir, this is very essential to protect the sovereignty of the country as well as to protest our agriculture

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and small industries. For it would have the authority to discuss matter from all possible points of view, experts, from various fields and others would make their suggestions and this help the committee to reach a final decision. Thereafter, the report will be presented in the House and it would be taken. Mr. Speaker, Sir, I would not waste much time and only submit that today's discussion should culminate into a decision to constitute a Joint Parliamentary Committee on the Dunkel proposal and that Committee may go into it.

This decision should be taken unanimously. We have to save the country; we have to protect our agriculture and also small industries. Therefore is no other way than this.

SHRI SOMNATH CHATTERJEE (Bolpur): May I make a submission? This is a very very important issue. Nobody can dispute it. Let us know what is in the Government's mind. Just after one or two hours discussion, they say that they have taken the consent of the House, taken the views of the House and they will enter into whatever agreement they want to. Therefore, we must know what is there in the Government's mind for any meaningful discussion and whether they are accepting any particular thing or they are rejecting anything. What is their tentative decision? They must have arrived at some decision. I agree, we do not know it. We are generally giving our views. Everybody has opposed it. We are completely in the dark as to the Government's thinking on this.

I also earnestly request the Prime Minister to come here because that will show the importance of the discussion. He is the Cabinet Minister for Industry. It is essential that he is present here. That will show that we are taking it very seriously. Let this issue be

not taken either on partisan basis or casually, not for the sake of formality. Please do not this. It is not a discussion just for formality. Some discussion is held in the House. I request the Government to respond to this before there can be any meaningful discussion. *(Interruptions)*

[Translation]

SHRI SHARAD YADAV (Madhepura): Mr. Speaker, Sir, I entirely agree with the views of Shri Somnath Chatterjee. Whatever he said is quite correct. If discussion is held merely for two hours in the House and it is concluded from this two hour drama that Parliament has given its assent and we are supposed to sign it, then it is wrong. It is not at all permissible in this manner. I, therefore request that the Government should either agree to set up a Joint Parliamentary Committee or should say that it will not sign it. The attitude which they have adopted here is not at all correct. *(Interruptions)*

MR. SPEAKER: I have heard Somnathji very careful. I will respond to it later. But before I respond, I will ask the Government to respond to what you have said. Therefore are two things before us. I think, Kesariji wanted to make a statement. Jakharji also wanted to make a statement on drought condition.

Are you making one statement?

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

MR. SPEAKER: There are statements. If you agree, we are going to sit and discuss this matter for four hours. The time given is four hours on Dunkel. I think we can ask Shri Balram Jhakar and then Shri Sitaram Kesri t make the statements. Then, we will come back to this discussion.

17.07 hrs

STATEMENT BY MINISTERS

(i) Flood and Drought Situation in the
Country

[English]

THE MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): Sir, During the South West monsoon of 1992, the country received about 92% of seasons long period average rainfall. Yet the erratic nature of rainfall and the long dry spells up to the middle of July cast shadows of impending drought conditions in several parts of the country. However, the widespread rains received in late July, August and September brought the situation to normal raising hopes of another good crop year. At the end of the monsoon 1992, out of 410 good crop year. At the end of the monsoon 1992, out of 410 districts in the country, 257 received excess or normal rainfall, 121 received deficient and 6 received scanty rainfall. The States with significantly scanty deficient rainfall of were Andhra Pradesh, Bihar Madhya Pradesh and Uttar Pradesh. The distribution of rainfall was also uneven which resulted in floods in the States of Jammu and Kashmir, Kerala Madhya Pradesh, Orissa, Uttar Pradesh, Gujarat and Assam during the period. Thereafter, an untimely heavy rainfall caused serious damage in the Southern districts of Kerala in October, 1992.

A cyclonic storm which developed over South-West Bay of Bengal on the 11th November, 1992 intensified into a severe cyclonic storm and crossed South Tamil Nadu coast near Tuticorin on the evening of 13th November. Moving further North-East over Arabian Sea as a deep-depression it crossed Karnataka coast on the afternoon of 17th November, 1992. They accompanying monsoon system and the cyclonic storm caused heavy to very heavy rainfall in Tamil Nadu, Kerala, Karnataka, Andhra Pradesh

and Pondicherry. The rainfall accompanied by high velocity winds resulted in flash floods and landslides in the high ranges, floods in the rivers, back waters and the plains and sea erosion in the coastal areas in the affected States and the Union territory of Pondicherry.

The coastal districts bore the brunt of the cyclonic storm resulting in loss of life and property while inland districts witnessed damage due to intense rainfall and landslides. The Government of Tamil Nadu undertook relief measures in the affected areas including evacuation of people from, in undated areas to safe shelters, ex-gratia payment to the next of the kin of the deceased, compensation for damaged houses and issue of essential commodities free of for damaged houses and issue of essential commodities free of cost to those rendered homeless.

The State of Kerala had already experienced excess rainfall and floods twice in the year in July and October, 1992, resulting in heavy loss of life and property. The relief machinery which had been geared for the October floods responded promptly to the crises and undertook immediate relief measures for the affected to population.

In Karnataka, 12 districts were affected by the cyclonic storm resulting in damage to standing crops, buildings, roads, bridges and loss of human life and livestock. Relief measures including ex-gratia payment to the dependents of the people who lost their lives, compensation to those rendered homeless, supply of essential commodities and providing medical facilities to the affected population have been undertaken by the State Government.

The cyclonic storms also affected 12 districts of Andhra Pradesh causing of human lives and damage to 3.15 lakh ha. of cropped area. The State Government responded to the situation immediately and distributed gratuito relief for damaged houses and opened relief camps and distributed food

[Sh. Balram Jakahar]

packets to the marooned population.

In the Union Territory of Pondicherry, the cyclonic storm and heavy rain cost 2 human lives and affected more than 5000 people besides causing damage to around 1200 huts. Immediate relief measures including distribution of food packets and bread to the affected families were undertaken by the U.T. Administration.

The IX Finance Commission recognised the need for greater autonomy and responsibility for the States in managing the challenge caused by recurrent natural calamities. For this purpose the Government of India has, on the recommendations of the Commission, created Calamity Relief Fund (CRF) with an annual corpus of Rs. 804 crores to be operated by the State Governments. 75% of the CRF is contributed by the State of India and the balance 25% is contributed by the States themselves.

As directed by the Prime Minister, I visited the flood affected States of 16th and 17th November, 1992 to review the relief and rehabilitation measures being undertaken by the States. I also undertook an aerial survey of the several severely affected districts of Tamil Nadu, Kerala and Pondicherry. I would like to inform the Hon'ble Members that the State Administration in the flood affected States responded expeditiously to provide the much needed relief to the affected population and in undertaking other rehabilitation measures. I would like to compliment the State Governments and the U.T. Administration of Pondicherry for responding quickly to the crisis. The Prime Minister surveyed the method affected areas of Tamil Nadu, Kerala, Karnataka and Pondicherry on 1st December, 1992 for an on-the-spot appraisal of the situation.

I am happy to inform that Government of India

recognising the need to supplement the efforts of the State Governments and with a view to assist them, has taken prompt action to augment the resource position of the affected States. Advance release of Central share of CRF amounting to Rs. 21.93 crores and Rs. 10.12 crores respectively to Tamil Nadu and Karnataka has been made. As records Kerala, advance release amounting to Rs. 17.43 crores had been made in October, 1992. In addition, an amount of Rs. 28.00 crores under Jawahar Rozgar Yojana (JTY) and Rs. 5.95 crores under Accelerated Rural Water Supply Programme (ARWSP) had been released as ways and means advance to Kerala for the October, 1992 floods. Besides an amount of Rs. 50.00 crores have also been made to Tamil Nadu and Karnataka respectively to augment the for undertaking comprehensive relief and rehabilitation works. Prime Minister has already released Rs. 46.00 lakhs to Tamil Nadu, Rs. 17.6 lakhs to Karnataka, Rs. 16.00 lakhs to Kerala and Rs. 2.00 lakhs to Pondicherry from the Prime Minister's National Fund.

We have received detailed memorandum from the State of Kerala, Tamil Nadu and U.T. of Pondicherry for Central assistance for relief measures in the wake of cyclone of floods. A preliminary Memorandum has also been received from Karnataka. A detailed Memorandum after a thorough assessment of the damage to public property and other infrastructure is yet to be received from Karnataka. The Inter-Ministerial Group on the basis of the reports of the Central Teams which visited the flood affected areas of Tamil Nadu and Kerala, has recommended further advance releases of Rs. 14.63 crores and Rs. 11.62 crores respectively from CRF. The IMG has also recommended release of Rs. 75 lakhs for undertaking relief measures in Pondicherry.

The State Governments of Tamil Nadu, Kerala and Karnataka affected by cyclone/floods have been advised to prepare a comprehensive proposal for reconstruction of damaged infrastructure. It is proposed to seek the assistance of World Bank and other

international financing agencies for implementing these projects. The Government of Tamil Nadu has prepared a Cyclone Reconstruction Project with an estimated cost of Rs. 2560 crores.

Government also proposed to formulate a rehabilitation housing Project to reconstruct houses damaged during the floods with assistance from Housing and Urban Development Corporation/National Housing Bank on the pattern of the Project already being implemented in the earthquake affected areas in Garhwal region of Uttar Pradesh.

When these parts of the country are affected by cyclone and floods, some other part of the country are experiencing drought conditions because of inadequate rains during the South-West monsoon. Drought conditions prevail in as many as 29 districts of Bihar affecting about 5.38 million labourers and farmers. The major thrust areas and strategy identified by the State Government to fight the drought situation lays emphasis on augmentation of irrigation potential, implementation of Contingency Plan for alternate crops, sugmenting and earmarking of water for irrigation purposes and streamlining of the Public Distribution System (PDS).

Five districts viz: Palamu, Garhwa, Giridhi, Chatradna Lohardaga are experiencing severe drinking water problem and the State Government has created 585 additional drinking water sources in these districts. We had received a Memorandum from Government of Bihar seeking Central assistance to the tune of Rs. 1200.00 crores for relief and rehabilitation measures in the wake of drought conditions. A Central Team visited the affected areas of Bihar last month to assess the situation and requirement of additional funds. On the basis of the reports of the Central Team, we have already released an amount of Rs. 19.6875 crores as advance from the CRF. The State Government has also been allotted additional 10,000 MTs of wheat per month from

September this year to adequately take care of the PDS in the drought affected areas. Central Government has also recently released an amount of Rs. 75 crores in advance from JRY to enable the State Government to create additional employment.

Government of Andhra Pradesh has reported adverse seasonal conditions in six districts of the State due to deficient rains. The State Government has already initiated action to generate rural employment in the affected areas and for taking up minor irrigation works. The drinking water sources in these districts are also being resorted. Drought prevention measures like watershed development programmes in dryland, soil conservation works and prevention of soil erosion and conservation of soil moisture have also been initiated by the State Government.

Government of India share the concern of the Members on the suffering of people affected by cyclone/flood and drought in various parts of the country. I would like to take this opportunity to reassure Hon'ble Members that Government of India will ensure that all possible assistance is extended to the State Government for fully meeting the exigencies of the situation.

(Interruptions)

[Translation]

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, I would like to bring to your notice one or two issues with regard to the statement made by the hon. Minister. We have raised this issue in the House also.

There are regular news item in the regional press, regarding the starvation deaths in Palamu Distt. The hon. Minister has referred to the drinking water problems in Palamau and Lohardagga districts

whereas Nalanda, Nawada and Patna districts too have been facing the drinking water problem. According to his statement, 29 districts have been affected but actually 43 districts have been affected there and the Government of Bihar has declared 300 blocks as scarcity-stricken. The situation is so miserable there that nearly 100 blocks are not the verge of starvation and the crisis of drinking water is imminent. People and live-stock too will die on large scale. He has referred that the Bihar Government has sought the central assistance of Rs. 1254 crore from the Centre. A central team too visited there, but it visited there before time so, it could not assess the real opposition. At that time, the probability of rains during the *Hathia Rains* in offing.

Mr. Speaker, Sir, through you, I want to tell the Government that it is the question of the distressed humanity. Today the condition is so bad that there are no dew-drops during this winter season too and the winter flowers too are not blossoming. The condition is very serious there.....

[Translation]

SHRI NITISH KUMAR: Please ask the hon. Minister to call all M.Ps. from Bihar. (Interruptions)

MR. SPEAKER: Please sit down. You are unnecessarily spoiling everything that fared well here.

(Interruptions)

SHRI RAJENDRA AGNIHOTRI (Jhansi): The House is not satisfied with this statement. The issue is of great importance....

MR. SPEAKER: Please sit together him and talk to him later on.

(Interruptions)

MR. SPEAKER: Please take your seat. You are not understanding I am asking you to see the hon. Minister and tell him. He will you whatever he can.

[English]

Please take your seat.

MR. SPEAKER: I would like to point out one thing that there is no question-answer in the House after the Minister's statement. Honouring your sentiments I would like to request the Hon. Minister to call you in his office and provide all the required information whatever he can.

(Interruptions)

SHRI RAJENDRA AGNIHOTRI (Jhansi): Mr. Speaker, Sir, it is not the problem of Bihar only, some districts in Uttar Pradesh are also such as... (Interruptions)

MR. SPEAKER: Look, I gave you an opportunity on you request. Now you should not violate all the rules please, don't do like this.

(Interruptions)

SHRI NITISH KUMAR: Thank you that you have given the directions to the hon. Minister. But, I would like to submit through you that all the hon. Members of Parliament from Bihar are here... (Interruptions)

MR. SPEAKER: If I allow you, I will have to give the chance to others also. Such issues should not be raised by derailing the other issues. Only the items included in the Agenda should be raised.

[English]

MR. SPEAKER: It is not going on record.

MR. SPEAKER: Mr. Nitish Kumar, you should understand the nicety of the procedure also. It helps you also.

(ii) Reservation in Promotions for Scheduled Castes and Scheduled Tribes in the wake of the Judgement of the Supreme Court

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): A 9 Judge Bench was constituted by the Supreme Court on 31.10.1991, to hear the writ petitions challenging the office memoranda dated 13.8.90 and 25.9.91 issued by the Ministry of Personnel, Public, Grievances & Pension (Deptt. of Personnel & Training), providing for reservation in civil posts and services under the Government of India in favour of Socially and Educationally Backward Classes and Other and Economically Backward Sections of the people who are not covered by any of the existing schemes of reservations.

The Bench delivered 6 separate judgments (with 4 judges subscribing to the same Judgement) on 16.11.1992. The Judgement of Justice Jeevan Reddy, delivered, on his own behalf, Chief Justice, Venkatchelliah and Ahmadi JJ, together with the support that it enjoyed from other judges, became the majority Judgement.

Apprehensions have been expressed by the hon. Members in this House that the observation in the majority Judgement that reservation of appointments or posts under Article 16(4) cannot extend to providing reservation in the matter of promotion, would adversely affect the interest of scheduled castes/scheduled tribes. It has been suggested that government should take measures for over-coming the legal hurdles,

The Supreme Court has, in its majority Judgement, directed that its decision in regard to non-applicability of reservation in the matter of promotions, shall apply only prospectively and that it shall not affect promotions already made, whether on temporary or officiating or regular/permanent basis. It has been further directed that wherever reservations are already provided in the matter of promotions.. be it Central services under any corporation, authority or body falling under the definition of State in Article 12-such reservations may continue in operation for a period of 5 years from the date of Judgement. Within this period, it has been clarified, it would be open to the appropriate authorities to revise, modify or reissue the relevant rules to ensure the achievement of the objectives of Article 16 (4). It has also been observed that if any authority thinks that of reinsuring adequate representation of backward class of citizens in any service, class or category, it is necessary to provided for direct recruitment therein, it shall be open to it to do so.

Government have taken due note of the feelings expressed by the hon. Members in this regard and would like to assure the hon. Members that Government would take a view on the issues arising out of the Judgement having regard to its constitutional obligations towards the advancement of backward class of citizens. The arguments with regard to the Mandal Commission before the Supreme Court were in the context of and with reference to socially and educationally backward classes. The implications of the Judgement of the Supreme Court, if any, in so far as the SC/STs are concerned need to be examined, after wider consultation, including with all political parties, before a final view is taken. The cannot be

any doubt on the commitment of the Government with regard to the protection of the interests of SC/ST.

MR. SPEAKER: Now Dr. Debi Prasad Pal will speak on Dunkel draft text.

(Interruptions)

There will be no immediate disturbance of the present dispensation regarding promotions.

[Translation]

(Interruptions)

SHRI SHARAD YADAV (Madhepura):
Mr. Speaker, Sir,.....

[Translation]

SHRI RAM VILAS PASWAN (Rosera):
Mr. Speaker, Sir, so far as the Mandal Commission is concerned, the Government should clearly state as to when it is going to appoint a commission thereon? This is the commitment.

MR. SPEAKER: Shri Sharadji, now here is an important issue. Please speak thereafter.

SHRI SHARAD YADAV: Mr. Speaker, Sir, whatever I want to submit, it is more important than that. I had expressed my doubt in the morning too.

[Translation]

SHRI RAM VILAS PASWAN (Rosera):
Mr. Speaker, Sir, so far as the Mandal Commission is concerned, the Government should clearly state as to when it is going to appoint a commission thereon? This is the commitment of the Government in this regard. Today it is the last day of Parliament. When will the Government appoint the commission?

MR. SPEAKER: If I allow you to speak, I will have to allow others also. You are not special member of the House. That is why I am asking you to sit down. Only at your instance, I made him to make this statement according to your own desire, his statement was made, even then you do not understand my thing.

(Interruptions)

MR. SPEAKER: Paswanji! Not like this. If I allow you to speak, I will have to allow others too. All this has been done on your request. You should agree to the solution.

SHRI SHARAD YADAV: Sir, you need not be displeased just I am to say that.....(Interruptions)

(Interruptions)

MR. SPEAKER: Since the solution was made on your request, you must comply with it. You should not aggravate our difficulties. Please take your seat.

MR. SPEAKER: Look, Shri Sharadji, if you are allowed to speak, others too will have to be allowed to speak. Then this situation becomes very odd for me. If you have any doubt, I will request Shri Kesri to invite you and have a discussion with on this topic.

(Interruptions)

SHRI RAM VILAS PASWAN: We request the Government that a commission should be appointed. (Interruptions)

(Interruptions)

MR. SPEAKER: You should go to his

Chamber and request him. Do you think that he will not entertain you in his Chamber?

(Interruptions)

SHRI NITISH KUMAR: In connection with the Mandal Commission*(Interruptions)*

MR. SPEAKER: Shri Nitish, inspite of the fact that everything has gone so well, you are standing and talking like this. It means you do not believe in any sort of fairness and believe in disorderly thing. You do not accord any importance to the things which have been done properly.

[English]

SHRI FRANK ANTHONY (Nominated Anglo-Indian); Mr. Speaker, Sir, I have argued in the Supreme Court the very question of promotions.

MR. SPEAKER: I respectfully request you to guide Shri Kesri in his chamber. The time is very short. I have not allowed Sharadji also and he should not complain against me. I request Shri Kesri to call you to complain against me. I request Shri Kesri to call you to his Chamber and take your advice. He will benefited by your advice. Please help me because we are at the fag end of the Session and we have important business to transact.

17.27 hrs

PAPERS LAID ON THE TABLE - *CONTD.*

Draft Agricultural Policy

[English]

THE MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): Sir, I may be allowed to lay the draft Agriculture Policy on the Table of the House. It can be finalised

after discussion in the House.

[Placed in Library See no. LT-3296/92]

MR. SPEAKER: The Draft Agricultura Policy - it may not be a Resolution - is sought to be laid on the Table of the House. I think the hon. Members will appreciate it.

SHRI SOMNATH CHATTERJEE (Bolpur): Sir, copies have to be circulated.

MR. SPEAKER: Copies, both in Hindi and English, will be circulated to all the Members later.

MOTION RE IMPLICATIONS OF THE DUNKEL DRAFT TEXT ON TRADE NEGOTIATIONS - *CONTD.*

[English]

MR. SPEAKER: Shri Debi Prosadji...

(Interruptions)

[Translation]

SHRI RAM VILAS PASWAN: Mr. Speaker, Sir, when you allowed for the statement, you had paid that it was the opinion of the Members that the Government should put forth its views on the issue. *(Interruptions)*

MR. SPEAKER: You are speaking despite everything having been done according to your own wish. It is not proper on your part.

(Interruptions)

SHRI RAM VILAS PASWAN: We are referring to the Dunkel's proposal. What is the Government going to do regarding the Dunkel proposal. Please allow some discussion on it.

[English]

DR. DEBIPROSAD PAL (Calcutta North West): Mr. Speaker, Sir, the Dunkel text that emerges from the Uruguay round of negotiations undoubtedly will have some far-reaching effects.

MR. SPEAKER: ~~Debi Prosadji~~, just one minute please. You are right Mr. Paswan.

SHRI CHANDRAJEET YADAV (Azamgarh): Otherwise, the discussion becomes meaningless. It will not really be fruitful.

SHRI JASWANT SINGH (Chittorgah): Mr. Speaker, Sir, as stated by other hon. Members., it is necessary to re-state the context in which we are making our submissions. As pointed out by Atalji, firstly there was appointed a Cabinet Committee to give views on what the Dunkel proposals are. That Cabinet Committee's views are not known to us. Secondly, since the Government passed the responsibility to this Cabinet Committee did or did not do. A paper was circulated. But it is a discussion paper and as pointed out by Atalji, that is not sufficient. Thirdly, the context of this discussion, on which you very kindly allowed four hours, is simply the fulfilment of an assurance from the Government that they will consult the House That they have a consultation with the Members of Parliament. Sir, this is not a consultation via. what we are going through just now. It is in fact- forgive me for saying so- a device actually to avoid a meaningful consultation.

Therefore, we recognise, as pointed out by Atalji, that there is a time pressure on this Government, that the new administration of the United States of America and John Major, as the current President of the EEC want to put GATT back on the negotiating table before the end of January. It is our understanding therefore that the time

pressure on the Government is to come forward with its reactions before mid-January. My fear is that, in this hurry, we will commit future generations of Indians to it. And we will of course be putting some kind of shadow on the economic sovereignty of the country. But even more important is that, we will be putting some kind of a curtailment on the freedom of action which successive Governments can take or not take. Therefore, as suggested by Atalji and other hon. Members, there should be a Joint Parliamentary Committee and let that Joint Parliamentary Committee go into it. The Parliamentary Committee is not shackling the Government's initiative or action or necessary executive action that it has to do.

And secondly, we must know where the Government stands. How do we discuss? You can allot four hours. You can allot anything.

MR. SPEAKER: I expected at the time of moving this Motion that something could have been said on Dunkel proposal. Probably, it was the intention of the Government to hear what the hon. Members had to say and then to respond. Now, if it is a wish of the Members, I leave it to the representative of the Government to take a decision in this matter and I will allow them to do it.

I do agree that it is very important issue and we should take a very balanced view.

SHRI SOMNATH CHATTERJEE (Bolpur): A non-partisan and a national view.

MR. SPEAKER: Yes, a non-partism and a national view. I know, in very great detail about this thing and Shri V.P. Singh also knows it very much. I know the ecstasy and agony of participating in discussions like this and the origin and the genesis of it is also known to me. That is why we will take a proper decision. Then, I will allow Prof. Kurien, if he wants to say something after Dr. Debi

Prosad Pal. Because he was on his legs. Let him complete and then you then you will take the floor.

DR. DEBI PROSAD PAL (Calcutta North West): Mr. Speaker, Sir, the Dunkel Text which emerges from the Uruguay Round of negotiations undoubtedly will have some far-reaching effect upon the economic policy and the decisions of the country. Therefore, I agree that these proposals require a wider consideration and a deeper study of its effect upon the economy is concerned. But some of the apprehensions which have been made and which have been raised also proceed upon certain incorrect facts and I would request the Government to give greater details of the proposals and the deliberations so that this House also may be in a position to know what exactly are the proposals and the deliberations.

Sir, there is a suggestion that we should not be a party to this Dunkel Draft of the Uruguay Round of negotiations. This sort of suggestion, I do not think is a proper one. Undoubtedly, we have to consider the impact of these proposals upon our economy. Undoubtedly that should be done before any firm decision is taken on this point. But at the same time, we should know that we are founder member of the General Agreement of tariffs and trade. 108 countries are members of this GATT. In this context, we should also know that if a rule is framed or based on a multilateral trade policy, it will help all the member countries to evolve certain patterns of behavior in the multilateral trade.

And that is why, the member countries also are discussing and deliberating upon how a consensus can be arrived at regarding the rules based on this Multilateral Trade Agreement. And in such a case, I agree also with Atalji that we should have also discussions with some of the countries with whom we also have got common interests.

It is the result of the consensus that something is to be evolved. But if we do not become a Member and if we abandon all these proposals, the result will be all the more damaging because in that even greater powers can impose their policy decisions unilaterally upon this country like Section 301 of the US Court.

If there are multilateral trading agreements and the rules are based upon them, then it will have a restraint upon the behaviour, upon the pattern of conduct of all the countries including the Major Powers. That is why, our Government also has decided to negotiate and also ultimately to take a decision. We have to make a package deal. In a package deal, there is always something which goes in our favour, something also we may have to abandon. But, we have got to see as a result of package deal how much the country is gaining and how much the country is losing, because in a package deal we have got to evolve our own advantages which we can have from these rules upon the multilateral trading agreement.

It is in this context that we have got to see those developing countries which are members of the GATT. We can also have negotiations, discussions with them, evolve a point of common interest which will be affecting the developing countries including our country. And if we can evolve a certain formula, certain rules, that will help us. It is no good saying that we should to be a party or we should abandon the Dunkel Text, because in the Dunkel text there are many things which are also in our favour. And unfortunately the full text has not been properly given a circulation so that the public mind has got an apprehension regarding the impact of this Dunkel Text.

We must not forget that we have now restructured our trade policy as a result of new economic policy which the Government

[Dr. Debi Prasad Pal]

has already announced and is committed to. It is the imperative need of certain circumstances that we have got to evolve this restructuring of our trade policy because today in the world the entire pattern of international trade, the pattern of economic development has already undergone substantial changes both in dimension and also in quality.

Look at the former Soviet Union. The Eastern

European countries are now embarking upon and they are now entering into opening up their economic policies as a result of which they are also now in competition with many of the developing countries. Even China has already applied to become a Member of the GATT. Now, in this context, many countries including Brazil, Chile and also Mexico and many other foreign countries, are also becoming Members of the GATT. Now, in this context, we have to evolve a common pattern; and it is no good simply brandishing that Dunkel Text will take away our economic sovereignty. Now, much of this criticism is based upon certain misapprehensions about the correct factual position.

Look at the Dunkel Text in the field of agriculture. In the field of agriculture, so far as domestic subsidies are concerned, there is no restriction; there is no restriction regarding restructuring of the pricing; there is no restriction regarding Public Distribution System which our Government can do according to its own economic planning and according to its own economic objectives. On the other hand, the export subsidy which the industrialised countries very often make is to be reviewed. So, it will be to our advantage because the industrialised countries like the USA and other advanced countries, spend

millions of dollars for export subsidy. So that our agricultural products cannot enter into the arena of competition. Now according to this Dunkel Text what is to be reduced is the export subsidy, not the internal domestic subsidy and not the public distribution system is to be affected. Now in such a case in the long run, our country will be benefited because if these export subsidies are reduced in the industrialised advanced countries, we will have a better market for exporting our agricultural products. I am giving you only one illustration. I am not saying everything is in our favour. In a package deal it has got to be taken as a whole.

Now regarding the textile industry, 30 per cent is our export. But the agreement also has to be abandoned which goes against us. The major criticism, according to me, is regarding the Intellectual Property Rights, particularly the patent right in pharmaceutical and chemical products.

There are seven kinds of rights. Copy Right, Trade Mark, Industrial Secrecy, etc. Now these are not to be affected by this Dunkel Text. What is to be affected and which has the impact on our economy, I feel, is this Intellectual Property Rights in pharmaceutical and chemical products.

Regarding the product patent, formerly the process patent was there, a patent can be given regarding a process of production, process of invention. That will not affect patented product. The new proposal which introduces the patent product may have some difficulty on our economy because pharmaceutical drugs, chemical drugs which are used by the common people and if these patent products are to be patented then the patent holder will have the right to determine the price; the patent holder will have the exclusive monopoly right in manufacturing these types of products. So we have got to examine this.

I am not saying that this proposal has to be accepted in its entirety without any consideration of our national economy. Undoubtedly, Government will be equally concerned, will be seriously concerned about the affect of this proposal, the Dunkel Text, on our economy as a whole. But we cannot say that we must not be a party to it, we may not approve of the entire Dunkel Text and can be allow our economic sovereignty to be thereby affected. Because the international trade, the whole world, the different countries are now opening up their economy and India also has decided to open up its economy consistent and has taken the policy of integrating with the mainstream of international economy and international trade.

What I suggest is that this proposal has to be understood in depth and also its wider impact upon the economy as a whole. For some features we require consideration and our Government has to consider how to balance the interest of the country with the interest of international trade to which we are committed. Therefore, it requires a detailed consideration before the Government can accept it. Wide publicity is to be given to differing texts which the Government is proposing and is considering.

I also accept the suggestion that we must have to keep contact and negotiate with the developing countries. 108 countries are member of the GATT. Nobody is coming out of that proposal. Therefore, we have got to consider it. How far we can have our negotiations with developing countries and join in a common forum for developing the interest and protecting the interest of our country?

Therefore, I would request the Government to consider this proposal in its entirety and give a better publicity so that the

people may not have the apprehension in their minds and consider it from different quarters, particularly the trade interest. The public at large may have to express their views before a final decision is taken. Thank you, Sir.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF SMALL SCALE INDUSTRIES AND AGRO AND RURAL INDUSTRIES) (PROF. P.J. KURIEN): Thank you, Sir. I am not going into the merits of the question at all. Now reacting to the points referred to by the hon. Members, I may say, every point that has been raised will be replied to. But certain technical points have been raised. Firstly, what is the paper which we are discussing?

In fact, hon. Members are aware that this discussion is as a result of the commitment earlier given to the Parliament. The hon. Members wanted a discussion and a commitment was given much earlier during the Budget Session. Therefore, for discussion, to every Member a background paper was supplied and that background paper contains all the aspects of the Dunkel Draft. Of course, the Dunkel Draft, as it is, is a very huge volume. But a summary, a synopsis of what we can have, has already been circulated by the Government. That is one point.

Secondly, it is not as a formality that we are discussing it. We really wanted this discussion as early as possible. You may be aware, that even from the last Budget Session itself we had given notice of this discussion. But due to other preoccupations this House could not take it up. The Business Advisory Committee in its wisdom, did not decide to take up this discussion, and therefore, on the very first day of this session, I sent a notice.

* MR. SPEAKER: Prof. Kurien, it is better you avoid mentioning the Business Advisory Committee.

PROF. P.J. KURIEN: Yes, Sir, thank you. In this session, the notice was sent and we wanted the discussion. That is why at least on this last day we wanted a discussion. And as to why the Government has not mentioned its stand in advance, or why I did not write and so on, that is exactly what I am telling. We want to hear the Members, view before formulating our views, the Government's views. This is the commitment we have given to the House.

Therefore is no point in our saying that this is what we have done. We have not done anything. We have not taken a final view and we are waiting for this. But one thing I would like to caution the hon. Members. There are some hard realities. One hundred and eight countries are members of these Uruguay Round of Talks. They are the contracting parties. None of them are waiting for us and will not wait for us and most developing countries — in my reply I will say— have already concurred with many of these proposals and have even adopted for a packet. Most of the countries have concurred.

So, we have no time. This all my constraint. That is why the Government thought that there should be a discussion even at the late hour and we will formulate our views after listening to the Members.

SHRI BHOGENDRA JHA (Madhubani): ~~What is wrong in~~ referring to a Joint Parliamentary Committee then?

SHRI JASWANT SINGH: I wish to make a submission. I entirely appreciate the view point and the difficulties that have been put forward so ably and so candidly by my friend, the Commerce Minister, Prof. Kurien.

I also understand that what is happening on the 15th of January is to some kind of a dead line for signing the Dunkel Proposals, it is the commencement of the negotiations. If it is the commencement of the negotiations,

on the 15th of January, and if it is a process of consultation that Prof. Kurien and the Government wish to have with the collectively of the House, of the political spectrum of the country, then where is the difficulty in the Government accepting the proposal given by Shri Atal Bihari Vajpayee that let there be a Committee to assist them both in arriving at this viewpoint? It will still be the viewpoint of the entire spectrum of the House and also it will help them in their negotiating.

I am not going to insist that they should do it right away or just now. It is not possible for him to reply straight-away, but he must at least say that he will immediately go and consult the Government in the right forum of the Government. Otherwise this discussion has no meaning.

MR. SPEAKER: Some very good suggestions have been made. But probably they will take some time.

SHRI VISHWANATH PRATAP SINGH (Fatehpur): Sir, you have a rich experience of these matters.

MR. SPEAKER: Not very rich.

SHRI VISHWANATH PRATAP SINGH: The economic future of the country will get committed in a fashion of what we do in these negotiations. There is a time-frame and I know that everybody is not going to wait for us. And on 15th January negotiations will start. It is not the signing date. That is the thing. You know that it will take time. It is not that on that very evening or next morning it is going to be signed. They are very lengthy negotiations and even with all the pressures that may be put — and certainly there will be pressures to rush up everything we know all this — but at the same time, it will take time and as the negotiations develop, what are the options and possibilities? They will also unfold themselves. It is true that the Government cannot say everything. It must

have a mind. It is not so simple. They must have assessed it, what is possible and what is not possible. And that exercise must have been done. It is the difficulty of the Minister that he cannot say everything. It is the difficulty of the Minister that he cannot say everything. We appreciate that he cannot. But it is sensible because it is a very important matter. And if a Committee of the Members of Parliament is formed, then proper feedback will be there and as various options come up, this Committee will help the government also in formulating its position. In this matter. I do not have a set view or anything. You know things happen and a Committee like this will take the country into confidence. I very humbly request you, Sir, that you do ask the Government to agree to this proposal.

SHRI A. CHARLES (Trivandrum): We are not against forming a Committee. But it is a wider forum. This is not on the Agenda.. (Interruptions)

MR. SPEAKER: Please do not respond on behalf of the Government.

SHRI SOMNATH CHATTERJEE: Mr. Speaker, Sir, this is one of the issues on which there is no particular Party view which is being taken. This is a national matter, matter of national concern; not only of our present, not only immediate future but also distant future. Sir, every section of the House, including the Government, say that this is a matter of very great importance and that even till today the Government is supposedly having an open mind. But they say that wish to be guided by the deliberations of the House. But, Sir, can we not admit that we are not in a position to have a meaningful discussion on technical matters like this? It is not a routine matter that I say something off the cuff. There has to be a deeper study. Therefore, the Government can really benefit from the suggestions which the Members will make at an proper forum, a proper setting

and a proper atmosphere. That is why this suggestion has come and we welcome this suggestion. Let us not either divide the House or let us not either try to give an impression that the Government is anxious to avoid certain things. Therefore, in the national interest, when the entire House is together I would implore upon the Government, Sir, through you, to really respond to it favourably. And let a time table be fixed also. Such of the Members who know things and who can devote their time on this will be taking part and day to day sitting can be held during the Christians vacation or early January also. Therefore, this is not a question of anybody scoring any point here. Today every section of the House feels that it is a national matter, a matter of national concern and it should be taken up in that spirit. That is why, we are requesting the Government to accept this proposal. If they have made up their mind on this, it would have been known and we could have responded to that. They say that they have not made up any mind at all. Atleast they do not say that they have made up their mind. Therefore, let us have a proper discussion on this.

SHRIBHOGENDRAJHA (Madhubani): Sir, the discussion has started and it must continue today. Secondly, this discussion should not be taken as conclusive. We have discussed this generally earlier also. So, the discussion should continue. The Government should take into account the views of the Members of Parliament expressed earlier and on this occasions. I think, the Minister may be in difficulty. Let him consult senior Minister or if necessary the Prime Minister and announce today at the end of the discussion about the setting up of a Joint Parliamentary Committee. As comrade Somnath Chatterjee has said, the Committee can have day-to-day sittings and it can arrive at a consensus taking all the aspects into consideration, which would help the Government and the country. This is my submission.

PROF. P.J. KURIEN: Sir, I would perfectly agree that this is a very important matter and the Government needs the advice and suggestion of all the members. But I would like to pose one thing. Please understand the problem. In fact the Uruguay Proud-discussion has started on December 7 and the discussion was going on. Only due to some technical reasons, it has been delayed. As a government, it will be difficult for us to counter other members because when all the other members—all the 108—are agreeing on many of these things, our position will become difficult unless we take our decisions at the correct time and inform them.

SHRI SOMNATH CHATTERJEE: You start the sittings from Monday next.

PROF. P.J. KURIEN: Let me complete. If the Uruguay Round is started again, we have to give it a proper shape. So, if a parliamentary committee as such is formed, then naturally I do not know by what time they can finalise....(*Interruptions*) .Let me complete please. So, I am not able to commit at this point of time and this is not subject on which I can commit on the spot. But this I can say that let the discussion continue and this point also will be considered.

MR. SPEAKER: Nobody is going to postpone the discussion. We are going to have a discussion.

SHRI JASWANT SINGH: One minute, Sir. I do not want to state the obvious over and over again. This is a highly technical subject and, of course, the House must discuss, whether it is technical or not because the House has a right to express its views on important national issues. The point that I am trying to make, and make repeatedly, is that in fact the Government's own hands will be strengthened if they had the support of such a representative body, by whatever name you may call it. If you are shy of calling it a

Joint Parliamentary Committee, do not call it by that name. I am sure, you, with your genius for finding a solution to the problem, will find the right name which will be acceptable to the Government and to the collectively of us also. But I wish to appeal to Shri Kurien that the suggestion which Atalji has given, will, in fact, strengthen his negotiating hand. It is not an obstruction. It is not an inquiry committee. This Committee is not a restriction on the Government's executive action. The Government can continue to take executive action. It will help the Government. It is an admirable suggestion that has been given.

MR. SPEAKER: I think we will continue with the discussion. There is no doubt about it. That is one point. Secondly very good suggestions have been made but I think we should not expect Mr. Kurien and the Government to immediately respond to them. These good suggestions will be considered by them and maybe, if possible, they will respond today or may be even later also. We can take a decision on them. So, we will give them the time to consider this. We will not just burden Mr. Kurien and the Government. But then what the entire House is saying is obvious to them and they will consider it.

[*Translation*]

SHRI RABI RAY (Kendrapada): Mr. Speaker, Sir, the speech of Mr. Kurien put me in a dilemma. The very first thing — whether the meet is to be held on the 6th or on the 15th of the month is itself uncertain. But the current session of Parliament is coming to an end today; it is still uncertain whether any Joint Parliamentary Committee would be set up and by when it would make its recommendations. What situation will emerge before the recommendations are made. It would just not be possible for the Joint Parliamentary Committee to submit its report before February....(*Interruptions*)..... It is, therefore, better if the constitution of a

Parliamentary Committee is declared today itself.

[English]

MR. SPEAKER: We will find a situation to that. But I am not saying that they do it or do not do it. I will leave that to him.

[Translation]

SHRI RABY RAY: If it is not done today, then when will it be done. I wish you please keep it in your mind because if we do not work on war footing, how will we be able to meet the situation. I request you to keep it in your mind.

[English]

MR. SPEAKER: The suggestion is important, the matter is important and the situation is also very urgent. They have to keep everything in mind and then immediately we should not expect any Minister.

(Interruptions)

SHRI SOMNATH CHATTERJEE: He is ready, Sir.

MR. SPEAKER: Are you ready?

PROF. P.J. KURIEN: No, Sir.

[Translation]

SHRI NITISH KUMAR (Barh): This reflects the intention of the Government.

MR. SPEAKER: No, you should not say like that. If you co-operate hands of the Government will be strengthened.

SHRI PRITHVIRAJD. CHAVAN (Karad): Sir, we all agree that this is a very very serious and important issue to be discussed. Actually I myself had really asked for a

parliamentary committee during the July Session. But now we have a different timetable before us. On 1st of March - and that is really the timetable - when the U.S. Congress fast trace that authority expires and the Dunkel drafts has to be completed before that.

18.00 hrs.

I think the forming of a J.P.C. will be a very formal thing. I think the Government should agree to the leaders of all the parties to send representatives who can discuss the subject with the ministers so that a consensus can be arrived at. The time is very short. We want a national consensus on this issue.

MR. SPEAKER: These things have become very obvious and very clear to us. The matter is important, it is urgent. The views have also been very clearly expressed by the Members on certain points. But we should not expect the Minister immediately to respond and if solutions have to be found there will not be a difficulty. But, supposing, they have considered the matter in a different fashion, well, they would certainly like to deal with it in a proper manner so as to take everybody into confidence. Because on such a point it is better to have a view which is acceptable to all sides of the House and all sides of the parties. That would strengthen the Government's hands also. It is likely to be more balanced and in tune with what we should really do and all those things. Keeping this view, I do not think it is necessary to labour this point any more. We can leave it and we can continue with the discussion. Shrimati Malini Bhattacharaya to speak now.

[Translation]

SHRI TARA CHANDA KHANDELWAL (Chandni Chowk): Mr. Speaker, Sir, I simply want to know the duration of this discussion.

MR. SPEAKER: 4 hours.

[English]

SHRIMATIMALINIBHATTACHARAYA (Jadavpur): Mr. Speaker, Sir, from what has been said before this by very senior parliamentarians, it is very obvious what a complicated matter this whole Dunkel Draft is. Even by the sheer size of it it is daunting. If it is like a *Maha Bharat* then we can say that as in *Maha Bharat* we have, many concerns of our life involved, the same thing can be said of this Dunkel Draft. It hardly excludes anything under the sun. And it is this multi-faceted character of the Dunkel Draft which makes it very necessary that the full technical discussion on this point should be made before any decision on this is taken by the Government.

Therefore, while fully agreeing with the suggestion which has been made by some of the hon. Members regarding a J.P.C., I will just make a very few comments on what appears to me to be some of the crucial points of this Dunkel Draft and the Government's 33-page response to it which is the only document that we have received so far from the Government.

It is also to be noted that on this business the view-point of the Government has changed over the years. In fact, in 1989 the Government had said that we have entered into the negotiations into the areas of trade-related intellectual property rights with a clear reservation on the question of the document of the outcome. Our Government had reservations, even in 1989, about the inclusion of the TRIPS, as it is called, within the Dunkel Draft. Subsequently, even in 1991, in the President's Address to both Houses of Parliament, there was a special mention about the need to protect the interest of the developing countries in the GATT negotiations. Subsequently after Mr. Dunkel presented his Draft, which is supposed to incorporate many of the proposals that were made by the developing and over which

there was a great deal of difference of opinion, the initial response of the then Minister Shri Chidambaram was that the Dunkel package is detrimental to India's interests. Subsequently there was a note from the Commerce Ministry which somewhat, I think, minimised the negative aspect of the Dunkel draft and even from this response of the Commerce Ministry, it seems that the position of the Government with regard to the Dunkel draft was changing. Of course, I do not mean to say that the Government in its response has not made any important suggestions as to what changes may still be pressed at the negotiating table. But on the whole the general approach of this 33-page document is so weak-kneel, so vague that we are afraid that without help from the whole of the Parliament, without help from people who know it, the technical people, the Government may in fact lose this battle which they have to conduct and as such, even if there is a deadline. I would say that it is better not to sign the Dunkel draft without knowing what it involves for us and for our future generation. The Minister has said that already quite a few of the developing nations are thinking of agreeing with many of the proposals. They may be under the same sort of pressure that we are under. But if India takes a positive stand at the international forum we believe even today that India can give leadership in thrashing an alternative approach which will be more beneficial for the developing countries.

One Member has spoken of the need for globalisation, the need for internationalism of or economy which is identified with modernisation. Now, it seems that 'internationalisation' is a magic word, as if the word will immediately resolve all the difficulties of the backwardness within our economy. However, as it has been put very succinctly, what the Dunkel draft represents is a globalisation of trade laws for the protection of profit. While the economy of the developing countries is to be opened up here we

remember with shudder what Carla Hills said about the opening of developing world with a cro bar of Super 301. Now we have been spared of Super 301, but Dunkel. I would say, is the other face of Super 301. I would just say here that another hon. Member has said on agriculture that so far as agriculture is concerned, there is no danger that there will be curtailment of subsidies. This is an example of how different approaches can be made on this Dunkel draft and unless we can resolve this discrepancy in our understanding we cannot take a decision — because as far as I have understood the Dunkel draft, maybe I am wrong, but my views are totally opposed to what the hon. Member has said. As a matter of fact, the developing countries are being allowed to maintain subsidies for international and internal freight charges and marketing, but only for the period of implementation. Not only that; they are also bound by the commitment not to introduce new subsidies and this will have serious drawbacks for our exporters if they want to compete in the international market. There can be no competition on that score, because while on the one hand, the countries that wish to export to our country will be able to subsidise their agricultural products, on the other hand, the benefits that our farmers get will be curtailed.

Sir, there is another point so far as the intellectual property right is concerned. On page-33 of the Government document where the Government is making certain points as to what improvements it will seek, the Government talks about TRIPS and special compulsory licensing provision for food and pharmaceuticals. Of course, compulsory licensing provisions is there no. But, if we agree to sign the Paris Convention, the scope of compulsory licensing will be severely curtailed. The Paris Convention most reluctantly admits compulsory licensing. If the patentee justifies his actions by legitimate reasons, it may be replaced. So, if we sign the Paris Convention, our argument about

imposing compulsory licensing will be very much weakened and it will have to be curtailed drastically. Secondly, it has been stated that there has to be a clear commitment that importation will not be regarded as working and that a special provision regarding the primacy of public interests in developing countries will be there. Now, importation is already regarded as working. Even under the existing Patent Laws, illegally, trans-national companies are setting up plants here, leaving them under-utilised and importing patented products from the parent countries at high prices. I can mention only a few companies like Hoffman-la-roche, Burroughs-Wellcome and Pfizer. If this can happen even under the existing Patent Act, such violations of commitment are being made, then once the Act is changed, neither the commitment nor the special provision regarding the primacy of public interests in developing countries will be of any use. It may be pointed out here that this Dunkel Draft makes a differentiation and the kind of leeway the developing countries used to get is being curtailed by making a distinction between the developing countries and the least-developed countries so that India will be deprived of many of the special treatment that it is getting now.

Sir, it has been said that so far as the cross-retaliatory measures are concerned it will not be applicable. However, if the MTO is established, in that case, there will be a super organisations which would control and which would be the ultimate arbitrating agency and since the MTO will be governed by the developed countries, what hope and what assurances have we got that the interests of the developing countries will be maintained? So, this MTO will have actually more power than GATT — the power to authorise trade sanctions against countries which may delay in changing the domestic laws. On all these points, I totally disagree with the points which have been made by the hon. Member on that side. Since such radical difference of opinions

can be there in the House, I think, it is very necessary that there should be a Joint Parliamentary Committee and a consensus must be arrived at through discussion with technical experts before any decision regarding Dunkel draft is taken.

SHRI A. CHARLES (Trivandrum): I am thankful to you for allowing such a discussion on such a vital and important issue. After wasting most of the times on non-issue, it is gratifying to see that such a very important, sensitive issue is taken up for discussion in the House.

There are a lot of differences of opinion on this very important negotiation that has been going on for the last several years. Dramatic changes are happening all over the world in economy and in politics. We cannot get isolated from the global operations. But we have to be very careful how these agreements will effect the posterity and how they will affect our future economic activities also. Divergent opinions are being given.

It is said that if we agree on the Dunkel; Draft, it will result in curbing our economic sovereignty. It will blatantly interfere with or macro and micro economic decision-making and it will frustrate the pursuit of our development priorities. A number of jargons go on like this.

But what exactly is the correct position? There are two area.

Before I mention those two areas, I would also like to request the hon. Minister to clarify one aspect. Trade Related aspects of Intellectual Property Rights (TRIPs) Trade related Investment Measures (TRIMs) and Trade in Services do not usually come under the scope of negotiation of GATT. But unfortunately recently this has become the main issue. I would like to request the hon.

Minister to clarify why this new chapter which was not part of the negotiation for several years has now been brought forward and made a central point.

There are two important areas where the fear is expressed i.e. agricultural sector and then pharmaceuticals. Of course, intellectual property right is the main thing. If my knowledge is correct — I request the hon. Minister to kindly correct if my information is wrong— in the field of agriculture, there may not be any cut in subsidy or giving domestic support price, if we accept the Dunkel Draft. It allows up to 10 per cent of the total output which, at the current rate, works out to about 10 billion dollars. If we accept this Dunkel Draft, the Agreement will operate only up to 10 years. After 10 years, this 10 billion dollars may work out to be 15 billion dollars. At no point of time, this country will be able to give subsidy either in fertilizers or electricity or water supply or seeds in any other form for agriculture more than 15 billion dollars. My point is, under no circumstances, the Dunkel Draft will prevent this country in giving whatever subsidy we want to give to our poor farmers to get remunerative price. It will no affect the public distribution system. Even the farmers are capable of protecting the use of seeds. I want a clarification on this. If this is right, I would like to know why in the agricultural sector, this fear is being expressed without any reason.

MR. SPEAKER: You don't ask question. You tell him what to do.

SHRI A. CHARLES: This is my knowledge of the matter. (Interruptions)

MR. SPEAKER: This discussion is for expressing our views on Dunkel Commission. It is not question and answer.

SHRI A. CHARLES: Doubts will be totally eliminated if my questions are answered.

MR. SPEAKER: Whatever you feel about, you express.

SHRI A. CHARLES: However, I will go by your suggestion.

In respect of pharmaceuticals, I see that there is a fear that the prices of life-saving medicines will go up exorbitantly. But at present whatever preparations are available, whatever medicines are available, they will not be affected. Only about 10 per cent of the future preparations and medicines prepared with new technologies may be affected. Of course, that is also very dangerous. But we have the system of compulsory licensing. We have to respect the changes that are taking place all over the world. If we cannot accept the protection of patent rights, how can we say that we want human rights? After all, this is a developing country. The world is fast changing. We have to adapt ourselves to the changing circumstances.

So, I request that these doubts will have to be clarified and we should give a lead in the GATT negotiations among the developing nations because even though there are about 108 countries, most of the countries are only developing countries. They are also finding it difficult to face the negotiations. As leader of the Third World, I request that our Government should take every initiative in presenting our case and placing our problem, and taking decisions which will not be harmful to us. The discussions will start on the 15th January and they may go on for quite a long time. Under no circumstances, we should surrender any of our interests, may be economic or trade or commerce in any field so that our poor farmers and weaker sections of the society can be benefited.

With these words, I request that this Draft can be carefully gone through and whatever problems are there, they have to be removed and we should not surrender any of our rights.

I also agree with the hon. Members on the other side that we should consider the issue with an open mind to the best interests of the country because this is a national issue. We should stand united. We on this side are unanimous and willing to come to common consensus and to take decisions which will be in the best interests of the country.

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Mr. Speaker, Sir, thank you for giving me an opportunity to say a few words in this very important item.

I share the views expressed by my learned colleagues who have suggested to the Government to take necessary steps to constitute a Committee of Members of both the Houses of Parliament to assist the Government in arriving at a neither and correct decision which we have to take in the GATT negotiations.

As you have directed me to be brief because of lack of time, I would confine my speech mostly to the field of agriculture, the impact of Dunkel Draft text on the field of agriculture.

I feel that there is a concerted effort by the developed countries to pressurise the developing countries and less developed countries, to enable them to continue to have their superiority and their dominating position in the field of marketing of agricultural products. This will have serious repercussions on our Indian agriculture. Just now, my colleague, Shri A Charles has expressed the hope that Dunkel's provision may lead to reduction or the necessity to give up subsidies to the agricultural sector. But there are different view points. It all depends upon the figures we arrive at when we calculate the domestic support that is extended for a particular product. There are different calculations. Some say - though apparently it may appear so because of our difficult balance of payments position or our lower

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per capita income - that immediately the Dunkel proposals relating to reduction of subsidy may not affect our Indian agriculture. But the Government must make it precisely clear in respect of different products such as paddy, wheat, sugar and several other agricultural products to what extent the domestic support will come to be calculated and to what extent the subsidy can either be given or cannot be given. Till now, we are having some edge in the global market because our prices of paddy, prices of wheat are comparatively less than in the world market. If we have enough surplus we will be in a position to export. But already, the Government has reduced the subsidy on fertilizers. I will not go into the details of it now. But we have already come across a position where the consumption has come down, production has come down. Now, we are importing wheat; we are also importing rice now. So, my feeling is that these developed countries are doing precisely one thing to see that their dominate position continues. In this connection, I would like to say that earlier America and Japan have exempted Agriculture from any of these GATT negotiations. Even the European Economic Community also requested that their common agricultural policy should be exempted from these GATT negotiations. Now, the same countries have brought this matter of agriculture also into negotiations.

Sir, in this connection I would like to say one thing. Mr. Senator Bolshwidge of USA sometime back was commenting on the Ronald Reagan's agriculture policy. He said:

"If we do not prevent the competition in the agricultural products from the developing countries now by reducing prices of our agricultural products, we may able to be to retain our place in the global agricultural economy".

They have subsidised to a very huge extent and they are dumping at a very far lesser price over the world thereby putting the developing countries or less-developed countries in a very awkward position. I will quote one example. Nigeria used to import a lot of wheat from the American multinational Company called Cargil. When the Nigerian Government thought that it should ban import of wheat from that multinational company to enable the Nigerian farmers get a better price and achieve self-sufficiency in wheat, the Government of the USA has threatened that it would cross-retaliate by banning the garments that are being exported from Nigeria to the USA. That is how these multinational companies like the Cargil or several other big companies which are doing a lot of business in foodgrains especially from the USA and other European countries are handling nearly 85 per cent of the wheat; they are handling 95 per cent of the corn of these countries. They are very powerful. They are, in fact, getting their purposes served through the American Government or the other Governments. So, in this context, we must be very careful regarding that one.

The other one of which I want to warn the Government is regarding the patent relating to the agricultural sector Till now there is no patenting of the plants or the plant gene. In fact, it is the developing countries especially India and Ceylon and several other countries which have evolved, over a period of centuries, the present races of food and cash crops. They have taken the wild plants from the forests; they have selected the plants and they have cross-bred and evolved these strains. Now those developed countries have spent large sums of money on bio-technology and they want to patent these plants and plant gene. Now the Indian farmer or the farmers of the developing countries will not be in a position to purchase seeds from those multinational companies. Till now it is the precise view with that these plants and plant gene which have been

evolved over centuries and centuries period of time belong to the entire humanity, the human heritage. Developed countries should not be allowed to corner the patent rights putting the developing countries and the farmers of these developing countries in a very precarious position.

Then we will have to pay a very huge royalty. You also know now that the International Rice Research Institute at Manila is doing a commendable work by taking research programme of evolving suitable strains of paddy and other crops which are suitable to different countries because right now there is no such patent rights. There are, to some extent, some right available to the scientists or the inventors who have evolved it. But the farmer has got every right to grow that, to produce and to store also for his future needs. There is no bar of his selling the seed to his neighbour. There is no bar on the scientists to take up the research work in the laboratories. Now if we accept the patent rights of these multinationals, we have to pay a very very huge royalty to those multinationals. Otherwise, these poor farmers of this country cannot face such a situation.

My suggestion is already the country is facing lot of difficult situation. My friend, Shri D.P. Pal spoke about globalisation and internationalisation. Already the country is facing the consequences of adopting these liberalised policies without care, without much safeguards. Now a situation has reached contrary to your expectations. The quantum of imports is increasing like anything but the exports are not increasing like that. As a result of which the balance of payments position is going from bad to worse and in the future days, it is going to be still worse and will make us to depend continuously on the foreign loans. The country is already burdened with rupees two lakh crores of foreign debt and your governmental efforts are going to put much more burden on the

people of this country for the generations to come. The coming generation is going to pay a very heavy price. My request to the Government is that this is such an important matter that do not take a hasty decision. Do not commit yourself to the GATT negotiations and to the Dunkel proposal American people have got every right to say that....(Interruptions)

MR. SPEAKER: You do not have to say all these things. It is known to everyone.

(Interruptions)

SHRI SOBHANADREESWARA RAO VADDE: It is applicable to the people of America. Why should the people of this country have any second position without consent, without approval of this Parliament. The Dunkel Draft should have no bearing on the people of this country and the present Government has no right to play with the interests of the people.

With these words, I thank you very much for giving me an opportunity. I hope, the Government will pay heed to the suggestions of the several hon. Members from the opposition benches.

SHRIP. C. CHACKO (Trichur): Sir, after great strain you could allow some valuable time of this House for such an important discussion. But, unfortunately, the suggestions which have come - I do not want to say that the suggestions have to come with good intentions - have thrown the whole discussion into an anticlimax. This whole discussion came up, once again, because of the suggestion of the opposition parties mainly during the previous discussion which came up before this House on Private Members, Resolutions. As Shri Jaswant Singh had pointed out, there is time pressure on this Government. It is not due to the fault of this Government or of the Minister. There is a time pressure on this subject. We can go out

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of the GATT; we can be independent; we can be isolated. We are free to do that. Shri Kurian had pointed out very categorically that 106 countries who are participating in this Uruguay Round, barring India, almost all of them have agreed either wholly or partly to the proposal which is being discussed there.

Sir, I hope that the Minister will explain the time frame by which this Government has to take a decision. It was suggested that a Joint Parliamentary Committee should be constituted to consider this issue. Shri Jaswant Singh that JPC is a term which this Government do not like. I do not think that that is the view of this Government at all. I wish that the hon. Members who had made the suggestion, at that time when this had come up in the form of discussion on the Private Members' Resolution, have discussed this issue in detail. I would like to say that whether this Government likes it or not is a different matter altogether. What line this Government is going to take on this is a different matter importance. But, at least, the consensus or the opinion of different political parties could have been placed before this Government, had the suggestion come at the appropriate time, from the hon. Members whoa made this suggestion now.

Sir, I want to express my opinion on one or two very important aspects of this subject. In fact, we wanted to hear from some of the very learned Members of the opposition, about their opinions. They have not expressed their opinions and instead, they have asked for the constitution of a Joint Parliamentary Committee. I also had an opportunity to glance through this 400 page report of the Dunkel Draft. If all that has been said about this Dunkel Draft, by Shrimati Malini Bhattacharya and some of the other hon. Members, is true, then no Member or no party will support a proposal such as this of the Government of India, to go and sign it. We have to apply our mind and we have to

come to certain conclusions as to whether these things which are being said is correct or to. I am not an expert but I have glanced through some of the suggestions that were made here.

About the Agriculture, Shri Charles has made a point. The Gross National Product is for 300, billion Out of this one-third is agricultural products which comes to 100 billion. on 10 per cent of the agricultural product, they can give subsidy which comes to Rs. 36,000 crore. Our total subsidy for fertiliser was only Rs. 6,000 crore. Then where is the real danger lurking in this? I am not defending and I am not whitewashing anything. And also, I am not saying what the Government should do.

The thing is that the learned Members of the Opposition said that this Government is going to surrender the economic sovereignty, the political sovereignty and all. They have every right to say that. But, they should also tell and how it is happening.

Sir, three-fourths of the Indian population is depending on the agriculture. I plead with the Minister that this Government has no right to surrender the rights of the farmers for before any multinational arrangement. I am of the opinion that on the question of seeds, on the question of subsidies, the Government cannot do away with this subsidy or the rights of the farmers to use the seed of his choice.

A silent revolution is going on in this country. The farmers are doing their own research. They are producing their own seeds. If the farmers are not in a position to use their own seeds which they are producing, if there is any ban due to this multinational arrangement on the seeds which they are producing. I do not think that this Government will be a party to agree to this part of the Draft.

Due to paucity of time, I do not want to go into the details.

Another most important thing that Shri Vajpayee has mentioned here is about the pharmaceuticals. I do not know whether the hon. Members are aware that this Dunkel proposal here has been agreed to by many countries especially China. I am not saying that if China has agreed to it, we should also agree to it. I am sure that there are countries who *en bloc* - without even going into the details - used to support that. China and the United States - even though China is to a member of GATT - only for months back, in August 1992, have come to bilateral agreement. According to that agreement, 20 years patent rights in the pharmaceutical industry has been accepted by China. I expected that some of the hon. Members who are very much informed about these matters will come before this House and say something. (*Interruptions*) We expected that some sort of a clarification would come out. I am sure that the Government will be there to find out who are our friends, in the 108 countries which are participating in the Uruguay round of negotiations, whom we can support and go with Countries like Mexico, Argentina and some South American countries and also China - even though China is not a member - have taken some position. But may I know whether we are going to have friends? Fortunately, the European Community has taken some definite opinion now. France has come out openly. Let us also find out whether we can have some useful and similar opinion which can be helpful in these negotiations; and we should go in for that.

I am concluding. But in a few minute, I want to say something. Rs. 3900 crores worth of medicines are being sold in India. Out of this Rs. 3900 crores worth of medicines, 90 per cent of the medicines sold in the country are not patented. If that is the case, even as Shri Vajpayee has said, the prices of the drugs are going up. The prices of the 90 per cent of the drugs which are being sold in the country are definitely not going to go up,

the prices of ten per cent of the drugs, the essential drugs, are likely to go up. So, we are not for it; we should not agree to this sir, we are not prepared to go into the merit of the question. The very same people who wanted a discussion and who said that this is such a serious matter - we agree that it is a serious matter - they did not go into the details of this. I am really sorry about the way in which the whole discussion has been brought to this stage.

My request to the hon. Minister is this. I have seen something which is very much detrimental to the export of Indian textiles. We should not agree to that. 30 per cent of the Indian export is in textiles. Anything in the multinational arrangement which restricts and which is disadvantageous to our textile exports, we should not allow. Like that, in the pharmaceuticals industry, in the agricultural sector, wherever it is against the interest of the average Indian, wherever it goes against the Indian interest, we should not agree to that. But the experiment of opening up of the Indian economy and our efforts to integrate our economy - whatever our friends may say - is being appreciated not only in India, but also all over the world. So, this experiment has to go on. We cannot isolate ourselves from the world.

In the East European countries and in the erstwhile a Republic of the Soviet Union - the Republics - what are the changes that are taking place? Can we close our eyes to what is happening there? In view of the changes which are taking place in the world, we cannot isolate ourselves from them. (*Interruptions*) Throw away Dunkel or boycott GATT — this sort of an approach may not help us. We have to analyse the whole question in its merit and decide what line we have to take, what line we have to pursue. Who are our enemies at the negotiating table of the 106 countries participating in Uruguay rounds the merit of the issue, on the basis of the benefits, we have to decide. How can we

[Sh. Sobhanadreeswara Rao Vadde]

make maximum benefit out of these negotiations, that line of approach we have to take. For any issue, we have a solution and that is to dodge the issue or delay the issue. The pressure of time on the Government is there, because it is an international discussion. So, the Government may be kindly helped to solve these problems. Prof. Kurien has come out very openly and said that he has an open mind. We want to take an opinion. But where is the opinion? Let the parties come forward with concrete opinions. The Government has given you the assurance that we will act on the opinion of this House—at least on the consensus. Opinions are not for the coming. These are not certain things which we can discuss in our party forum and come here and keep silent.

I want that anything which goes against the interests of the country should not be agreed to. But, at the same time, there should be constructive participation in this international discussion which is going to be very import on the part of the Government. Media or the Government are not attaching any importance to this issue. We have been expelled and we have been castigated at the international level. In this situation, I think the government might have felt these things and it might have been afraid of all these things. We are now certainly a developed country. We are not certainly a developed country or say to so, a semi-developed country. Hence, we have to suffer much. I would cite some examples. I was then a Member of this House when the Government, after considerable thought passe the Patent Act in 1973 which is about the process and not about the products. I would further like to cite examples — our scientists have developed hundreds of varieties of seeds. The Potato Research Institute has developed a new variety of seed. Now 100 gram of this potato seed will be sown in three square metre of land which can again be sown in two and a

half acre of land. That is to say potato seeds worth crores of rupees may now be saved from getting rotten. Similarly, new bamboo-seed has been developed which may be sown as paddy supplings are sown. Now if we accept the Dunkel Proposals of America this will impose ban on our yield itself. Patent will not be there for process. Potato will be produced through various processes. Fruits will be grown through new process. The variety of potato being developed in the country will be banned. The American Congress has termed us as patent thief. I am not going into that dispute but this is a serious matter. If a country like India with a population of 90 crore marches ahead in the field of seed, medicine, agriculture and industry through latest technology, it may prove dangerous to America. That is why we are termed as patent thief. Mr. Speaker, Sir, as our hon. Minister has said and none of us says that we should alienate ourselves from the world but India should adopt firm attitude. China is our prominent neighbour and it is also an important country of the world. We should cooperate with it. We should also cooperate with Arab countries as well as South-East Asian countries. We should frame our policy in a way that the U.S.A., which burns wheat and gives grants for burning it if it does not sell at the prescribed price, may not burn wheat. Also, we should raise the matter in the UN Human Rights Commission as by burning wheat, the U.S.A. violates human rights. Crores of people are dying of starvation, yet, grants are being given to capitalist farmers for burning wheat crop. It should nto be allowed to happen. A number of seminars on patent, agriculture, medicine and industry have been held by our scientists. This will lead to imposition of restriction in every field, Neo-colonialism of each and every field like industry, agriculture and medicine is gradually taking practical shape. If we accept the proposal, it restricts our economic freedom too. That is why we are saying that today all of our efforts for Swedeshi, self-reliance and development

are being jeopardised, I request the hon. Minister to think over this matter and take it seriously. A joint committee of both Houses may be constituted keeping in view the national interests and current situation of the world. Its meeting should be convened every day without any interruption as India is not a backward country. India should march ahead taking the developed countries of the world with it. Whatever competition would be there with America, we are ready to compete. There are no two opinions on this that we will not cooperate with America. If India is to survive in the world, a joint committee may be constituted. With these words, I conclude. This proposal is not acceptable to us.

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, it is very unfortunate that the Central Government has not framed any policy with regard to Dunkel Draft as yet. The way the Ministry of Commerce is functioning shows that Government has not issued any guidelines to it because a team of the Ministry of Commerce had recently attended the talk where this fact came to light.

Mr. Speaker, Sir since no time is left to go into details of the matter, I would like to draw the attention of the Government to agriculture under the Dunkel Draft. It will have serious repercussions in the field of agriculture. The patent law will cause serious set-back to agriculture. At present the Indian Council of Agricultural Research is doing a commendable job in the field of developing advanced quality of seeds. After signing the proposal, seeds of improved quality will be imported from foreign countries and multi-national companies will start selling such seed. They will advertise their product in such a way that our Indian Council of Agricultural Research will have to stop its work and our scientists working in this field will be rendered jobless. The most dangerous aspect of it is that there will be patent for living objects. While patent is not done for any

living object at present. But then there will be a patent for a living object in the form of development of gene. In fact America has never produced food grains. The countries which are called developing countries the countries, of Asia and Africa are producing food grains. If patent is to be made, this right should be given to India and to the countries of Asia and Africa. It should not be that a particular country may develop a particular type of gene and then goes for its patent and then introduce that improved quality of seeds in the market. Another dangerous aspect of this proposal is that when a farmer purchases such seed and when the crop is harvested and if he wants to save such seed for future use, he cannot do so as Super-301 will come in the way as a measure of cross relation by America.

If an Indian farmer brings seed from multi-national company, sows it and when the crop is harvested and if wants to store seed thus produced, he will be prosecuted under section 301 by the Government of India. It means that the agents of multi-nationals working here will report about such storage and the police inspector will arrest the farmer at the behest of the Government of India, any State Government. How horrifying the situation will be! Imagine what sort of resentment will be there throughout the country. It is beyond imagination.

It is a matter of great concern that the work is being done in *ad hoc* manner. We have *ad hoc* Minister of Commerce. He has not been given full charge of the Ministry of Commerce. Earlier Shri Chidambaram was performing this assignment. We are the members of the Consultative Committee of the Ministry of commerce. We raised this issue at the meeting.

Secondly, a Private Members' Resolution was introduced in the House on which detailed discussions continued for many days together. Though Shri

[Sh. Nitish Kumar]

Chidambarma is capable in presenting even a donkey as a horse, it was his misfortune that he had to go due to scam.

In the end, I would like to draw your attention to one important thing and which is *ad hoc* thinking. It will create a serious situation. It is a matter of subsidy. We cannot provide subsidy to our farmers. It is a matter of import of 3.3 per cent of our essential items. Recently this Government has imported wheat and now it is going to import rice. All these works are being done under the Dunkel proposal. From that very day the Dunkel proposal should have been taken as enforced. From the proposed import of rice it seems that the Dunkel proposals have been enforced in the country. All of a sudden, we will come to know one day that Mr. Dunkel has occupied the chair of the Prime Minister. Such situation is likely to emerge in the country.

Mr. Speaker, Sir, through you I would like to warn the Government that if the intension of the Government is good, there is certainly a need to take firm steps with a strong will. Every Member of this House whether he belongs to this side or that side is against the law of patent. There is consensus on this issue. So, the Government should take firm steps. The entire House is with you. But there is the question of will. If the Government has already made up its mind, then the posterity and this country will suffer invariably. If any document will go down in history as a document to enslave the country, it will be the Dunkel Draft. It is a black document and we oppose it tooth and nail.

Through you, I would like to request the Government to show some courage for the sake of God.

Mr. Speaker, Sir, lastly I would like to submit that the Government has since not explained its opinion. At the GATT

negotiations, which are going on, every country has placed its opinion stating that it has one or the other compulsion and the problem, so it cannot accept the proposal. But this Government has not explained any opinion so far about Patent Law and patent of gene. There is also a matter with regard to subsidy in agriculture sector and a matter relating to a particular percentage of import. Through you, I would like to request the Government to take firm steps in this direction so that the country could not be enslaved again. Mr. Speaker, Sir, with these words I thank you for giving me an opportunity to speak in my personal capacity.

MR. SPEAKER: No, no please.

[English]

19.00 hrs

SHRI PRITHVIRAJ D. CHAVAN: Sir, this eighth round of GATT which is known as Uruguay Round is more than six years old. Its conclusion which looked uncertain is now not so uncertain due to the resolution of the US-EEC differences.

There is no doubt that the Dunkel proposal by the Director-General of GATT in April, 1989, which is the draft final agreement, has raised concerns throughout the third world, particularly in India. The debate which is going on today, the debate which was there through Private Members Resolution and also outside Parliament, has focussed the issue very clearly. But, Unfortunately, the debate has not touched any substantive issue.

There have been lot of concerns expressed about the agricultural policy; about the TRIPS area. But the substantive issue of our debate is can we afford to walk out of the GATT today?

Sir, in the GATT, there are 108

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contracting parties. They have been discussing this for the last six years. It is wrong to say that India has not put forward its opinion. India has been negotiating very hard for the last six years.

Only in April, 1989, after, all the negotiations and taking into account the views of 108 contracting parties, a draft agreement was put forward by Arthur Dunkel.

The issue-whether it is a take it or leave it document is also open. Instead of criticising the Government, we must realise that it is a national problem and I am sure there is a unanimity on that. It is a part of the warfare waged by the West. But, we cannot discuss the Dunkel Draft or the Uruguay Round in isolation. We have to look at the international economic situation today.

Sir, after the collapse of the Soviet Union, US hegemony is a fact of life. The whole world is worried about the abridgement of sovereignty as witnessed by the formation of various trade blocks. Even the Masstricht Treaty, where European countries are coming together, almost 50 percent people are voting against the abridgement of sovereignty. But even then 12 nations of Europe have come together into a common market and have agreed to give up a part of their sovereignty. Even USA has formed a common market with Canada and Mexico viz. North American Free Trade Association (NAFTA). There is ASEAN. There is LAFTA for Latin American countries. Every time an international treaty is signed, it reduces the independence of decision making and it curtails absolute sovereignty. Today, the US strategy is to consolidate its hegemony. It is using international for to get what they want and instead of confronting the United Nations, they are now using the United Nations' forum to sanitise their role as a world policeman. We have seen it in Gulf war and we are now seeing it in Somalia.

Today, the power flows not from the barrel of the gun but from the economic strength, technological superiority and trade weight.

What is the genesis of the eighth round or Uruguay Round negotiations? It is nothing but the pressure from the MNC's who need free movement of goods, services, capital, technology and information to create a larger economic space.

The adversary is the West, particularly, the United States. When we negotiate, with them, it is necessary to note what are their priorities; what are their strengths and weaknesses. There is a deep recession in the West. There is massive unemployment in the West. Their national agenda is 'jobs, jobs and jobs. The US elections were not decided on the basis of the Gulf victory but on the restructuring of the economy. Even Mr. Yeltsin has called President-elect Bill Clinton "too much of a socialist."

The western world perceives that the expansion of world trade is the only way to get out of the recession. That is why they are pressing for the conclusion of the Uruguay Round. US is using the carrot and the tick approach. What is the Carrot? Carrot is the GSP (Generalised System of Preferences), which is a bounty given to the developing countries by the developed countries. And it is used very selectively to bring everybody in line. This was brought in with the second UNCTAD Round in Delhi. They also use various USAID disbursements preferences in order to bring the third world countries to their point of view. And what is the Stick? Stick is and we all know, this Section 301 of the USA Trade and Competitiveness Act, which has been selectively used by United States to conclude many bilateral agreements.

The US is using its economic might to use the Crowbar of Section 301 power to

prise open world markets. Now the question is has 301 worked? Unfortunately it has worked. The examples of use of the Section 301 are many. China has changed its Patent Law in bilateral negotiations. Argentina has also agreed to review pharmaceutical patents. There was a big dispute with Japan. Japan has agreed on Super Computers. It has agreed to buy a satellite from the US; it has agreed for protection on sound recording so it has opened the telecommunication market. All under Super 301.

There are many examples. Norway has opened up Government Procurement. Canada has removed restrictions on unprocessed fish. Korea has removed restrictions on beef export.

These bilateral pressures from America can not be resisted by individual countries; and it is because of this reason that we need a rule based multilateral arrangement like GATT. And therefore we cannot walk away from GATT. So, what we have to do is to try to extract the maximum benefit and limit the damage. It is give and take it is a negotiation. If we get something, we will have to give up something. Now, our role has got to be to give up the least. We cannot walk away from GATT because we will have to go into hundreds of bilateral protocols and we have to suffer under unilateral action by USA.

Therefore, I would really request that the debate to be focused not on what a particular Minister is doing or what our Commerce Ministry note says and all that. Do we have choice? Do we have a choice of walking away from GATT? There have been suggestions made that why don't you try a unity of the third world countries? Why don't you talk to Pakistan? Why don't you talk to China? Everybody has settled separately. And as the Minister said in beginning, many countries have agreed to most of the provisions. Nobody, including the United States and EC, is agreeing to everything.

Everybody is giving in a little bit.

What are the areas of concern? We have all agreed and I have attended many meetings of the multi-party groups which have discussed this and we all agree that there are areas of concern in Agriculture. While on the one hand, there is a possibility of a very tight markets of Europe opening up for our export, on the other hand, there is a problem of giving up the decision of subsidy, internal support. And also on the IPR issue, there are, under the Plant Breeders Rights about seeds and patents for life forms. These are the real issues.

The second area of concern is about clothing and textiles. We have got major concessions in the sense that MFA being given up. And textile trade is being brought under GATT. But our problem is the Time frame. The time within which the integration should take place is not quick. Sir, there is not going to be any integration till year 2000, that is where we need to negotiate. This is absolutely a serious problem.

On Intellectuals Property Rights-Americans are really playing very unfair with us. The role of WIFO World Intellectuals Property Organisation, which is a real body under the United Nations auspices, which should really be dealing with this age. It is being negated; and the whole issue has been brought under GATT. This is the American policy.

Japan had a similar patent law like ours till 1977. Japan did not allow trade marks till recently. If they had given in, could Japan have progressed? We accept the fact that research and development has to be compensated. Nobody denies that. But we have also to take into account the concept of stage of development. India's stage of development, is what America was 100 years back, Germany was some years back. Then they had similar patent laws.

Our patent law is very progressive. After thorough debate in two parliamentary Committees this one of the most progressive pieces of legislation has been enacted in 1970.

Now if TRIPS Agreement wants our patent law to be totally over-hauled in a wholesale way there will be legal problems, there will be constitutional difficulties, there are possibilities that it may be thrown out by the courts. We have to resist the pressure on the TRIPS.

On the investment measures area also, there are problems like export obligations, local contents, restriction of equity and field of operation. All these are being sought to be done away with. It is also a clear cut pressure from the MNCs, which has to be resisted.

On services, the world services market is about \$ 810 billion which is 19 per cent of the total world trade. India has a strength in services area. We have a lot of intellectual labour is available. Services area is being brought under GATT for the first time. We did not get what we wanted particularly regarding mobility of labour right for an Indian citizen to go and work in America, Japan and England is still going to be restricted by bilateral visa agreement, etc. We want to get-over the problem.

In GATT Rules are also there and there are problems about stage of development. We all agree that these are problems. I will just refer to the Time-Table. The Time, Table is very critical. On 1st of March next year the US Congress authority to the Executive will expire. That means, the whole issue of GATT will go back to the US Congress. That is why there is a pressure to conclude the Uruguay Round before 1st March. If it is possible for India and the third world countries which are affected alike, it will be in our interest to delay the round so that it is not

concluded before 1st march. Another important, date of course, is 20th January when the new US President takes over.

Sir, finally, what we should really ask is, what can the Government do and what can the Parliament do. Now The debate should really focussing on these two areas. There is no point in criticising is.....
(Interruptions).....

That is why, Sir, I personally consider that it is as important an issue as being attacked by China or Pakistan, and the economic sovereignty of not only India but the entire third world countries will be in question. There has to be unanimity.

According to me, what the parliament can do is that we must give a clear negotiating mandate to our negotiating team. We have sent some people out but still there is need to send a stronger team of very seasoned trade diplomats to Geneva. It is known that the US team consists of top economists from 60 top US companies, top economists and business men of USA. Is our team equal to that? The negotiating procedure in Geneva is highly unfair which is known as the Green Room Consultations.

In the Conference Room of Mr. Arthur Dunkel, certain countries are called. It is not everybody and it is certainly not one country one vote. It is not a democratic procedure. But it entirely depends on the trade weight. Some very selective western countries are called. Then they close the door and negotiate and they cannot be supported by others. We are not supposed to know what our other friends would be doing. It is very unfair kind of a negotiating arrangement. But it is a fact of life.

What we must specifically ask our negotiating team that there must be a formal separation of areas, particularly areas of agriculture, TRIPS and TRIMS which were

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brought into this Round for the first time. It was never the concern of GATT earlier. They should be separated from the trading in goods. I think it would be possible to separate these areas and delay all these other agreements little longer so that we get little more time.

We must try for agreement with the third world countries for formal separation from the areas.

Sir, no single protocol should be signed, but separate treaties should be signed so that we can have some negotiations.

Next is, we must agree, we must force the GATT Secretariat to re-open the area of textiles and clothing, particularly the multi fibre agreement. Also TRIPS must go back to WIPO, the World Intellectual Property Organisation, a Paris-based Organisation and it should not remain with GATT. I think there is an agreement possible on this area also.

Finally, if we have to conclude the Round, I think we should bargain and get some of these areas out of it and then only we should agree to conclude the Round by March 1st. It was done in Tokyo Round. It is possible to delete some areas even now. If we all work together, the entire Third World works together, I think it is possible.

The next point is, we must not accept this cross retaliation under any circumstances. The American right to cross retaliate, to take unilateral action under Section 301, should not be accepted by GATT. Again, here also, I am told that there will be a much larger understanding between the Third World countries.

Now comes the last and very important point. If we have to sign and I have no doubt that we will be pressurised, whatever the

Minister says, whatever the Government says, we will be pressurised to sign; we cannot walk away from it, we have to sign. It may be signed under what is known as the "Best Endeavour" clause which brings me to the very important point and that is the role of Parliament. What can Parliament do? Today, Parliament has no role in international treaties. Therefore there is no reserve position. Supposing our diplomat signs the Dunkel Draft or the GATT agreement, we cannot come back and say "Look, my Parliament does not accept it" Because, there is no provision in our Constitution for international treaties to be ratified or approved by Parliament. This reserve position actually strengthens the negotiating position of our team. We do not have that. There is no mandatory procedure, there is no procedural formality that a treaty or agreement has to be approved of or ratified by Parliament. And, therefore, the Agreement will be irreversible by Parliament. Therefore, what can be done even at this late stage is that all parties can get together and give — rather Parliament should take — an authority to ratify the international treaties. This can be done because we have the legislative competence to do it under Entry 14 of List I of the Seventh Schedule to the Constitution. We Can legislate. Therefore, if that happens, the negotiator can only sign under this "Best Endeavour" Clause.

So that we can have at least, the option of not accepting it. Even if the diplomats and bureaucrats sign it in Geneva, we can and say that parliament does not accept it. That works out as a reserve position. This is what is going on with Maastricht Treaty, and with the U.S. Fast Track authority passed by the Congress. Many other parliaments, other legislatures have the authority to ratify, except this parliament. We have to clearly debate this issue.

There is one other area. In order to stand up to G-7 or the developed countries,

the NAM is not the forum any longer. Neither is the G-77 which has become a big crowd. The only forum that we can concentrate to confront the G-7 or the U.S. is the G-15. Unfortunately due to the happenings in Ayodhya the Prime Minister had to rush back from Senegal. The Senegal Summit of G-15 could not really devote much attention to the GATT area. That is today the only form where there is some consensus and we can really confront the West. I think everything is not lost. We can still confront the West and make them accept our position.

Finally, there is a demand that there has to be a full-time person looking after the Commerce Ministry. I fully support that. Today the Commerce Ministry is a very important Ministry. It has to be given as a full-time charge, to somebody.

MR. SPEAKER: Please conclude now. Shri Santosh Kumar Gangwar.

SHRIMATIMALINI BHATTACHARAYA: There are various proposals made by Shri Prithviraj D. Chavan. Only if these changes are accepted then the Dunkel Draft will not remain the Dunkel Draft.

[Translation]

SHRI SANTOSH KUMAR GANGWAR (Bareilly): Mr. Speaker, Sir, there is nothing more to speak on this issue. I feel that a lot of time has passed since private resolution was introduced and at that time the Government had said that the detailed discussion would be held on this issue. But it seems that at that time only this Government had taken it granted that we would certainly sign the proposal and now also the proposal sent by the Government has not been prepared with full honesty and seriousness.....

MR. SPEAKER: Mr. Gangwar, the question before us is of self-reliance or inter-

dependence and opinion of all the hon. Members is required on that issue. Now what is the use of criticising the party?

SHRI SANTOSH KUMAR GANGWAR: I am not criticising. Draft of a Proposal has been given to us.

MR. SPEAKER: Now come to the point. Kindly tell what is your view.

[English]

Please come to the point.

(Interruptions)

[Translation]

SHRI SANTOSH KUMAR GANGWAR: I would like to say when we have decided that we.....

MR. SPEAKER: Nobody has taken any decision. The decision will be taken after hearing your views.

SHRI SANTOSH KUMAR GANGWAR: We are internationalising the decisions on domestic matters. It should be discussed. This draft is prepared only for some selected countries. India is a developing nation and it seems that India will be affected the most. I would not like to go into details in this regard. Some points of this draft are very clear. American banks are facing serious crisis and they require market. India has a market in America, where people belonging to middle class are more than 15-20 crores and who can become market for them. If we pay attention in this direction, we would find that certainly a danger lies ahead. It is true that whatever may be the position of country in the field of medicine during the last two decades but last year's data show that we have exported medicines worth more than Rs. 40 crore and in the coming years the situation will be favourable for us. I had been

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attached to Agricultural Research Institute and this issue has been discussed time and again but everything it seemed that our scientists are being suppressed. If we go to the rural areas we find that proper information has not been provided in the rural areas. We are unable to know as to what is the reality. The rural people do not know that what sort of seeds are required for different types of land and soil in the villages and they can't use that seed. If we can't use the seed next time then how can we proceed in this direction.

I would like to say one thing about this draft that it should not be accepted in full. In this regard discussion should take place and for it, we should keep it in our mind that our's is an agricultural country and if we accept this proposal 75% of our farmers will reach on the verge of poverty. Therefore, a serious discussion should take place on it.

I would not like to go into detail but I would like to say that it should be ascertained that as to how long this Government will remain in power and all the parties should discuss by sitting together that as to what will be the future of the country only then we should take any decision. With these words I conclude and thank you for giving me time to speak.

[English]

SHRI SHRAVAN KUMAR PATEL (Jabalpur): Respected Speaker, Sir, in the first place I would like to congratulate my colleague Shri Prithviraj D. Chavan for his very eloquent speech on the Dunkel text. He has covered practically the entire aspect of the text. So, instead of repeating the whole thing, perhaps it would be better for me to put in right perspectives the circumstances which are prevalent in our country.

Sir, since times immemorial, I personally

feel that there has been two major events in the history of mankind which has completely changed the very perception and the very values of human being. When the half civilised nomad man discovered agriculture, he took to a place.....

MR. SPEAKER: Please do not take us to pre-historical periods. There is no time for such discussion. Please come to the point on Dunkel text. Please do not take up historical points.

SHRI SHRAVAN KUMAR PATEL: All that I want to say is that it would be foolishly heroic to suggest that we should not negotiate on the basis of Dunkel text. And those who suggest that we opt out of GATT should look at the deal of China, which is not a member of GATT. Despite this fact, China, unlike us, has surplus balance of payment and it is not faced with foreign exchange crisis. With the disintegration of the Soviet Union, the newly formed States are also opening up economy. A country like China has decided and it is trying its level best to join GATT. So, I personally feel that we should keep on negotiating. India cannot and will never compromise with its sovereignty. I personally feel that so far as Dunkel text is concerned, we must continue to negotiate and we must try to strike a deal which is in the best interests of the country.

[Translation]

SHRI VIRENDRA SINGH (Mirzapur): Mr. Speaker, Sir, I will take very little time. Mr. Speaker, Sir, when we remember the days of India's slavery the name of East India Company haunts our memories. Similarity when we discuss Dunkel Drafts then it seems whether India will again become a slave. We are concerned about it because we are farmers and live in villages, therefore, when people living in villages discuss this proposal, then we feel very scared that we would again become a slave.

Mr. Speaker, Sir, foreign companies have been entered in agriculture sector. There are beliefs that our country was already a developed country in the field of agriculture. It has been written in the history. Three thousand varieties of paddy are found in India but now they all are becoming extinct now. I have not gone through Dunkel Drafts in detail but I know the points of Dunkel Draft regarding agriculture and would like to tell about the same that there were three thousand varieties of paddy in India and according to Dunkel Drafts paddy and varieties of seeds will be imported from abroad and they will inspire the farmer for the cultivation of these seeds. It will be a great conspiracy to enslave the villages.

Mr. Speaker, Sir, it is said that once India was very rich in the field of Dairy products. Even today farmer of India is skilled in dairy farming but you will be surprised to know that multinational companies have entered in India with strong commercial purposes. As a result the farmer is lagging behind day by day in dairy farming. This is the very dangerous aspect of Dunkel Draft. During the days of freedom struggle Babu ji said about indigenous and self-reliance and our colleagues of Congress party talk very much about Babuji but they do not remember that Babu had fought such a great fight on the basis of 'Swadeshi' and 'Swavalamban' and liberated the country from the British's. Babu said about cottage industry and small industry but the Dunkel proposal.....
(*Interruptions*)

Mr. Speaker, Sir, I shall conclude within a few minutes. Cottage industries and small industries in the villages are also effected. Earlier the black-smith in the villages used to make spade and khurpi and provide it to the farmers now they are being made by the multi-national companies in India and it is being given much publicity through T.V., newspapers and magazines. Now the farmers do not purchase spade and khurpi from the

black-smith of their own village rather they purchase a spade made by the multi-national company and they feel proud on this that they also use equipments made by big companies.... (*Interruptions*)

MR. SPEAKER: Virendra Singh ji, you have already said Please discuss Dunkel proposals keeping self-reliance in mind.

(*Interruptions*)

SHRI VIRENDRA SINGH: I will conclude within one minute... (*Interruptions*)

MR. SPEAKER: Please tell your point.

(*Interruptions*)

SHRI VIRENDRA SINGH: How this agriculture sector is being affected.
(*Interruptions*)

MR. SPEAKER: You are quite right. We have to balance both the self-reliance and inter-dependence.

SHRI VIRENDRA SINGH: I have to tell about problems of agriculture and farmers and I am saying that it is the farmer and poor who has been most hit by these proposals. Therefore, to save India, villages and agriculture sector from slavery these proposals should be discussed for improvement by a Parliamentary Committee. I welcome your assurance.....(*Interruptions*)

The assurance given by the Government through you will bring some improvement.
(*Interruptions*)

MR. SPEAKER: In the end you are adopting another style of speaking....(*Interruptions*)

SHRI VIRENDRA SINGH: Yes, I would like that to save India from slavery these proposals should be reconsidered and some amendment should be introduced.

[Sh. Virendra Singh Kumar]

Our Minister of Agriculture is present here. He is very much concerned for the agriculture as well as for the farmers. Keeping in view his concern for agriculture. I hope that he would certainly make some improvements in it.

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur): Mr. Speaker, Sir, I would like to thank you for providing me an opportunity to speak at last.

MR. SPEAKER: Do not get annoyed because the speech of the members who speak in the last is considered to be very important. Therefore, do not get annoyed.

SHRI DEVENDRA PRASAD YADAV: Mr. Speaker, Sir today, an issue of public importance is being discussed in the House. This is a question of national interest. Mr. Speaker, Sir, the present and future of the country are likely to be in danger due to this Dunkel proposal. The Dunkel proposal is a draft of establishing market empire. Not only this, the autonomy of the Government will also be but in danger due to these proposals. It will also endanger the economic sovereignty of the country. It will make the crores of farmers as the slave of the multi-national companies. The Dunkel proposal will have an adverse affect on the economic condition of the farmers.

Mr. Speaker, Sir, there are two objectives of this proposal, one has immediate and another has far-reaching consequences. The immediate ones are the increase in foreign trade, and the obligatory import of agricultural produce and the far reaching consequences are the set back to the self-sufficiency and indigenous products or industries and the increase in unemployment and the ruination of the small scale industries. That is why, I say that the Dunkel proposal has causes harm to the interests of crores of farmers of

this country and the implementation of this proposal will further add to the miseries of crores of farmers. Not only this, this Dunkel may even dictate the Government of India.

Mr. Speaker, Sir, you have provided me an opportunity to speak on this proposal, I would take some more time to present my point of view.

Mr. Speaker, Sir through this proposal agriculture in undeveloped countries will be destroyed and the farmers will be made slave of multi-national companies. We, the farmers will have to use the imported seeds in the name of the improved seeds. The seeds, which will have a stamp of America, will be used here. The seeds, which we have been using traditionally for the thousands of years, will not be allowed to use and only improved seeds will be used here under the directions of the foreign countries.

Mr. Speaker, Sir, why this agreement is being discussed here. It is for the very first time that trade in agriculture is being discussed here. Since 1947 to 1986 such an emphasis has never been given on agriculture as is being given today. They are giving more stress on agriculture because the foreign powers want to enslave the farmer community, which constitutes nearly 70-80 percent of our population and is a backbone of the country. This Community has never been touched before and the foreign countries have also not succeeded in enslaving them. The developed nations of Europe and America give much stress on agriculture. They have also made much progress in this field with the Government help. They have agricultural produce in abundance thus there is a need to export the same to the undeveloped third world countries. That is why they are laying so much so emphasis on agriculture in "GATT".

Mr. Speaker, Sir, in this way the developed nations are facing a problem with

regard to selling their agricultural produce, that is why they are in search of open markets in third world countries. but what is the problem of India, who is a country of the third world. It is facing a problem of development. There is a problem of providing employment to raise the living standard of the 70 percent of the population which depends on agriculture. Therefore, the tussle is between trade and development and trade and employment. I look upon the Dunkel proposal with this angle.

The aim of developed countries is to trade and the aim of third world countries is to remove unemployment to raise the living standard of the people by providing employment. As other hon. Members also have to speak. I would so speak in nut-shell about the impacts of Dunkel's proposal on agriculture. It is going to have three sided effects. Today, they are saying that they would provide support price, but after this agreement they will not be able to give it to the farmers. This is the begining of the Dunkel proposal. Secondly, Public Distribution System would have to be wound up and thirdly the subsidy would have to be withdrawn. They have taken initiatives in these directions on experimental basis and its practical aspect will soon come to notice. It would stop the development process and the trading would begin. Thus they are trying to stop all welfare activities relating to farmers. It would worsen the condition in the rural areas and aggravate the economic burden on the weaken section of the society. This is a sort of attack on the farmers, who are the backbone of the country. We are going to be dependent economically on foreign powers.

Mr. Speaker, Sir, this is a matter of great *agony and concern*. The development of the country is going to be stalled by the Dunkel proposal. There is another aspect of this proposal which is called the marketing Access. The first aspect was to stop subsidy and support price and ruining the Public

Distribution System. What is this all? My learned colleagues are sitting here, so far as I am concerned, I come from a village background but under marketing Access it would become obligatory for the country to import the agricultural produces. Be it in the interest of the country or not but the import of agricultural produces from the foreign countries would be made obligatory. The second aspect of this evil is Oriented Market Access and the third aspect is Minimum Market Access.

Mr. Speaker, Sir, this way the country is going to face very dangerous situation. It will not only increase the unemployment but also ruin the small scale industries. The small scale industries would become capital based ndustry. They wish to make agriculture a capital based venture. The labour will lose its importance and capital would gain importance. Big machines and small machines would be used. The pilot who fly aeroplanes get a salary of Rs. 5000 to Rs. 10,000 but the one who is working on a small machine, who is a rickshaw puller gets just Rs. 10. But the persons who operate delicate machines would earn an income of Rs. 10, 000. In the olden times a person used to travel on elephant and another person used to walk along beside the elephant.

The difference was only of seven feet. It means the economic disparity was also of seven feet. Today one person has means of traveling by aeroplane which flies at the height of 25,000 feet and other does not have such means, this is economic disparity. Due to this economic disparity A.K. 47 is being used and violence is breaking out and social disparity s increasing. When micro-machine is introduced., it will lead to social disparity. It will increase violence and then the Government will resort to oppressive measures. Thereafter the Dunkel proposal will damage the structure of democracy. It means the entire democratic system will come to an end. It is just a rehearsal and

[Sh. Devendra Prasad Yadav]

hence a medium to disintegrate the country. I have strong objection to it and I request that the matter may be referred to J.P.C. It should not be passed hurriedly and without giving it a thinking. In the name of intellectual property, the entire control over seed will remain in the hands of multi-national companies which will have complete monopoly over it. It has become amply clear from it that the farmer will have no control over seed and on the other hand multinationals will have monopoly. At present, there is an agreement for a debt of 80 billion. The Government has already taken a loan of Rs. 10, 750 crore from foreign countries. If the Government does not accept the Dunkel proposal, it will not be able to get loan from the I.M.F. It is their compulsion. The country will be mortgaged in the hands of foreign power. It will shatter the financial structure of the country and traditional seed will be no more. The plight of the farmer of the country will further deteriorate. But they are not at all worried about the country. They are worried about themselves alone so that they may sign the agreement at any rate. Our culture is also going to be attacked. It will do harm to the Indian culture as well. The Dunkel proposal is intended to hit the Indian Culture. With these words I conclude and thank you for giving me time to speak. The Dunkel proposal must not be approved at all. It must be referred to J.P.C. and then considered.

[English]

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): Mr. Speaker, Sir, I would not go into the details of the Dunkel proposals, because a proposal has already been made for setting up a joint Parliamentary Committee and if it is set up, we will go into the details at that stage. Now, I would like to take off from where Mr. Chavan has left.

Sir, one of the things to which I would like to draw the attention of the House is about

the funny contradiction in the Dunkel proposals. It is well-known that this General Agreement on Trade and Tariff is a measure to reduce the hurdles for trade and for free trade, this GATT is established. But, we simultaneously see that the proposals of Dunkel along with the liberalisation of multilateral trade, impose restrictions on trade and as has been pointed out, they are in the form of patent rights or intellectual property rights. This is the contradiction that envelops the Dunkel proposals. Why is it so?

I differ from these perceptions. In this, it is not a matter of economists at all. It is a matter of economic interests and clash of them.

I support the proposal of the Joint Parliamentary Committee. Why? In order to understand that, we see that plenty of countries are agreeing with this. We also see that there is conflict in the discussions in the GATT for the Uruguay Round. Why are there agreements, why are there conflicts? The agreements are due to two kinds of reasons. The agreement means, restructuring of the internal economy of every single country including the United States, France, Japan, Germany and all the countries which are indebted and are forced to agree. There will be internal restructuring if we agree to that. Now some of the countries are agreeing because they can absorb the shock of the restructuring. The French President rebelled against it. Germany saw to it that despite that rebellion, they will agree to the restructure. These are developed countries of the world.

For the other countries, they are forced to agree. What does it mean? What is the consequence, let us try to understand. The consequence is these are the countries precisely who cannot absorb the shock of restructuring within their countries. Tomorrow certain line will be profitable. One of or two lines will prosper. But those other lines would be disadvantageous to us. We are

dealing with the exit policy and others but we are not able to find a solution for those. Since majority of our population are engaged in the occupation that they take to will be adversely affected, the problem of restructuring within our country will generate starvation within our country. I entirely agree with the JPC exercise. They have to find out which are the lines which will be advantageous, which are the lines of activities which will be disadvantageous and to what extent. They will try to provide arguments there.

But as I began by saying, it is not a matter of economists at all. We are in a bind in two senses. Number one, the internal policy which we are trying to follow does not, as it stands, allow us enough elbow room. The other thing is an objective thing—the development of technology in the world and its ownership. It is not only developing but its ownership is so concentrated that it requires globalisation and therefore, it can exert a tremendous pressure on those countries who in the comity of nations would be considered as have-nots. Therefore, I am not going into the details of sectors which will benefit and which will not benefit. But until and unless our Government, after evaluating the pros and cons is in a position to say—he has said that the treaty must be ratified by Parliament. I welcome that suggestion. But unless and until we can say from this place that the disadvantage in a position to tell the developed countries, we Indians are very strongly outplacced by the advantages, we will not be a party to that which will require, keeping away from the economic policy that you are pursuing here. Unless we Indians are prepared to undergo technological backwardness but here we are prepared to stand on our own legs and refuse to be bound by what the advanced countries are trying to dictate to us, it will be an exercise in futility by the JPC.

So, a preliminary determination is an absolute must that if required, this Parliament

will declare that we are out of it. If we are to undergo that kind of suffering which will be there because we are out of it, all the same, we will be on our own.

In view of this and along with the suggestions which our friends have made and in view of the proposal for the JPC to go into the details of the arguments to expose the manoeuvrings of the developed countries, I submit that it will be an exercise in futility and I want this Parliament to declare unanimously, if need be, that we are out of the GATT. That is the threat we offer to the advanced countries of the world.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (DEPARTMENT OF SMALL SCALE INDUSTRIES AND AGRO AND RURAL INDUSTRIES) (PROF. P.J. KURIEN): Sir, First of all, I thank every hon. Member who has taken part in this very important discussion.

Very valuable and important suggestions have been made. I would at the outset assure the hon. Members that Government would seriously consider the views expressed by them while formulating our views.

I would also like to assure that Government would like to continue dialogue with the members of the various parties in this regard to take their assistance while formulating views.

This is a very complex and, at the same time, vibrating subject. The first point I would like to address is that it is for us to decide whether bilateralism or multilateralism, which is better, for developing countries. It has been mentioned here by many hon. Members that pressure from developed countries or some countries will be on us or is still on us and, therefore, certain decisions are being taken by the Government accordingly.

I would like all of you to consider this

[Sh. P. J. Kurien]

aspect in all seriousness. It is a reality in the world that there are economies which are very powerful and there are economies which are less powerful.

THE MINISTER OF STATE OF THE MINISTRY OF POWER (SHRI KALP NATH RAI): Starved also.

PROF. P.J. KURIEN: Yes. Very big countries also and if there is no multilateral trading system, if there is no accepted norm and rules for multilateral trade, what will be the plight of the developing countries? To the extent there is no multi-lateral trading system which is non-discriminatory and also which is beneficial to all countries, accepted by all countries, to that extent, the developing countries, will be vulnerable and certainly they will be under bilateral retaliation or subject to bilateral retaliation. Therefore, it is in the interests of the developing countries to have a multilateral trading system. This is the first point I would like to make. I hope all of you will agree with me.

MR. SPEAKER: There is no difference of opinion on that point. Excepting one or two Members there, nobody has said anything.

PROF. P.J. KURIEN: One or two Members mentioned about Super 301 etc. If the Uruguay Round is successfully completed and multilateral system is adopted by all, then there will be a Body which will consider and no secondary, no contracting party, can take retaliatory measures without taking prior consent of that Body. *(Interruptions)* Let me complete. I am only saying that all of us agree for the need of a multilateral system.

Now I come to the question of the negotiations under GATT system. What is the nature of the negotiations there? Everyone knows that it is a matter of consensus there. There are 108 Members. Each country is naturally trying to take the

maximum advantage for its self country. We can try; we are trying hard to impress upon, to articulate our concern and convince every member especially the developing countries. We are trying to enlist their support. But are we to think that these developing countries or the developed countries will give us all support while we are not prepared to concede anything for them? It is a negotiation. Let us understand the hard reality. In the negotiation we have to try hard and best to achieve what is the best for us. It is just not possible to say: "Take a line and say you accept it. Otherwise we do not accept it." We have to go, bargain and try to achieve the maximum out of it. This is what we are trying to do. No single country can get everything it wants including the U.S.A. when the final draft is signed, I have no doubt that every country will have something that it wants and it will be disappointed on something else also because ultimately decision is by a consensus.

Sir, a very important question has been raised here by one or two hon'ble Members regarding how the Government changed the stand; whether on the question of TRIPS, Services, the Intellectual Property Rights has been agreed by us under pressure from some countries. I would like to make the point very clear. This question has been raised by Shri Rabi Ray, Shrimati Malini Battacharaya, Shri Charles and other. But I would like to make it clear that our stand was very clear. We want these subjects out of the purview of GATT. We wanted these subject out of the GATT negotiations. It was like that. It is not that we surrendered out of pressure and we actually betrayed the developing countries. The fact is that from 1986 onwards we were taking the stand that the mandate of Pant a delitate did not include substantive norms and standards- Intellectual Property Right patents etc. But subsequently what happened was some of the developing countries like Brazil, Yugoslavia; Egypt etc. and all these countries agreed to have these other subjects also which are not in the

traditional GATT regime to be included. They agreed before us and it is not that we agreed. The industrialised countries continue to hold the view that the mandate of Punta del Este included these subjects also. We did not agree to that. But again subsequently most of the countries, the developing countries, agreed. I have said that GATT is a consensus body. So, it included that finally in spite of our view. It is not that we first went and agreed and betrayed the developing countries. That is not the fact of it.

The most controversial areas which have been mentioned here are i) agriculture and ii) the Intellectual Property Rights, I should say, TRIPS. These are the two important areas which have been mentioned here.

About Agriculture, I would like to say one thing. It has already been mentioned by one of the hon. Members. I would like to allay the fears that we will be handicapped even if we agree to sign the proposal regarding agriculture. I would like to highlight this. It is not because subsidies are not prevented there. Yes, there is a proposal for cut on subsidy.

20.00 hrs.

But that is only of subsidy is beyond ten percent. Today, in GATT parlance, they call it Aggregate Measure of Support (AMS). Our AMS is much below ten per cent. In fact, it is negative and we can give subsidy up to ten per cent of the AMS. We had a calculation on this. It has been mentioned here also. If today we calculate from our GNP the subsidy, we can give, according to Mr. Dunkel, about Rs. 30, 000 crores. (*Interruptions*)

I am not yielding. I will answer every question. Therefore, ten per cent AMS is the maximum limit which a developing country can have. And our subsidy is only in the negative. Therefore, we see an advantage. Developed countries, industrialised countries

have heavily subsidised their agriculture. Then, they dump their goods in the international market. And what is our position? Agriculture is the mainstream of our economy and we are not, I would say, able to compete in the international market to the extent we want. But if this package is accepted, I see a long term advantage for us. This is for us to see. I have no doubt about it. You can further consider it. But please see to that. Once we are in a position to export, once we can produce more and export, our agricultural commodities will get good market in the international market. This is a point to be considered. Therefore, subsidy on agriculture, I do not think, is the question.

Let me categorically say that as the Dunkel Text stands today. We can continue to have whatever subsidy we are giving and we can give more. We can continue without our public distribution system. We can continue our FCI holding of the food commodities and distribution. None of these are barred as the Text stands today.

Another question is about the farmer's right to retain the seed. Though it comes with the TRIPS and the Intellectual Property Right, yet I would like to mention about it as it is connected with agriculture. Even the farmers, right to hold the seed from their products and use for themselves, that is not prevented it. That is not prevented in the Text. This is what I would like to say. (*Interruptions*)

SHRI SOBHANAD ESWARA RAO VADDE (Vijayawada): Can a farmer sell to his neighbor in future this right? (*Interruptions*)

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Can he multiply and sell?

PROF. P. J. KURIEN: I will answer that. What I have said is that a farmer has a right to purchase his own seed and use it. That is what I have said. I am only explaining the

[Sh. P. J. Kurien]

actual position. I am prepared to listen to you further.

Another point which is of concern to us is textiles. That is the second area which is of concern to us. One or two hon. Members have mentioned about textiles. Why it is of concern to us is because 30 per cent of our export is from textile sector. There is a multi-fibre arrangement today. We would like to phase it out as early as possible. That is our intention. Actually the importing countries the developing countries would like to continue it. This Dunkel Text says that this can be phased out in ten years.

We would like to have this phasing out a little more earlier. In Dunkel Text, the phasing out for the first seven years is only upto 49 per cent and the rest can be done in the next three years. So, we would like to have the maximum phasing out earlier. We would like to have it front-loaded rather than back-loaded. We are trying to pursue that line. The abolition of MFA is in our interest. And in the next ten years, it is being abolished. But we are not satisfied with that. I am not saying that we are satisfied with that. We have to negotiate very hard to see that we get something better.

The area of Services has been mentioned by some of the hon. Members. I would like to assure the hon. Members that we are not doing anything to be worried about. We would like the mobility of the labour to be incorporated and that is our effort. If labour mobility is accepted, we will be able to make use of this. It is not for a permanent migration but we can send our trained personnel. We have got computer trained personnel, professionals and a lot of skilled labour. We would like to have, at least, a share in the market there, especially of the not surrendering anything more than what is there. We have not agreed to it. I can assure

you that there is nothing that we have agreed to. Our effort is to get something more which is favourable to us. Of course, there has to be a balance and as I told you, you may have to give in something because it is a give and take process. When we give in something, we will make use of the best judgment and see that what we get is balanced by what is being given and that ultimately it is favourable to us.

The most important, the most sensitive and the most critical area is that of TRIPs-Trade Related Intellectual Property Rights. I fully agree with the hon. Members that this is an area of grave concern. It is here, where the real problem lies. And it is because of this that the whole kind of misunderstanding or apprehension is coming. But would India like to be known as a country which does not give protection to Intellectual Property Rights? That is something which we have to think about in the modern world.

There are seven major areas in this Intellectual Property Rights. They are: Copyrights, Trade Marks, Trade Secrets, Integrated Circuits, Industrial Designs, Geographical Indications and Patents. In all these areas, other than that of Patents, our laws are perfect, comparable to that of any other country on we have no problem there. In fact, we do want those areas. We want our Copyrights to be protected. Take for example our own Film Industry. We want copyright protection there. So, in our own interest also, in most of these areas, there should be protection. And also, take for example, Computer Software. We want protection there. We have got an industry which is developing fast and we want protection there.

SHRI RAM NAIK (Bombay North): We are convinced of your arguments.

PROF. P.J. KURIEN: Please bear with me. The area where there is a problem is that of Patents. That is the area where there is a real problem.

Sir, I do not deny that signing of the Dunkel proposal as it means that we will have to change the Patent Law of 1970. I

admit this fact. This is the difficult portion and that is the point which concerns all of us. If we sign, we will have to change our Patent Laws. Today we allow process patent only. But signing of the Dunkel draft means that we have to allow product patent. Once we agree to product patent, I would very frankly admit that, it is true that the prices of all the patented medicines will go up. But then, I would also like the hon. Members to know that in our country, out of the total medicine turn over which comes to about Rs. 3500 crores... (*Interruptions*) Please listen. (*Interruptions*)

SHRI RAM NAIK (Bombay North): Sir, others have made short speeches. Why does the hon. Minister also not do the same thing? Let us have the same courtesy, Sir. (*Interruptions*)

SHRI NIRMAL KANTICATTERJEE: If the hon. Minister agrees to the setting up of the JPC, all these pros and cons of the proposals can be looked into by them. So, instead of enlightening us here, that can be done there; and they can come as a product of the JPC. (*Interruptions*)

PROF. P.J. KURIEN: I am very happy. (*Interruptions*)

SHRI A. CHARLES (Trivandrum): The facts are being explained here; but they are unable to hear them. (*Interruptions*)

PROF. P.J. KURIEN: Only one point I want to say. So many points have been made; but since Shri Nirmal Kanti Chatterjee has said like that, I would very frankly say that some of the apprehensions are due to the lack of understanding and incorrect understanding. I have to put the records straight. That is what I want to say. After saying something about patents, I will complete. That is a very important point which I cannot ignore because that is an area which is very important; and if we accept the Dunkel proposal as it is, then, we will be forced to change our Laws and we will be forced to accept the product patents. That means, every medicine that is patented, its price will go up.

Another point which I would like to say is, in our country, out of the total medicines under circulation, only ten per cent are patented today. 90 per cent are not patented or are out of patent. Whatever medicines are under circulation, those medicines will not be affected by this proposal. What is going to be affected is only the future inventions. I repeat whatever is already under circulation will not be affected. However, I am not saying that that we should concede to the proposal; with regard to patent. Government's efforts is to bargain hard and to improve upon this to our benefit. We are not satisfied with this with the part on patents. We want to improve upon this. (*Interruptions*)

[*Translation*]

SHRI NITISH KUMAR: Mr. Speaker, Sir, there is no new point in it. Shri Chidambaram Saheb had already spoken when he was the Minister of Commerce. The Government is going to sign it on the 15th instant. Save the country and set up J.P.C. This should be done at the earliest. (*Interruptions*)

[*English*]

SHRI BHOGENDRA JHA: The Government has started implementing the proposals. They have withdrawn the subsidy on fertiliser, in accordance with the Dunkel demands. They have already begun implementing it. (*Interruptions*) You are more loyal than the King. (*Interruptions*)

[*Translation*]

SHRI RABI RAY (Kendrapada): Mr. Speaker, Sir, I am speaking with a heavy heart. I have no doubt in my mind about the knowledge Shri Kurienji has I am submitting this only. Atalji, we and the entire House have made a request for the constitution of J.P.C. otherwise there is no way out. But the hon. Minister, as you might have heard earlier, has only agreed to meet the leaders. Is the meeting with leaders a substitute for J.P.C.? Therefore, I would like to request that the J.P.C. must be constituted. But it appears from the speech of the hon. Minister that the

Government has already made up its mind to sign it on, GATT line. (*Interruptions*)

[*English*]

SHRI RAM NAIK: Sir, there is one more important point. Shri Chidambaram has already assured in the Rajya Sabha that on the first day of the next session, the Government will come with all the proposals. That assurance has been given in the Rajya Sabha.

So, the Minister can also wind up the debate with the same assurance. (*Interruptions*) The assurance has been given in the Rajya Sabha. (*Interruptions*)

PROF. P.J. KURIEN: Sir, it is very unkind. I specially hear every Member. So, they should bear with me. I will complete in five minutes. I was saying a point that I was agreeing with them on patent laws.

All efforts of the Government will be to bargain hard and to see that maximum improvement will be made with regard to TRIPS, especially patents Property Rights.

Then, I would like to touch one more point. Time and again, a number of hon. Members have said: Why has the Government not formulated a policy? And why did they not come to Parliament? This is exactly what I wanted to say. This discussion was as a result of the request made by the hon. Members in this House.

(*Interruptions*)

MR. SPEAKER: Please take your seat.

[*Translation*]

He is coming to each and every point

[*English*]

SHRI NIRMAL KANTI CHATTERJEE: There is no point in this. (*Interruptions*) Let him answer whether he is agreeable to have the JPC. (*Interruptions*) Are you agreeable?

PROF. P.J. KURIEN: No, no.... (*Interruptions*)

SHRI NIRMAL KANTI CHATTERJEE: Are you not agreeable?

(*Interruptions*)

SHRI BHOGENDRA JHA: Then, there is no question of wasting the time.

PROF. P.J. KURIEN: Have some patience. (*Interruptions*) It was a demand of the hon. Members that Government should take into account the views of the Members and there should be a discussion. And only after the discussion, the Government should formulate the views. That is why the discussion is being held. Many of the hon. Members have given valuable suggestions. If they think that anything more is to be said, Government has no objection. We have no objection in listen to them. We can have the opportunity. We can call the leaders for further discussion (*Interruptions*)

SHRI NIRMAL KANTI CHATTERJEE: In that case, we have to walk out. (*Interruptions*)

[*Translation*]

SHRI NITISH KUMAR: I would like to know whether the Government is going to set up a J.P.C. or not. The proposal to set up a Joint Parliamentary Committee with a view to hold a comprehensive investigation has been made from the Members of the opposition benches. You have observed that the hon. Members of all the political parties have put their views in clear terms. Now the Government should make its intention clear whether it is favour of setting up a J.P.C or not or whether it has decided to mortgage the country just by appending its signatures on the document. The reply should be made in

[Sh. Nitish Kumar]

clear terms. His present reply is quite unsatisfactory. (*Interruptions*)

SHRI BHOGENDRA JHA: The Government should seek the opinion of the House on this issue. (*Interruptions*)

SHRI SANTOSH KUMAR GANGWAR: Mr. Speaker, Sir, the sum and substance of the whole discussion is that a J.P.C. will be set up and the same will decide the issue.

SHRI NITISH KUMAR (Barh): You get it confirmed by him and save the country.

SHRI SANTOSH KUMAR GANGWAR: Mr. Speaker, Sir, the main objective of the present discussion which has been held today was that there should be a separate discussion for reviewing this issue. (*Interruptions*)

[*English*]

MR. SPEAKER: Mr. Kumaramangalam, I hope you will say something.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) (SHRI RANGARAJANKUMARAMANGALAM): Mr. Speaker Sir, my colleague Mr. Kurien has already responded to the question of JPC demand made earlier. He said that we cannot agree with the JPC demand because we feel quite consciously that the various constraints. (*Interruptions*)

SHRI NIRMAL KANTI CHATTERJEE: Then we walk out in protest. (*Interruptions*)

20.21 hrs.

SHRI NIRMAL KANTI CHATTERJEE :and some other hon. members then left the house

SHRI RANGARAJAN KUMARAMANGALAM: Let me finish. Why don't you hear the rest of it which was discussed with your leaders? (*Interruptions*)

SHRI SOBHANADREESWARA RAO VADDE: We will not be a party to a proposal which is against the interest of the country. So, in protest, we walk out.

20.21 hrs.

SHRI SOBHANADREESWARA RAO VADDE AND SOME OTHER HON MEMBERS. THEN LEFT THE HOUSE. (*Interruptions*)

SHRI RANGARAJAN KUMARAMANGALAM: Sir, they are not willing to hear what was discussed with their leaders and that is the problem now. I can say that it was discussed categorically with leaders of all parties, including the parties which have walked out that we would discuss with them and take their assistance in the matter of Dunkel draft. That was what was discussed with them and we stand by that and that was what Mr. Kurien was saying in his own words. The exact formulation was this and they are aware of it. I am a little surprised that all leaders had agreed to this draft.

[*Translation*]

SHRI SANTOSH KUMAR GANGWAR (Bareilly): It was not discussed with the leaders. (*Interruptions*)

MR. SPEAKER: Okay.

[*English*]

SHRI RAM NAIK: Some assurance had been given by the hon. Minister in the Rajya Sabha. So, at least, that assurance should be given here also. Same assurance can be made both in the Rajya Sabha and Lok Sabha. (*Interruptions*)

MR. SPEAKER: Shall we go to the next item now?

SHRI RANGARAJAN KUMARAMANGALAM: Yes, Sir.

[*Translation*]

SHRI JASWANT SINGH(Chittorgarh):
Mr. Speaker, Sir, I would like to submit with all humbleness. I would not go into the technical points. Much has already been done. A large number of Members are absent from the House.

SOME HON. MEMBERS: They are coming back.

SHRI JASWANT SINGH: In the present situation the House is also not in a mood to sit more. It should not be taken on technical ground that a proposal for Dental Hospital or some other Bills which have been received from the Rajya Sabha would have to be taken up. I would therefore like to submit that it should not be considered on technical ground; rather the mood and interest of the House should also be taken into account. A lot of work has already been done and we should be permitted now.

THE MINISTER OF HEALTH AND FAMILY WELFARE(SHRIM.L. FOTEDAR):
Not only for the Dental Hospital but also for the pollution free atmosphere.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GULAM NABI AZAD): Mr. Speaker, Sir, five of the nine ordinances have to be sent to the other House and three ordinances have been received from there. I think even if we pass five ordinances here, they cannot be passed in that House. But I would certainly say that it would be very good if the three ordinances that have come to us from that House are passed today.. (*Interruptions*) These are very small.. (*Interruptions*)

[*English*]

MR. SPEAKER: I think we had a good discussion on Dunkel draft and it appears

that every Member wants that there should be negotiation carried on for protecting the interest of the country. I think it is the view of the Government also that if necessary the views of the parties also may be collected and there was proposal for JPC. But, I think, if we have a JPC, we shall have to discuss with other countries also. Then it becomes an international forum in which we have to discuss this. Decisions taken in the JPC are a little too rigid and probably it may not leave any leeway for the Government also to do it. But I am sure that the Government would discuss with the leaders of the parties by inviting them and not that they would just come and discuss with them.

PROF. P.J. KURIEN: I agree with the Speaker.

MR. SPEAKER: As far as the ordinances are concerned, it was the Presiding Officers who were insisting that the Ordinances be passed. The Members did realise that there was no time. But now it seems that even if we insist and get something done, something is going to be undone also.

[*Translation*]

SHRI NITISH KUMAR (Barh): All the statutory resolutions have been put forward by me. I am ready. However, keeping in view the opinion of the House, I am prepared to agree with you.

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI JAGDISH TYTLER): My Bill is very small and it has already been passed by both Rajya Sabha and Lok Sabha. There is just one small amendment passed by the Rajya Sabha, which we also have to adopt.

[*Translation*]

SHRI GULAM NABI AZAD: Just the Members are to be changed.

[English]

you moving your Statutory Resolution?

SEVERAL HON. MEMBERS: All right.
We may take it up. We agree.

PROF. RASA SINGH RAWAT (Ajmer):
No Sir. I am not moving it.

SHRI M.L. FOTEDAR. I would like to
make a personal request to Shri Vajpayeeji.
Two Ordinances were issued in August this
year and Rajya Sabha has passed the Bills
also. There is nothing important except to
regulate certain procedures in the Medical
Council. I would suggest very humbly to Shri
Vajpayee that if he agrees, we should sit upto
10. p.m. and clear these two Bills.

MR. SPEAKER: Now Shri Tytler.

20.27 hrs

NATIONAL HIGHWAYS (AMENDMENT)
BILL

Amendments made by Rajya Sabha

[English]

SEVERAL HON. MEMBERS: No please.

SHRI M.L. FOTEDAR: I think it will be in
the interest of the health of the nation that we
should sit and finalise these two Bills.

THE MINISTER OF STATE OF THE
MINISTRY OF SURFACE TRANSPORT
(SHRI JAGDISH TYALER: I beg to move:

MR. SPEAKER: We are now on items
36 and 37 of the Agenda. Prof. Rawatji, are

"That the following amendments made
by Rajya Sabha in the Bill further to amend
the National Highways Act, 1956, be taken
into consideration:-

Clauses I

1. That at page 1, for lines 3 and 4 the following be substituted, namely:-

Short
commencement
title and

- " (1). This Act may be called the National
Highways (Amendment) Act, 1992.

(2) it shall be deemed to have come into force on the 23rd day of
October, 1992."

New Clause 4

2. That at page 1, ilalies line 11, the following be inserted namely:-

Ord. 19 of
1992

"4. (1) The National Highways (Amendment) Ordinance,
1992 is hereby repealed.

Repeal
and
savings

(2) Notwithstanding such repeal, anything done
or any action taken under the principal
Act, as amended by the said Ordinance,
shall be deemed to have been done or taken
under the principal Act, as amended by this Act."

MR. SPEAKER: The question is:

further to amend the National Highways Act, 1956, be taken into consideration:

"That the following amendments made by Rajya Sabha in the Bill

Clause I

1. That at page 1, for lines 3 and 4, the following be substituted, namely:-

"1. (1) This Act may be called the National Highways (Amendment) Act, 1992.

Short title and commencement

(2) It shall be deemed to have come into force on the 23rd day of October, 1992."

New Clause 4

2. That at page 1, after line 11 the following be inserted, namely:-

Ord. 19 of 1992

"4. (1) The National Highways (Amendment) Ordinance, 1992 is hereby repealed.

Repeal and Savings

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act."

The motion was adopted.

Clause I

MR. SPEAKER: The question is:

1. That at page 1, for lines 3 and 4 the following be substituted, namely:-

"1. (1) This Act may be called the National Highways (Amendment) Act, 1992.

Short title and commencement

(2) It shall be deemed to have come into force on the 23rd day of October, 1992."

The motion was adopted

New Clause 4

MR. SPEAKER: The question is:

2. That at page 1, after line 11 the following be inserted, namely:-

1. (1) The National Highways (Amendment) Ordinance, 1992 is hereby repealed.

Ord. 19 of 1992

Repeal and savings

- (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act."

The motion was adopted.

MR. SPEAKER: The Minister to move that the Amendment made by Rajya Sabha be agreed to.

SHRIJAGDISH TYTLER: I beg to move:

"That the amendment made by Rajya Sabha in the Bill be agreed to."

MR. SPEAKER: The question is:

"That the amendment made by Rajya Sabha in the Bill be agreed to."

The motion was adopted.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRIM. L. FOTEDAR): Let me seek his indulgence. He is not responding. His silence means that he is agreeing.

20.32 hrs.

VALEDICTORY REFERENCES

[English]

MR. SPEAKER: Hon'ble Members, the Fifth Session of the Tenth Lok Sabha, which commenced on 24th November, 1992, comes to a close today. The House held 18 sittings lasting over 100 hours.

401 Questions were listed as Starred, of

which 59 questions could be orally answered and written answers were given to 4675 Questions. 61 matters were raised under Rule 377.

In the Legislative field -13 Bills were introduced in Lok Sabha - 10 Bills were passed by the House, important among them being three Constitution (Amendment) Bills, viz., the Constitution (Seventy Second Amendment) Bill, the Constitution (Seventy Third Amendment) Bill and the Constitution (Seventy Fifth Amendment) Bill. The Constitution Amendment Bills were passed unanimously.

The other important Bills passed were the Representation of the Peoples (Amendment) Bill, 1992, the Central Agricultural University Bill, 1992, and the Citizenship (Amendment) Bill, 1992. The Supplementary demands for Grants (General) were also discussed and the Appropriation Bill passed.

Two Short Duration Discussions under Rule 193 were held - one on the effect on farmers due to increase in prices of fertilizers and import of wheat and the second on the statement made by the Minister of Home Affairs regarding general situation at Ayodhya.

The Business of the House could not be transacted on four days during the current Session due to the difficult situation in the House on account of the recent events. The

[Sh. M.L. Fotedar]

House was adjourned from 9th to 16th December to give the Members an opportunity to visit their constituencies and organise peace efforts to restore normalcy.

On 17th November, the House took up the No- Confidence Motion against the Government. 57 Members spoke on the motion, which lasted more than 22 hours. The motion was voted out on 21st December. I complement all Members for the mature and dignified manner in which they participated in the discussions. I have no doubt that the problems will be overcome with the cooperation of all concerned.

The House also approved today four proclamations issued by the President under Article 356 of the Constitution, in relation to the States of Uttar Pradesh, Madhya Pradesh, Rajasthan and Himachal Pradesh. The debate on the Resolution seeking review of disinvestment policy moved by Shri Rupchand Pal was interesting and useful suggestions were offered.

Finally, I take this opportunity to thank all the Honorable Members for the kind cooperation extended to me and my colleagues - the Deputy Speaker and the Members of the Panel of Chairpersons - in the smooth conduct of the business of the House. I would specially like to thank the Leaders of various Parties and Groups and the Whips of the Parties for the unstinted cooperation and courtesy extended. On your and my own behalf, I would like to express appreciation to the officers and staff of the Secretariat of the Legislature, for the good work they have done.

THE PRIME MINISTER (SHRI .P.V. NARASIMHA RAO): Mr. speaker, Sir, this Session has been tempestuous, eventful, but is now ending on a purposeful note. I feel gratified about it.

We had several anxious moments that the Houses may have to adjourn in a very unusual manner, which perhaps has not happened in the history of Parliament. I particularly appreciate the efforts of the

Leaders of the Opposition Parties in bringing back the House on rails and enabling it to transact its business, although not without a few tremors that had to be expected; that was natural under the circumstances because the entire country was jolted, shaken from its very roots. So, the reverberations of that jolt were to be felt here; and this is what happened.

I feel gratified that Indian democracy has proved, once again, that its institutions can take on extremely difficult situations and can rise to the occasion, can absorb shocks, shocks, which lesser institutions would simply collapse under. This is a matter for gratification to all of us and the people of India.

I am particularly happy that after a lapse of two to four years, the structure, the fibre of panchayati raj which we had dreamt of, which we were expected every session, session after session, to bring India into being, but for some reason or the other, we were not succeeding in doing so, has now become a reality. This is a great achievement and this completes the edifice of democracy; and on this occasion, I would like to remember the lead given by Shri Rajiv Gandhi, making the most determined possible effort to see that this is pushed through. He did not live to see this become a reality, but on this occasion, his memory automatically comes to my mind.

These are some of the achievements of this Session. The other details you have already given. I am, once again, grateful to you; Mr. Speaker, in the manner in which you kept your nerves; kept your cool and under circumstances which were really really trying, if I may say so.

Thank you very much. And again my thanks to all the Members of the House, all Parties, all the Leaders.

AN HONOURABLE MEMBER: Wish you a happy Christmas.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: Mr. Speaker, Sir, the duty which I rise to perform

here is actually the duty of the Leader of the Opposition but today the Leader of Opposition is not present among us. It was a stormy session and the credit for successfully conducting this session goes to you only. The members from both the sides created a lot of problems for you.

MR. SPEAKER: Both the sides helped me a lot.

SHRI ATAL BIHARI VAJPAYEE: Our democracy is the biggest democracy in the world, which is live and conscious in all respects. If there is a storm outside then it certainly would have an effect in the House too. But we have to keep alive the light of democracy in this storm and I am very much hopeful that our democracy would come out from the present situation and become more and more powerful. The bitterness could not overpower the fraternity. Time and again we have been able to instill our faith and dedication in the democracy and I believe that the democracy as well as the future of the country ultimately rest in the hands of the people of India. They have a great expectation from us that we would keep alive the democracy in India. We too are performing our duty in this regard. But, in future if there is any danger to democracy, it is my firm belief that the people of India would be able to save and resplend the light of democracy.

Mr. Speaker, Sir, the year is going to an end. We will celebrate Christmas after two days. It is one of our national festivals. We will exchange good wishes and then after a few days there will be the new year, and with the best wishes for the new year, I would like to extend you my greetings for the new year.

Mr. Speaker, Sir, I have seen many Speakers, right from Shri Mavlankarji to you. I am not praising you but we are thankful to you for the dexterity with which you have performed your duty during the last session. We regret that we could not hold water as per your expectation, we would keep it in mind in the next session.

[English]

SHRI P.V. NARASIMHA RAO: May I wish you, all the Members and people of the country a Merry Christmas and a very happy new year.

[Translation]

SHRI NITISH KUMAR: Mr. Speaker, Sir, this House has returned to normally after reaching at a collusion point. Whatever the cordial and friendly atmosphere we are witnessing in the House today, for all this the credit goes to you. You did not lose your patience despite the disturbing situation prevailed a number of times in the House. This House did very important job. Atal ji has rightly stated that whatever happens outside has its effect in the House. But we will be able to get rid of it and keep the country united. The biggest achievement of this House is to take a step in the direction of decentralisation of power. We have tried to fulfill the dreams of Gandhiji by passing the 72nd amendment Bill. I do not want to criticize at this moment. I was very much expecting it from the Prime Minister as he is not only the Leader of his party but also the leader of the House that he would certainly do something in this respect and he did it too. We have passed the 72nd and 73rd amendment which is in true sense a big step towards giving a material shape to the dreams of Gandhiji. It is also a big step towards realizing the dreams of Gram Swarajya of Jay Prakash Narayan and Chauhambha Raj of Dr. Lohia. This step will certainly influence the next generation and the country.

When this Bill was presented in the House third time, everybody was saying that this Bill is an ill fated one. The first Government which moved this Bill had to go and the Second one also could not get it passed now the third one will also go without getting it passed. This was being discussed in the galleries and Central Hall of the Parliament House. The persons like me, who believe in the decentralisation of power, were in anguish. I appreciate all the parties which have shown the unprecedented harmony in passing the Bill in the Joint Committee. Everybody wanted

[Sh. Nitish Kumar]

that this Bill be passed and the rural people may get their due rights. This session of the house on this occasion was a historical one, it will be remembered forever and the 10th Lok Sabha will also be remembered for this great act. This session of the 10th Lok Sabha efficiently dealt with this Bill which was being described as an ill fated one. I hope that it will be able to remove the tension prevailing among the people as well as an ill fated atmosphere prevailing in the country and pave a new way for the development and progress of the nation. Today, we find an atmosphere of tension prevailing in the society and I hope that the Parliament will sort out a way in order to overcome this tense situation and to save the country from disintegration and make it more strong. This is the main speciality of the Parliamentary Democracy and this speciality very well exists in our democracy. This institution will get strengthened and give a direction to the world.

With these words, I thank you and also congratulate you, I also thank the employees of the secretarial and media persons for their good cooperation.

SHRIBHOGENDRA JHA (Madhubani): Mr. Speaker, Sir, today it is the last day of the session. We have had sweet and sour moments, but we are concluding it in a sweet atmosphere. We have a civilization and traditions which goes back to 5000 years. We have a history of unity in diversity and we will continue to have this capability to solve the forth coming problems. Differences are natural, but despite these differences we will march ahead unitedly. The House has done a great deal of work and has shown an extraordinary patience under your leadership. I convey my greetings and conclude.

[English]

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Mr. Speaker, Sir, I express our heartfelt thanks on behalf of Telugu Desam Party to you, to the Deputy-Speaker and to other members of the panel of Chairman, who have given us an

opportunity to express our views on several important Bills and other matters that have been discussed in this House.

I will be failing in my duty if I do not congratulate you for the way in which you have efficiently and orderly conducted this House in most trying times as our respected Prime Minister has said.

Sir, presently the country is passing through a very grave crisis and we are all returning home after conclusion of this Session with all hope that normalcy will be restored, again communal harmony will be restored and our country will raise its head again with all pride in the comity of nations.

Sir, I thank you once again for giving me an opportunity to say these few words.

MR. SPEAKER: Well, I would like to thank the hon. Prime Minister, Shri Vajpayee, Shri Nitish Kumar, Shri Bhogendra Jha and Shri V.S. Rao for the good words that they have said about the Presiding Officer. The success in transacting the business in the House belongs to all honourable leaders, the Members and to the staff of the Secretariat.

[Translation]

SHRINITISH KUMAR: Let us get ready for a feast.

[English]

MR. SPEAKER: Well, we are told that Shri Vajpayee was born on 25th of December.

SHRI VILAS MUTTEMWAR (Chimur): Happy birthday to you.

MR. SPEAKER: Well, we would like to congratulate him in advance. I wish him on behalf of all of you.

[Translation]

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRIGULAM NABI AZAD): Now I have come to know about the venue of the party

20. 55 hrs.

THE MINISTER OF STATE OF THE
MINISTRY OF SURFACE TRANSPORT
(SHRI JAGDISH TYTLER): Normally
bachelors do not tell their age.

20.54 hrs.

MR. SPEAKER: We would also like to
convey our merry Christmas and a happy
New Year to the people of this country.

As per the decision taken in the General
Purposes Committee and as per the
consensus arrived at between the leaders of
the Parties, the National Song 'Vande
Mataram' would be played now before the
House is adjourned *sine die*.

20.54 hrs.

The National Song was played

MR. SPEAKER: Thank you very much. The
House stands adjourned *sine die*.

The Lok Sabha then adjourned sine die.

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