

Eighth Series, No. 48

Thursday, May 8, 1986
Vaisakha 18, 1908 (Saka)

LOK SABHA DEBATES

**Fifth Session
(Eighth Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT

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LOK SABHA DEBATE

1

LOK SABHA

Thursday, May 8, 1986/ Vatsakha 18, 1908
(Saka)

*The Lok Sabha met at Eleven of the
Clock*

[MR. SPEAKER *in the Chair*]

[English]

(Interruptions)

PROF. MADHU DANDAVATE
(Rajapur) : Today being the last day of the
Session, please listen to us, Sir.

SHRI INDRAJIT GUPTA (Basirhat) :
Sir, we seek your indulgence.

(Interruptions)

PROF. MADHU DANDAVATE : We
will give you complete rest during vacation
and we will also take rest.

MR. SPEAKER : If there is any
problem which I can solve, please let me
know.

PROF. MADHU DANDAVATE :
Yesterday Members of Parliament belonging
to both Houses had approached the
Rashtrapati-ji and brought to his notice what
had happened to the Harijans and backward
classes in Arwal in Gaya district.....

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MR. SPEAKER : I have already done
my job.

PROF. MADHU DANDAVATE :.....
in the firing in which 19 people were killed.
I had myself initiated the discussion on pipra
tragedy in this very House....

MR. SPEAKER : No. If that had been
the case I would have allowed.

PROF. MADHU DANDAVATE : This
is worse than that. I cannot quote Rashtra-
pati-ji. He said that when he was the Home
Minister, he had discussed such matters.....
...(Interruption)

MR. SPEAKER : Let there be an all-
party inquiry. That is what they suggested
there should be an inquiry. If I am
convinced, then I will allow you.

SHRI BASUDEB ACHARIA (Bankura):
Yesterday the very same subject was allowed
in the Rajya Sabha.

MR. SPEAKER : Might have been. I
am not to go by that.

PROF. MADHU DANDAVATE :
Every House is independent.

MR. SPEAKER : I have neither asked
them to follow me nor will I allow myself to
follow them.

PROF. MADHU DANDAVATE : I do
not want to quote what happened in the
Rajya Sabha. I want to quote what
happened in this very House. In 1980-81
on the Pipra tragedy I myself had initiated
the discussion.

MR. SPEAKER : I have always agreed when there has been any case. I have allowed it on the cases of Harijans ; on the cases of communal riots we have done ; these two subjects we have always taken up. If I was convinced of this fact that it was against the Harijans specially, I would have allowed, but not on whatever facts I have got so far—that was what came out yesterday also. Whenever it comes again, in the next Session, I will allow you. No problem.

SHRI INDRAJIT GUPTA (Basirhat) : That is the police version.

PROF. MADHU DANDAVATE : All right. Will you keep it pending ?

MR. SPEAKER : There is no question of keeping it pending. You can give it again. I am always open. I have said it. I am open to reason.

PROF. MADHU DANDAVATE : You are open, we are open, but the discussion is not open.

MR. SPEAKER : Discussion is also open when we both agree and I have allowed it. No problem.

PROF. MADHU DANDAVATE : All right, we will take it up in the next Session.

MR. SPEAKER : We will do it when I am convinced of that.

(Interruptions)

SHRI AJOY BISWAS (Tripura West) : Sir, I have given notice of an Adjournment Motion about the influx of tribals from Bangladesh.

MR. SPEAKER : That cannot be taken up now. I will have to find out the facts. You bring it up next time. We shall find out the facts and I will allow Calling Attention on that.

SHRI AJOY BISWAS : Thousands of tribals have come and more will come.....
(Interruptions)

MR. SPEAKER : If I get the facts according to what you say, then we will see.

(Interruptions)

SHRI SAIFUDDIN CHOWDHARY (Katwa) : Some days ago I had given notice and yesterday also I have given notice, about the tele-communication segment of HBJ pipeline...*(Interruptions)*

MR. SPEAKER : No question of Adjournment Motion. You can ask for information. You can even ask for a discussion. I have told you before.

SHRI SAIFUDDIN CHOWDHARY : Today is the last day.

MR. SPEAKER : I cannot do it now.

SHRI SAIFUDDIN CHOWDHARY : There will be an outflow of Rs. 60 crores worth of foreign exchange...

(Interruptions)

You can ask the Minister to make a statement to remove the feelings that we have got.

MR. SPEAKER : This is the worst part between us. When I am open, why don't you accept it ? If there are any cases like this and if I am convinced, I will allow you.

(Interruptions)

SHRI INDRAJIT GUPTA : Today is the last day of the Session. We will not have any opportunity afterwards.

MR. SPEAKER : I cannot do this in a jiffy without finding out the facts.

(Interruptions)

SHRI SAIFUDDIN CHOWDHARY : Can I be assured that this will not be allowed to happen ?

SHRI BASUDEB ACHARIA : The Minister should clear the doubts.

(Interruptions)

MR. SPEAKER : I have listened to you. Let me now listen to the others also.

SHRI INDRAJIT GUPTA : I want to draw the Government's attention to the fact, and yours also, that on the 21st of this month four and a half lakhs of Defence employees, the civilian employees of the Defence Establishment, all the unions together decided to go on strike. In order to avert that, the Government should negotiate with them and try to reach an agreement. This is a serious matter.

MR. SPEAKER : They will negotiate. Let them negotiate, it is a good suggestion.

SHRI P. KOLANDAIVELU (Gopichettipalyam): About the Sri Lankan problem you promised us in the BAC that it would be taken up for discussion.

MR. SPEAKER : Next time I will allow.

SHRI P. KOLANDAIVELU : Yesterday and day before yesterday I pressed for this matter.

MR. SPEAKER : We are with you. The whole House share your feelings. Next time we will do it.

SHRI P. KOLANDAIVELU : The Minister, Mr. Chidambaram went to Sri Lanka. He had been there for a week. He had talks with the Tamil Militants and also with the Government there. What is the proposal actually they are giving? Let them file a statement.

MR. SPEAKER : No, no. Not now. It is premature.

SHRI P. KOLANDAIVELU : The situation in Sri Lanka is worsening everyday. Even, there is a news item in the papers....

SHRI N.V.N. SOMU (Madras North) : "The Island" has published some of the details. Let the Minister file a statement.

SHRI P. KOLANDAIVELU : Let them file a statement.

MR. SPEAKER : Why don't you listen to me when I am listening to you?

SHRI P. KOLANDAIVELU : I am pressing for a statement for the last three days.

MR. SPEAKER : Then you must listen to me, what I have to say. They are negotiating something. It will be premature and that is why I am not pressing for it. But I am open, we shall have a discussion later on.

SHRI N.V.N. SOMU : The Sri Lankan daily "The Island" has published all the details.

(Interruptions)

SHRI NARAYAN CHAUBEY (Midnapore): Yesterday, the "Ananda Bazar Patrika" which has the largest circulation in Bengal, and also today "Statesman" have printed a report regarding Shri Janardhana Poojary who had met some official of the United Bank.

MR. SPEAKER : You can write to me and I will write to him.

SHRI NARAYAN CHAUBEY : You kindly see to it Sir.

MR. SPEAKER : You give it to me. No problem.

PROF. N. G. RANGA (Guntur) : I want to congratulate the leaders of the opposition and other Members also. For once they have initiated a right procedure each one of them, one after the other to make their points without repeating and making it so difficult for you and for me. I express my sympathies for you.

MR. SPEAKER : A certificate is a certificate. The last victory is the final victory.

PROF. N.G. RANGA : Please, Mr. Speaker, accept on my behalf anyhow, if they would agree with me they will also join me in expressing my unhappiness about the trouble that we have given to you and the

[Prof. N.G. Ranga]

unhappiness we caused you also by the manner and the occasion that we have created in making you express yourself so unhappily yesterday about our behaviour. Thank you.

MR. SPEAKER : Thank you very much. That is why I call him the patriarch because he is the oldest sitting Member who has been continuously sitting here. He has got that paternal affection for all of us. Thank you very much.

I may say that there might be occasions when we have certain tiffs like that. But usually there is nothing like that and I have enjoyed this absolutely. Nothing could be much more harmonious working, I have never seen. I thank you stand first in the whole world, the way we have cooperated in this House for the last six and a half years. I am proud of the performance. It is only certain times the ebullience of Mr. Chowdhary that he gets out of my hand.

SHRI SAIFUDDIN CHOWDHARY :
You give me indulgence Sir.

SHRI DINESH GOSWAMI (Guwahati):
When the patriarch is there you must be indulgent to the children.

(Interruptions)

MR. SPEAKER : We are all one. I am one of you.

[Translation]

SHRI BALKAVI BAIRAGI (Mandsour):
Mr. Speaker, Sir, if Shri Chowdhary annoys you, you are also a Chowdhary.....
...(Interruptions)

MR. SPEAKER : He does not annoy ;
it is his affection.

(Interruptions)

MR. SPEAKER : Does not annoy, he is affectionate to me.

[English]

He is a very good friend.

SHRI A.J.V.B. MAHESWARA RAO
(Amala puram) : The Harijans are being victimised in Bihar.

MR. SPEAKER : We already decided Sir.

SHRI A.J.V.B. MAHESWARA RAO :
Next session ?

MR. SPEAKER : We shall see, if it is a question of that. If it is a question of law and order, that is a State subject.

SHRI P. R. KUMARAMANGALAM
(Salem) : I have been for two days trying to raise this issue. The Junior Engineers of CPWD have been on a token strike.

MR. SPEAKER : Let the Government talk with them.

SHRI P. R. KUMARAMANGALAM :
They are not.

MR. SPEAKER : Then what can we do ? I can only appeal to both. That is what Prof. Dandavate said and you have also said. Only it should be negotiated, discussed and sorted out.

(Interruptions)

PROF. MADHU DANDAVATE : We are thankful to Prof. Ranga for his motion of thanks to the opposition.

11.10 hrs.

PAPERS LAID ON THE TABLE

[English]

Notifications under President's Emoluments
and Pension Act

THE MINISTER OF HUMAN
RESOURCE DEVELOPMENT AND
HOME AFFAIRS (SHRI P. V.
NARASIMHA RAO) : I beg to lay on the
Table a copy of the President's Pension

(Amendment) Rules, 1986 (Hindi and English versions) published in Notification No. G.S.R. 613(E) in Gazette of India dated the 9th April, 1986 under sub-section (2) of the section 5 of the President's Emoluments and Pension Act, 1951.

[Placed in Library, see No. LT—2691/86]

Notification under Customs Act, Report of CAG of India for 1984-85 union Govt. (Railways) Appropriation Accounts etc. and Review of National Bank for Agriculture and Rural Development for 1984-85

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY): I beg to lay on the Table :—

- (1) A copy of Notification No. G.S.R. 731(E) (Hindi and English versions) published in Gazette of India dated the 2nd May, 1986 together with an explanatory memorandum regarding revised rate of exchange for conversion of Japanese Yen into Indian currency or *vice-versa* under section 159 of the Customs Act, 1962.

[Placed in library, see. No. LT—2692/86]

- (2) A copy of the Report (Hindi and English versions) of the Comptroller and Auditor general of India for the year 1984-85 Union Government (Railways) under article 151 (1) of the Constitution.

[Placed in library, see. No. LT—2693/86]

- (3) A copy of the Appropriation Accounts, Railways, for the year 1984-85, Part I—Review (Hindi and English versions).

[Placed in library, see. No. LT—2694/86]

- (4) A copy of the Appropriation Accounts, Railways, for the year 1984-85 Part II-Detailed Appo-

priation Accounts (Hindi and English versions)

[Placed in library, see. No. LT—2695/86]

- (5) A copy of the Block Accounts (including Capital Statements comprising the Loan Accounts), Balance Sheets and Profit and Loss Accounts, Railways, for the year 1984-85 (Hindi and English versions)

[Placed in library, see. No. LT—2696/86]

- (6) A copy of the @ Review (Hindi and English version) by the Government on the working of the National Bank for Agriculture and Rural Development for the year 1984-85.

[Placed in library, see No. LT—2697/86]

Review on and Annual Report of Bharat health Corporation, Ltd., Agro for 1984-85 and statement Re:delay in laying these papers and statement Re-reasons for not laying Annual Report etc. of Messrs Bengal Chemicals and Pharmaceuticals Ltd. for 1984-85.

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT (SHRI M. ARUNACHALAM): I beg to lay on the Table—

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

- (i) Review by the Government on the working of the Bharat Leather Corporation Limited, Agra for the year 1984-85.

@ The Annual Report and Audited Accounts were laid on the Table on 21st March, 1986.

[Shri M. Arunachalam]

- (ii) Annual Report of the Bharat Leather Corporation Limited, Agra, for the year 1984-85 along with Audited Accounts and the comments of the Comptroller and Auditor General thereon.

- (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—2698/86]

- (3) A statement (Hindi and English versions) explaining the reasons for not laying the Annual Report and Audited Accounts of Messrs Bengal Chemicals and Pharmaceuticals Limited, for the year 1984-85 within the stipulated period of nine months after the close of the Accounting year.

[Placed in Library, see No. LT—2699/86]

11.12 hrs.

MESSAGE FROM RAJYA SABHA

[English]

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

“In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Producer and Conduct of Business in the Rajya Sabha, I am directed to retransmit herewith the Tea (Amendment) Bill, 1986 which was passed by the Lok Sabha at its sitting held on the 29th April, 1986, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.”

MR. SPEAKER : Yesterday it was decided that the Minister will reply but there are certain other Members who want to take part. So, I think, some more time may be allowed. How much time...

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD) : Sir, we are left with 10 minutes out of the allotted time.

SHRI SOMNATH CHATTERJEE (Balpur) : Why was the Session extended ?

SHRI GHULAM NABI AZAD : The Session has not been extended for this.

MR. SPEAKER : Let there be no lunch-break and the reply will be at 12.30 hours.

SOME HON. MEMBERS : Yes.

PROF. MADHU DANDAVTE (Rajapur): I suggest that the reply should not be guillotined.

MR. SPEAKER : Okay. Agreed. I would not like to guillotine any Demand. So, the Minister will reply at 12.30 hours. Now, matters under Rule 377. Shri Chintamani Jena...

11.13 hrs.

MATTERS UNDER RULE 377

[English]

- (i) Demand for introduction of dry land farming technology in areas lacking irrigation facilities.

SHRI CHINTAMANI JENA (Balasore): Sir, when our country is depending on other countries to meet the indigenous requirement of edible oil and pulses, we should raise more than one crop from 110 million hectares of non-irrigated lands of our country by introducing indigenous dry land

farming technology, specially when we are losing agricultural land every year for our developmental projects and by constructing dwelling houses etc. According to Indian Agriculture Research Institute, some oil bearing crops can be raised from these non-irrigated lands. As opined by IARI, at least two crops in a year can be raised in areas, where farming suffers not only due to lack of irrigation facilities but also due to paucity of power supply, needed to energise pumping sets. In such cases, these areas can be turned into gold mines to yield cash crops like mustard raising incomes of rural masses.

The study conducted by the ICAR shows that in semi-arid areas, the per capita food production has been sinking steeply over the past decade. In such circumstances they evolved a new approach to land and water management to boost yields of the five staple crops of the country's semi-arid regions like Sorghum, Millet, chick pea, Pigeon pea and Groundnut by which it will generate extra income of Rs. 5,000/- per acre.

This technique involves a mix of furrowed and un-furrowed patches in fields, which decreases erosion and allows rainy seasons, run off to be collected in storage tanks for use in dry seasons. The experts of the ICAR are in the view that as these five crops are largely grown for food rather than for cash, the authorities have never paid due attention to it. The poor farmers who grow these crops cannot afford the cost of fertilisers or irrigation, which their wealthier counterparts use. They are compelled to depend on un-reliable rains through which, only one crop can be raised instead of three crops.

In such a situation, I would request the hon. Minister of Agriculture to look to this very genuine problem personally and this new technique may be applied in dry land farming on a large scale with time bound programme, which can treble the production.

[Translation]

(ii) Demand for survey of waterlogged areas and measures to save crops from destruction in these areas

SHRI RAM PUJAN PATEL (Phulpur): Mr. Speaker, Sir, I want to draw attention of the Central Government to a very important issue under Rule 377. The natural calamities like heavy rains, hailstorm and drought affect crores of farmers every year, on which the Government have to spend billions of rupees. Besides, lakhs of acres of land and crops thereon is being affected at present, due to seepage in canals. The Sharada Sahayak Canal which is the largest canal in Uttar Pradesh has been causing extensive damage. Although the crops are destroyed due to the seepage of canals, yet the Government realises the irrigation charges from the farmers when actually they should be paid compensation for it. Lakhs of acres of land have been rendered unfit for cultivation due to waterlogging. I think it is the duty of the Government to pay compensation to those farmers whose crops have been destroyed or who are unable to cultivate their lands due to waterlogging. My constituency Phulpur (Uttar Pradesh) is also facing the same calamity. Here, there is a network of Sharada Sahayak Canal tributaries but in absence of drainage system, the farmers are in great distress. During the rainy season, there is so much waterlogging due to seepage in canals and rain water that the farmers face near starvation.

I would suggest that the Government should order an immediate survey and make arrangements for the drainage of water from waterlogged areas so that the farmers are able to cultivate their land to eke out their livelihood and contribute to the increase in foodgrains production which would be beneficial for the country.

[English]

(iii) Demand for execution of work on Sakri-Hasanpur railway line.

DR. G. S. RAJHANS (Jhanjharpur) : Samastipur, which belongs to Mithila region of North Bihar is the divisional headquarter

[Dr. G.S. Rajhans]

of North Eastern Railway. Unfortunately, it is being neglected by the Union Transport Ministry. In 1977, it was bifurcated into two and a new Sonapur Division was carved out of it. It is really surprising that broad gauge trains which either stop at Samastipur Station or pass through it, are controlled by Sonapur Division. Formerly three trains used to run between Samastipur and Howrah and one from Samastipur to Delhi. All of them have been discontinued. Besides, Assam Mail which used to pass through Samastipur has also been discontinued.

A railway workshop was established at Samastipur in 1981 where more than three thousand workers were working. But gradually most of the machines were shifted to Gorakhpur. Now, even for minor repairs, engines, wagons and coaches are sent to Gorakhpur from Samastipur. This has resulted in the heavy reduction of labour force. The problem of unemployment is already acute in Mithila region. This has further accentuated it.

The developmental work under Samastipur Railway Division has also been grossly neglected. It is understood that the Union Transport Ministry is considering a proposal to lay broad gauge line parallel to metre gauge. I earnestly request the Union Transport Minister to get this project implemented expeditiously so that people in Mithila region feel relieved.

At the same time, I would request the Hon'ble Transport Minister to get the work of Sakri-Hasanpur line executed for which survey has been completed and land acquired by the Government. This project also belongs to Samastipur Railway Division.

- (iv) Demand for additional financial assistance of Rs. 13.56 crores to Madhya Pradesh Government for water supply schemes in problem villages and towns of the State.

KUMARI PUSHPA DEVI (Raigarh) :
In the last three decades efforts are being made to provide drinking water to every village in the States of Madhya Pradesh.

In spite of all these efforts, whenever there has been failure of rainfall, drinking water problem has been acute in many parts of Madhya Pradesh. Even in normal year in summer months drinking water problem becomes very acute in the State. Latest survey shows that about 8000 villages and 130 towns excluding 13000 problem villages where works being undertaken under the normal plan are experiencing acute water shortage. To meet the situation it is necessary to dig tube wells in 5000 villages. In the remaining 2086 villages efforts should be made to deepen the wells and where it is not possible water be transported by tankers and bullock carts. In some cities like Sagar and Ujjain water supply situation continues to be critical.

To meet the expenses for implementing water supply scheme, the Government of Madhya Pradesh had made demand for Rs. 18.28 crores from the Central Government. As against this an assistance of Rs. 486 crores has been made available in 1984-85 and 1985-86 financial year. This assistance is meagre compared to the requirement of the State to implement various water supply schemes to meet the situation. Therefore, additional Central assistance of Rs. 13.56 crores is absolutely essential.

In the circumstances stated above, I urge upon the Government of India to sanction additional funds to implement water supply schemes in the problem villages and towns.

- (v) Demand for erecting a monument in memory of the late Sibte Hasan

SHRI AZIZ QURESHI (Satna) : Mr. Speaker, Sir, Shri Sibte Hasan was an eminent scholar writer, critic and thinker of the sub-continent. As an Urdu writer known for his progressive and creative works, he is rated among the literary giants like Faiz Ahmed Faiz and Sajjad Zahir etc. who have brought luster to literature by their progressive thought and creative writings and are known throughout the world.

He had also taken part in the freedom struggle through his pen and a collection of his poems named '*Azadi-Ki-Nazmain*' (Poems of Freedom Struggle) was banned and the

book forfeited by the then British Government as it preached sedition. He had also been on the editorial staff of National Herald during pre-independence era, when the paper was started by Jawaharlal Nehru.

After independence he migrated to Pakistan and through-out his life he continued to fight the dictatorial regime of Pakistan and the anti-secular, anti-democratic and anti-progressive policies of its rulers through his writings and till his last breath continued to struggle against them through his progressive and creative thoughts to make this world a better place to live in.

He came to India to take part in the Golden Jubilee Celebrations of Progressive Writers Association of which he was one of the founding fathers, and unfortunately died here, after the Conference was over, only about a fortnight ago.

In view of his distinguished past and service, a monument should be erected in his revered memory to pay our real tribute to him.

The Ministry of Culture should initiate action in this direction. In addition to this, monuments should also be erected in memory of persons like Faiz Ahmed Faiz Sajjad Zahir for their great universal, creative and progressive contribution for the establishment of a new social order.

PROF. MADHU DANDAVATE (Rajapur): Let the Minister give some assurance.

[Translation]

You may forget us, but Faiz should not be forgotten.

PROF. SAIFUDDIN SOZ (Baramulla): He has a smiling face. We may speak anything.

[English]

These are very laudable suggestions. It is proper that the Minister kindly reacts to these,

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND HOME AFFAIRS (SHRI P. V. NARASIMHA RAO): This will come to me. I will consider the matter and send a reply. I will take whatever action needs to be taken.

(vi) Need to extend financial assistance to the Kamla (Textile) Mills Private Ltd., Bombay.

SHRI VIJAY N. PATIL (Erandol): Sir, the Kamla Mills Private Ltd., Bombay (Textile Mills) have requested the IDBI for a package deal to revive its financial problems. The management is trying hard to keep the viability of the textile mills for the last two years. They have injected an amount of more than Rs. 1.5 crores in the mills to keep its running. So also the management has requested the IDBI, State Government and other agencies and financiers to give them financial assistance to prevent the mills from going sick. This request is as old as 1984. But it appears that the IDBI is not giving full attention to the seriousness of the problem. Hence I urge upon the Minister of Industries to immediately pay attention to the problems the mill is facing and instruct the concerned authorities to extend necessary financial assistance so that the mill may be prevented from going sick and the workers may not be thrown out of employment.

[Translation]

(vii) Demand for construction of bridges at railway crossings over National highways in the country by the Railway administration itself.

SHRI DAL CHANDER JAIN (Damoh): Mr. Speaker. Sir, it is the policy of the Railway Department that wherever over bridges or under-bridges are required to be constructed, the expenditure involved for the construction of approach roads is borne by State Government and its organisations like the Municipal Corporations etc. Due to this policy, over-bridges or under-bridges at several important places have not been constructed till today. The State Governments are often unable to bear the

[Shri Dal Chander Jain]

expenditure and it is the common people who have to suffer on this account. Therefore, it is essential that the Railway Department itself must construct those overbridges and underbridges over railway crossings which are at National highways near the district headquarters.

For example, the road traffic from Allahabad to Bombay, Kanpur to Bombay and Nagpur to Bombay, crosses the railway line at Sagar (Madhya Pradesh) and at Damoh. At least 10 passenger trains and 30 goods trains are running on these lines. If the crossing is closed for ten minutes for a single train, then it implies that the road traffic is held up for 400 minutes or 6 to 7 hours per day for so many trains. How much loss the nation has to incur because of it? The Railway administration can charge certain fees on truck permits for construction of the overbridges and approach roads.

Again, the smooth flow of road-traffic is interrupted very often on the national highways at the railway crossings which are located near the district headquarters due to the non-existence of overbridges and underbridges. Accidents also occur and the common people have to face greater hardships. Therefore, I would request that over-bridges and under-bridges should be constructed by the Railways without insisting on any assistance from the State Government or its municipal bodies.

[English]

(viii) Demand for improving telecommunication Services in Kangra, Hamirpur, Una and Bilaspur districts of Himachal Pradesh.

SHRI NARAIN CHAND PARASHAR (Hamirpur): The telecom. services in general and the trunk services in particular in Kangra, Hamirpur, Una and Bilaspur Districts of Himachal Pradesh (which have a community of interest) need considerable improvement. There is urgent need to provide more trunk centres by converting the existing SAXes (MAX III) at Jwalamukhi and Baijanath in Kangra District and Chintpurni in Una District into CBNM/

CBM Exchanges. The waiting lists are also quite heavy—31 at Jwalamukhi and 48 at Chintpurni which are at present 100 line SAXes. I therefore, request the Minister for Communications to sanction the conversion of these 3 exchanges on a priority basis and provide for their early installation, as a special case. The conversion of the three other SAXes at Bhoranj and Barsar in Hamirpur District and Amb in Una District may also be approved after the conversion of the three Exchanges mentioned above during the Seventh Five Year Plan, as special cases. Similarly, all the 59 Post Offices downgraded and 6 closed down in Himachal Pradesh during the last three years including the current financial year should be returned to their original status and re opened respectively on account of difficult geographical terrain and sparse population.

There should not be any further downgradation and closures in future, as we cannot open or up-grade any new post offices on account of the ban on recruitment though over a hundred proposals are justified for opening new post offices on the basis of existing norms.

I request the Minister of Communications to accept both the please.

(ix) Demand for assistance of rupees ten crores for relief of the victims of the recent earthquake in Kangra Valley of H.P.

SHRIMATI CHANDRESH KUMARI (Kangra): I would like to draw the attention of the House to the heavy damage which has been caused by the earthquake that rocked the Kangra Valley on 26th April, 1986.

I have personally visited the affected places and the damage to property is much more than was estimated by the initial reports. The total damage to houses and buildings has now been assessed to be nearly Rs. 65 crores as over 5000 houses have been completely damaged.

Over 50 villages falling between Chamunda and Shahpur have been badly hit. While about 50 per cent of the houses

have collapsed, the remaining have suffered extensive damage. The majority of the houses in the areas of the Kangra district have collapsed and about 80 per cent of the buildings at Dharmshala, Shahpur, Kangra, Palampur and Baijnath towns have development cracks.

To tide over the crisis caused by this earth quake, the Chief Minister of Himachal Pradesh has sanctioned Rs. 2 crores for providing immediate relief to the earthquake victims of Kangra District and I would urge upon the Centre that considering the gravity of the situation at least Rs. 10 crores may be straightway sanctioned pending the report of the high power central team which is assessing the losses, so that the sufferers of this natural calamity are enabled to repair and rebuild their houses before the rains set in. Action may also be urgently initiated to provide levy cement as well as subsidized timber on top priority basis for this purpose.

- (x) **Demand for contruction of a National Highway linking Rajahmundry and Nagpur by a direct route.**

SHRI SRIHARI RAO (Rajahmundry) : At present there is no National Highway linking Rajahmundry and Nagpur by a direct route. If a direct National Highway is constructed, it will not only reduce the distance between Rajahmundry and Nagpur by at least 200 KM, but it would also link the four States and their borders as it will pass through the tribal belt of the four States namely Andhra Pradesh, Orissa, Madhya Pradesh and Maharashtra.

The construction of this road will expedite the progress and development of the tribal people of these States and help them in joining the mainstream of national life. This will also develop their economy by enabling them to transport their forest product to the nearest markets. It may be mentioned that recently our Prime Minister stressed that transport facilities should be developed in tribal areas on a priority basis.

Another advantage of this highway will be that the Naxalites and other radicals and

dacoits who take shelter in the tribal belt will no longer be protected.

The construction of this national highway will not involve much expenditure as it will not be the construction of a totally new road.

I, therefore, request the Minister of Transport to give priority consideration to this project so that the tribal people of the four States may join the mainstream of national life.

- (xi) **Demand for protection of the indigenous industry manufacturing wattle extract used in leather tanning.**

SHRI P. KOLANDAIVELU (Gopichettipalayam) : The only indigenously manufactured wattle extract used in the leather tanning, which is an import substitution industry saving considerable foreign exchange to the extent of our production is situated at Mettupalayam in Tamil Nadu. Than India is at present providing employments to about 2000 tribals and Ceylon repatriates working in Nilgiris and Kodaikanal Reserved Forest, which are the main sources of raw material for our industry. Besides 600 personnel are employed at the factory. To our utter dismay, at a time when the industry was forging progress, the present import policy has suddenly and adversely affected this indigenous industry. In the current budget, import duty on wattle extract has been reduced from 87 per cent to 40 per cent for traders as well as for actual users and further an exemption is also given to exporters of leather that they will be allowed to import basic raw material namely wattle extract without payment of any import duty. While we appreciate that these facilities would encourage leather industry for boosting their export, this has unfortunately exposed the indigenous industry to a very great extent at the hands of foreign competitors. The recent concessions allowed will bring down the cost of import material considerably in general; whereas in the case of registered exporters, because of complete elimination of import duty, their material cost will be lower to the extent of Rs. 3000 to Rs. 350) compared to our current selling price.

[Shri P. Kolandaivelu]

Thus, as a result of this policy, they are unable to market their products because of the present adverse conditions and as a result, Rs. 75 lakhs worth of finished product has been accumulated. Unless these products move, the company will face the prospect of stopping further production and a consequential lay off of about 2500 workers, besides the huge loss in revenue.

(xii) Need for financial assistance to Orissa Government for buying adequate number of jeep mounted rigs for saline affected areas.

SHRI SARAT DEB (Kendrapara) : Due to inadequate rains towards the fag end of last rainy seasons, most of the reservoirs of the major dams on Mahanadi, Brahmani and others are below the average level. As such, there is inadequate flow of sweet water in the concerned rivers. Most of the population that has settled in the tail end of these rivers and close to the sea. They depend on these river waters as their main source of drinking water and the people are facing acute problem as the water of these rivers has turned saline. Wells and tanks in the areas of Cuttack, Baleshwar, Ganjam and Puri districts have proved to be a failure due to salinity. Tube wells dug by rig machines have proved fruitful. Therefore, I would urge the Government of India to provide special funds for purchasing adequate number of jeep mounted rigs to the State for saline affected districts or provide such rigs earmarking them for the saline area.

(xiii) Demand for financial assistance to Andhra Pradesh Government for meeting severe drought situation in the State.

SHRI B. N. REDDY (Miryalguda) : Mr. Speaker, Sir, the State of Andhra Pradesh is passing through a severe drought of rare dimension this year. Situation has assumed alarming proportions. As the State experienced continuous drought for the past six years, there is no drinking water, to fodder for cattle in the entire Telangana and Rayalseema areas. 685 out of 1100 mandals in the 19 district have been declared as drought affected. The State Government

has already submitted two memoranda so far requesting for a total assistance of Rs. 608 crores. Central team visited a number of drought affected districts in the State during October, 1985 and December, 1985. A nominal Central assistance of Rs. 32.29 crores have been allotted to be utilised by the end of March, 1986. The need of the hour is to clear all pending irrigation projects so as to extend irrigation facilities to drought affected areas. It is, therefore, requested that the Central Government extend assistance from 1.4.86 to 31.7.86 to combat the situation which is likely to deteriorate much further.

11.38 hrs.

RESOLUTION RE-DRAFT NATIONAL POLICY ON EDUCATION-1986 (Contd.)

[English]

MR. SPEAKER : The House will now take up further discussion on the following Resolution moved by Shri P.V. Narasimha Rao on the 6th May, 1986 namely :—

“This House approves of the Draft National Policy on Education—1986, laid on the Table of the House on 2nd May, 1986.”

Now, Shri P.M. Sayeed.

SHRI P.M. SAYEED (Lakshadweep) : Mr. Speaker, Sir, we have before us a very important document on which many of our Members have already deliberated. This is a well-drafted document and the Government is determined to go for a fuller utilisation of the human resources in holding the development of the country.

Sir, this is not for the first time we have such document presented in the House. In 1968, also we had a draft on National Education Policy. The problem still remains, if you look at it, if not more as such. Sir, the National Education Policy, if it is going to be strictly monitored and implemented, the

situation in which we are now ought to have been averted. Even today, 40 per cent of the Schools have no *pucca* buildings. Equally 40 per cent of the Schools have no blackboards. Nearly 60 per cent of the Schools have no drinking water facilities. And also 45 per cent of the teachers—single teacher Schools—who have to teach 3 to 4 classes and the immense problems will be further multiplied, by 1990, when we need additional 22 lakhs teachers. Anyway, since funds happened to be always a problem for education, this time, we are told that will be substantially met. Of course, the co operation of all sections and all the States and the Union Territories is a must for a successful implementation of the National Education Policy. Sir, perhaps, our's is the only country where our new generation is not taught the history of our own. Now, the new generation does not know the great epoch-making history that led us to regain our freedom. That freedom movement history has not been taught to our children. Also, Sir, after independence and till now, I think it is an unprecedented development and you can see for yourself that in any part of the world, such a development has not taken place. Therefore, in this New Education Policy, I emphasise that the Government must see that our history of freedom movement must be taught to the children. Secondly, I want to suggest that there must be compulsory training for the children in the National Cadet Corps. Sir, for two purposes, I am emphasising this matter. Firstly, discipline should be inculcated to our children. Secondly, a sense of patriotism and nationalism should be instilled or inculcated in our new generation.

MR. SPEAKER : From the very beginning.

SHRI P.M. SAYEED : Yes, Sir. Sir, from my own experience, I am placing before you that this National Cadet Corps training is a must for every student in this country because patriotism and also discipline should be inculcated in this. That is a must in the present day situation in our country. Sir, coming to our own areas, the difficulty is....

(Interruptions)

MR. SPEAKER : It is all right, I have got no more time. I have to do justice to all. I am handicapped.

SHRI P.M. SAYEED : Sir, only two minutes. Our difficulty is that we demanded for more teachers in December last, but till today, we have not got any sanction. This is how you are going to inculcate the new curriculum. Then you say about drop-outs. On what basis ? You also say ban on posts and ban on recruitment. They don't sanction the posts, and therefore, the students cannot get through in the examinations. Certainly the States and Union Territories are directly controlled by the Centre and they must see that this institution remains ideal.

Sir, with due respect, the Education Minister may kindly take care of these special problems of the Union Territory.

[Translation]

SHRI ANADI CHARAN DAS (Jaipur): Mr. Speaker, Sir, our hon. Prime Minister has pleaded very well about a good Education Policy in the House. The Discussion on the National Education Policy has been going on in the House for the past three days. We had read in the Childhood and I quote :

*Swadeh Pujaate Raja
Vidwan Sarvatra Pujaate*

This is very true. A person who gets education gets everything in life and the generation gap is also reduced to some extent. So, I would like to congratulate the Government once again for its intention to grant education to all. I would like to give some suggestions on the floor of the House. You have made special arrangements for our Adivasi and Harijan areas. I would suggest that education must be made compulsory upto the middle level. Certain special steps must be taken in this regard. Whatever requirements or financial allocations are needed for this purpose, they must be made available.

[Shri Anadi Charan Das]

[English]

Paragraph 4.5 says :

“Pre-Matric scholarship scheme for children of families engaged in occupations such as scavenging, flaying and tanning to be made applicable from Class I onwards. All children of such families, regardless of incomes, will be covered by this scheme, and timebound programmes targetted on them, will be undertaken.”

[Translation]

I am implying that a special programme must be for a period of 10 years, so that at least one child of the family is educated upto the Primary level.

Fourthly, I would like to say that the Adult Education Schemes are not suited to the rural areas. I am speaking from experience. We had conducted a similar experiment in 1977-78 with batches of 60 students through Voluntary Organisations. I saw that the atmosphere in the rural areas is not conducive to education. Wherever an adult has to attend his classes, he is called for some other work either by his master or some child comes to the class and asks him to hold the baby, while his wife is at work in the kitchen. So, this scheme cannot work under such circumstances in the rural areas. It must be more successful in the urban areas. The entire money is being wasted here. More of non-formal schooling should be there in the villages. This would really be of some benefit and ‘Balwadis’ should be opened for every fifty families.

Technical Schools should be opened in greater number for the Harijans and the Adivasis. The school prayer should embrace all, the religions, so, that a Muslim may not say that it is a Hindu prayer.

SHRIMATI PRABHAWATI GUPTA (Motihari) : Mr. Speaker, Sir, I would like to congratulate the Minister of Education for having brought forward this document, in which every aspect of education

has been taken into consideration and I welcome it. In this document, a new dimension and a new turn has been given to our education system from the pre-primary stage to the University level. However, in spite of this ambitious policy, we are still at crossroads in the matter of education.

Mr. Speaker, Sir, education builds up a man's present and future and this is the basic principle underlying our National Education Policy. Our sages and thinkers after much thought came to consider education as a tool for the development of the all-round personality of an individual. In this National Education Policy also, the Ministry of Human Resource Development has considered man as a resource which needs be developed. I want to express certain noteworthy points regarding this policy. First, it has been mentioned that illiteracy will be removed from among those who are in the 15—30 years age group. I want to draw the hon. Minister's attention to the fact that according to a UNESCO report, the number of illiterate people in India is the highest in the world even after 38 years of independence. A lot of money is also spent on our adult education schemes. Does he have the relevant figures in this regard? I want that a survey should be conducted to find out where all the funds have disappeared due to which the ranks of the illiterates have been swelling.

Secondly, it seems that earlier, people were educated on matters relating to Commerce but now education itself is being commercialised. I want to assert fearlessly that in the National Education Policy efforts are being made to forcibly combine two contradictory aspects. On the one hand, education is being remodelled to cater to the affluent and the privileged section of the society and on the other hand, it is also meant to cater to the handicapped, the Harijans, the Adivasis, the women and those children who have the additional burden of looking after their little brothers and sisters. In this way, our Education policy is serving two opposite ends. I would like that this gap should be bridged. In this connection, special attention must be paid to primary education. It is to be appreciated that our Government's attention has been drawn

towards pre-primary education. The first teacher of the child is his or her own mother. As it is said and I quote :

*Matriman, pitriman, acharyaman,
purushveda shatah*

Our sages have said that education should be such that—

Sah Shiksha ya vimukte

Education should be such that there is emphasis on character building and development of human values. I want to say that nursery schools have been opened in the villages. Your Balwadis should be well-organised and should function properly.

Secondly, I would like to say something about the primary education. Rs. 1850 crores have been earmarked for this purpose but how can it be sufficient? The condition of primary schools is appalling at present. So many schools in our 7 or 8 lakh villages do not have proper buildings. They are housed in roofless huts and where there are no trees as well. The area you represent is a desert area and there the children sit and study under scorching heat. Therefore, you must resolve to provide proper buildings for these primary schools you said that you would construct two rooms.

I would conclude by mentioning one more thing. He has given a very good proposal for the rural schools. I want to say that in Champaran.....

[English]

MR. SPEAKER : Full stop. Finished. That is all. Now nothing goes on record, Madam, Order is order.

SHRIMATI PRABHAWATI GUPTA :

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[Translation]

SHRI KALI PRASAD PANDEY (Gopalganj) : Mr. Speaker, Sir, our ancient history is a witness to the fact that

in the pre-historic era man survived by eating fruits from the trees and by drinking river or sea water. Although our civilization may have entered the computer and the electronic age, yet our Education Policy is still primitive. I am grateful to the hon. Minister Shri Narsimha Rao for having heralded a new era by presenting the New Education Policy in the House for consideration. Shrimati Sushila Rohtagi used a term in the course of her speech. She had spoken about good and bad education and had suggested that brilliant students be sent to good schools. So long as there is the concept of good and bad schools and the rich persons, proud of their riches continue send their children to public schools and the children of the poor people, without a square meal, continue to study under the sky, the society will never progress. On the one hand you see that there is a deficit of Rs. 15,000 crores in this education policy. On the other hand when the State Governments allocate Rs. 15 to 20 lakhs to District Education Superintendent for the purpose of supply of exercise books to the children, he allots the tenders to his own men. The result is that out of Rs. ten to fifteen lakhs only one lakh are spent on education and the rest of the amount is pocketed by the officers. Mahatma Gandhi had visualised in west Champaran that the English culture would be banished from India as a result of his movement but still the English culture lingers on in the Parliament House of India and outside it.

You have placed this education policy in the House but nowhere has it been mentioned as to what will be the medium of instruction. Hindi, the language in which we are brought up and with which the name of Hindustan also begins, is being neglected today in India. Many members have expressed their views on it. The Telugu Desam people want it to be Telugu while some others favour Bangla. I respect all the languages. All these are our languages. The British have left India forever but still the English culture persists. Why? You have never tried to promote our national language Hindi. I suggest that it should be promoted, I also want to say that the poor children especially in West Champaran are not getting education due to lack of buildings.

** Not recorded.

[Shri Kali Prasad Pandey]

If the children are not educated they may turn out to be the future Man Singhs and Sultanas. You have a look at the condition of West Champaran. You launched operation Blue Star in Punjab and now the Bihar Government has ordered operation Black Panther in West Champaran. When those innocent children are not getting even two square meals there, how can they get education. You should think over it.

With these words I finish my speech.

[English]

SHRI G. G. SWELL (Shillong) : Mr. Speaker, I would like to congratulate the Minister of Education for having brought forward this document. It is a alim document containing a kind of a programme for action. I am confident that it stands a good chance of implementation, because as the Minister of State yesterday said, there is a political will behind this and the fact that the Prime Minister himself was in the House for a good part of the day yesterday underscores that fact.

Sir, the Ministry has a paradigm correct: Education for all children up to a certain age by a particular date, vocationalisation, adult education, non-formal education for those children who do not have the opportunity of going to schools in the normal course, higher education for everybody through the Open University and national ethics and things of that kind. We cannot quarrel with those things. They are all in the right place. I would only say that there is a danger of the whole thing falling through or whole the exercise becoming counter-productive at the stage of implementation.

12 hrs.

I will not stray into other matters because I know that my time is very short. I am grateful to you for giving me even this little time.

I will refer in particular to the education of the Scheduled Tribes which has a separate section in this Document, because I

come from that area. I represent a Scheduled Tribe constituency. I am happy that even here you have the things right in the places. You talk of priority of establishing primary schools in the tribal areas, you talk of socio-cultural milieu of the Scheduled Tribes, you talk of residential and ashram schools and so on. I would like to draw the attention of the Minister to this that I know of many villages in my constituency, which is the Scheduled Tribe constituency, which on paper have got the schools but actually there are no schools at all, or maybe a kind of an apology of a school or a kind of chicken-shed or a kind of cattle-shed which goes in the name of a school. But on paper the school is there. In terms of teachers also it has been found that either the teachers are not being appointed and the money is being drawmall the same or the people who have no education at all are appointed. Sometimes people who carry on their duties with left thumb impression are shown as teachers and the money is drawn all the same. I would like the Government, which has all the good intentions, that it should have a machinery to monitor whether these things are taking place and that the money that is spent is spent for the objective scheduled. You cannot depend just on the State Government. As you are well aware, in my area, primary education is in the hands of the District Council. There has been a lot of mismanagement and there have been teachers agitations and all kinds of things are happening there. There should have been some kind of monitoring and finding out whether these schools are really there and whether the teachers are really there.

You have the programme for black board operation. Unless you have the real and competent teachers to do that, the whole programme will fall through.

I would suggest that in very village in all Tribal areas, there should be a primary school and it should be ensured that the primary school is there and the teachers are the proper teachers. The teachers should be qualified. They should be paid properly. They should also be given certain facilities to which Government servants are entitled to such as medical care when they are sick and so on. Then only you have the chance of getting good teachers.

With regard to residential and ashram schools, it is a good idea. I would suggest that these things should be done mostly in the secondary level in the tribal areas. You select the central places for this purpose and take these schools there. But crucial to this whole thing is the hostel accommodation. Unless the students have some where to stay, they cannot pursue their education. Have hostels, have good playgrounds and other things. Then the whole thing will work.

Lastly, I would draw the attention of the Minister that in my areas the people have fairly good education. That has been the work of residential schools through the missionaries—not necessarily Christian missionaries but even Indian missions like the Ramakrishna Mission. They are doing good work and rendering yeoman service through their schools. You can entrust much of the implementation of your programme to them.

SHRI MUKUL WASNIK (Buldhana) : Mr. Speaker, Sir, I rise to support the Resolution moved by the hon. Minister for Human Resource Development. After going through the draft of the New Education Policy, I feel that if the policy is properly implemented, it will surely develop the overall personality of the young human resource of our country. The present education system produces some men of excellence but, at the same time, we have seen that the present system was more like a stumbling block to many others and it did not contribute as a catalyst in the development process. The system did nothing to represent or fulfil the expectations and aspirations of the student community which, I feel, are the main beneficiaries of any education policy, and because of this we saw that there was a constant and a gradual decline in the character on the one hand and, on the other hand, we saw that there was the gradual and constant rise in the rate of educated unemployed youth in the country. This created frustration and that frustration led to many student agitations in the country where people with some vested interests, tried to deviate the student community in the wrong direction. Therefore, we saw that many States had been badly affected because of these student agitations.

The student community in particular and the nation at large was very happy and thankful to the Prime Minister when he announced his intention to give to the nation a new education policy. Today, we have the draft of the New Education Policy with us. People in the Opposition and the Opposition student organisations are trying to criticise the Education Policy. But what exactly the New Education Policy propose to do? This policy, on which the nation had discussions throughout the year, has not come out of the closed rooms of the Ministry of Education, nor has it come from the people with closed mind. This policy reflects the feelings of the people and because of this reason, when we saw that there was a decline in the character of the student community and the youth in country, this policy has emphasised that it will make readjustments in the curriculum which will be made in order to make education a forceful tool for the cultivation of social, moral and ethical values. This policy which tries to inculcate in the student community the feeling of patriotism, also tries to inculcate in them the constitutional provision—Fundamental Rights and Fundamental Duties of the Indian citizens. This policy has also pledged to concentrate on the elementary education and has emphasised that there will be universal enrolment and universal retention of children up to 14 years of age and that there will be a substantial improvement in quality of education. The Government has also realised that there are schools but in these schools there are no black-boards, no desks, no benches and, therefore, they have announced the 'Operation Blackboard'. I am sure that with this Operation Blackboard, they will also launch an 'Operation desks, chairs, books, playgrounds and other necessary items of education'.

I congratulate the hon. Minister.....
(*Interruptions*).

MR. SPEAKER : Now wind up, please.

SHRI MUKUL WASNIK : I will finish in two minutes, Sir, I am the lone Member representing the student community here.

MR. SPEAKER : I have to exercise equality.

SHRI MUKUL WASNIK : I will finish in two minutes, Sir. This policy has emphasised on the education of the Scheduled Castes, the Scheduled Tribes, the girls, the handicapped, the minorities, the adults. It has emphasised on all the sections. But the last point which I want to make very clear is that no policy can be said to be good if it cannot be implemented properly, and for proper implementation, the machinery for proper monitoring and review is a must. We feel that only a teacher can tell whether the student learns or not and only a student can tell whether the teacher is properly teaching or not. Therefore, the students' representation must definitely be there in the system of monitoring, reviewing and decision-making of the Education Policy.

[*Translation*]

SHRI RAMSWAROOP RAM (Gaya) : Mr. Speaker, Sir, I support the New Education Policy. While supporting it, I would submit to the hon. Minister that the new education policy formulated in 1968 had increased the literacy rate in the country. When we take the 1951 literacy percentage, it was 16.67 per cent and according to 1981 census it was 36.23 per cent. But still there are 44.6 crore illiterates in this country. I would respectfully like to know who are these illiterates? These illiterates are the children of the poor villagers who do not get even a square meal. They do not have a house to live in. There are no schools near the villages. These are the 44 crore people who are illiterate. In 1950, you had provided in Article 45 of the constitution that within ten years of the enforcement of this constitution, arrangements would be made to provide free and compulsory education to all children below the age of 14 years. This was declared in 1950. Now after 38 years of independence you have brought. The New Education Policy in which it has been reiterated that all children below 14 years would be educated. I doubt, despite your best intentions, whether your desires would be fulfilled.

I wish to draw your attention towards all these children of harijans and tribals who have never been to a school. There are

schools in the villages but in our society there is the tendency to discourage these children from getting education. They are prevented from pursuing their studies

12.13 hrs.

[**SHRI ZAINUL BASHER** *in the Chair*]

If you want to educate their children and bring them in the mainstream of the society, then you must at least provide one primary school for every hundred houses of Harijans and Adivasis. You are turning out two type of citizens. Have a look at the village schools where there are no buildings, no blackboards and no arrangement of books. On the other hand you talk of establishing equality in the society by running these public schools. In my view you cannot establish an egalitarian society through this education policy. To achieve it either you close down the public schools or convert the village schools into public schools. You cannot have two opposite things at the same time. I do not say all this for the sake of criticism only. The drop-out rate of the children of Harijans and the Adivasis is very high and the main reason behind it is poverty. They have no houses to live in. Last time I had said that you should start a programme like food for education. Why not give the wheat to the children which is rotting in the godowns? If you give such incentives, then in my view the children of those Adivasis will be motivated to get education. With these words I support your education policy and I request that to achieve this aim, 'food for education' programme be implemented.

SHRI SARFARAZ AHMAD (Giridih) : I support the New Education Policy presented by the Government. The policies are never made bad. They are always good. But we have to see whether they are being implemented properly and that the people for whom they are made get the benefit. We have to pay attention to the fact that who is standing in the way of betterment of the people though Government is doing every effort in that direction. Who is creating obstacles in the way? We are moving forward and making progress. It is a good thing that our education policy is

changing with the time. In any developing country, which is making progress, a change in the education policy is essential. I want to draw your attention to the primary and the middle schools run by the State Governments. If the buildings are there the teachers are not available and if teachers are there then the building is not there. If there are ten teachers in a school you will find only four or five present and more than half the teachers are absent without leave. They come for a day and mark their attendance for the whole week. There is no one to check them and if the vigilance committee is there then we have to see if it meets or not. A sense of responsibility is needed to be developed among the teachers. They are to be made responsible because they are an important link in the progress of the country. Some very good ideas have been expressed in the New Education Policy. The idea of model schools is quite commendable. Arrangements are being made to adopt a uniform system of education in the entire country, irrespective of religion and caste consideration. It is a commendable idea.

Attention has also been paid to the education of women. Attention has been paid to the informal education of scheduled castes and scheduled tribes and adult education. There is a provision for ashram schools in the tribal areas which is a good thing and we should support it. I want to draw your attention to the backward areas of Chota Nagpur of Bihar which are predominantly tribal areas. There is one university in Chota Nagpur which is known as Ranchi University, while in the other areas of Bihar there are four or five universities. One more university is needed in Chota Nagpur area with the Headquarter at Hazari Bagh and its name should be North Chota Nagpur University. It should cover the backward and undeveloped areas of North Chota Nagpur and Santhal Pargana. One medical college and one engineering college are needed for North Chota Nagpur. I would like to draw your attention to this backward area because today the Government is doing something for backward areas. There is need for one more university for Chota Nagpur which is predominantly an adivasi area.

Vocational education, which is necessary, has also been mentioned in the policy. The most important thing I want to emphasise is that a sense of responsibility in the teachers is the most essential thing. Teachers are the backbone of our country and they play an important role in taking any country forward. With these words I thank you.

[English]

SHRI D.B. PATIL (Kolaba) : As the time is very short my first point will be that elementary education should be universalised and Government has accepted this in the draft that it should be universalised. I am just putting the facts.

My second point will be that there should be autonomy for the State so far as education is concerned. Then I would like to bring it on record that I am opposed to all sorts of public schools, special schools and the schools envisaged in the Draft, *viz.*, the Navodaya Vidyalayas. There are two types of educational institutions in our country. One is schools where all facilities like good teachers, good training prog instruments, good laboratories, etc. are available and there is the other type of institutions where no such facilities are available. Because of that there is a vast difference between these two types of educational institutions. So there should not be this sort of imbalance in the educational system itself.

The Government has announced that there would be universalisation of education. But unless and until it is supported by enough funds, this policy of operation blackboards is not going to succeed. It is a very good slogan, a very catchy slogan—Operation blackboard. There were many slogans like that like *Garibi Hatao* of 1971. But *Garibi* has not been *hataoed*. It is very much there. So also with regard to Operation Blackboard I have my own doubts because for the Seventh Plan the provision for elementary education that was recommended by the National Seminar was to the extent of plan and non-plan expenditure Rs. 23,199 crores. Perhaps the National Seminar had in mind the Operation Blackboard. To make it a success such

Shri D.B. Patil]

huge amounts are required. But if you go to the provision made in the Seventh Plan for elementary education, you will be surprised and you will come to the conclusion that unless and until allocations are made to that extent, the Operation Blackboard is not going to succeed. Then there was an estimate by RK Bhandari. According to him Rs. 21,200 crores will be required for elementary education. What was the actual position? The actual position is that only Rs. 1830 crores is provided as against Rs. 23,199 crores needed. If the Operation Blackboard is to succeed this type of meagre provision is not going to help. So I would like to request the hon Minister. Yesterday she has stated that by the end of the century, that is, by 2000 AD, there will be no illiterates in this country. I was very glad to hear it. But the extent of illiteracy is so high in our country and according to the plan draft that was circulated for discussion in the country, in the draft itself it was stated that by the end of the century 50 crores out of 100 crores of the population will be illiterate. If the extent of illiteracy is so big, the provision also should be that big; otherwise the Operation Blackboard is bound to fail. I do not wish that it should fail, it should succeed. For the success of the Operation Blackboard enough provision should be made. I am sure the Government will do it. Otherwise the neglected SC, ST and the OBC women are all likely to suffer in the near future. By the end of 2000 A D. there will be 50 crores of illiterates in our country. They will not have access to education because of the circumstances, of the party and other reasons. They were kept away from this field of education. In the Policy Statement on page 1, paragraph it is stated :

"The country has reached a stage in its economic and technical development when a major effort must be made to derive the Maximum benefit from the assets already created and to ensure that the fruits of change will reach all sections. Education is the highway to that goal".

It is very important. It has been stated that we have done something; all advantage

should go to the people who are underprivileged. Education is the highest goal. It is very important. Till now this highest option has not been open to persons who are illiterates, who do not have opportunity to go to the schools. If they have an opportunity to go to the schools, they are compulsorily dropped out because of the circumstances. Care should be taken that education which is the highest goal to achieve, reaches all the people. I would request that care must be taken to see that elementary education and higher education should be provided for all.

[*Translation*]

SHRIMATI SUNDERWATI NAVAL PRABHAKAR (Karol Bagh) : Mr. Chairman Sir, I am speaking with your permission.

SHRI C. JANGA REDDY (Hanamkonda) : Mr. Chairman, Sir, will you allow me to speak after her ?

MR. CHAIRMAN : That will be decided later on.

SHRI C. JANGA REDDY : Sir, I have been waiting since yesterday. Sir, I am the lone representative of my party in the House.

MR. CHAIRMAN : This is the advantage of being the lone representative that you have already spoken on all the subjects.

(*Interruption.*)

SHRIMATI SUNDERWATI NAVAL PRABHAKAR : You have promoted education and effected substantial improvements. It is true that the standard of education has been raised everywhere. But in spite of it, I would like to raise some points. All the Members, while speaking on education, have made a common complaint that injustice is being done with the children of the poor and they spoke about their standard living and the short coming in their education.

I would like to draw your attention towards the primary and the Higher Secondary Schools of my constituency. A

large number of school-going children are there but if you look at the condition of the primary schools you would find that there is no arrangement of electricity and drinking water for the children and there is also no arrangement for their studies. You always see big schools where you can easily find good looking, well dressed and lovely children but I am sure that you have not seen what kind of education is being imported to the children in J. J. Colonies and slum areas.

Sir, yesterday our hon. Minister had told us that efforts are being made to ensure that the children of the poor may also get education in these schools.

You are leaving the House, please sit down and listen to me.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND HOME AFFAIRS (SHRI P. V. NARASIMHA RAO) : You can address me.

SHRIMATI SUNDERWATI NAVAL PRABHAKAR : I would like to say that education standard of our Public Schools, whether in Delhi or in any other place, is very high. On the one hand, you want to make those public schools accessible to the poor children but on the other hand, these schools are very expensive. Their fee charges are too high and their education standard is also very high. The students of these public schools wear expensive dresses and each dress must be costing at least Rs. 500. The fee in a public schools is from Rs. 150 to 250 per month. Will you tell me how a child of a poor family can study in a public school? You are trying to bridge the gulf between the rich and the poor children but it is not possible without making drastic changes. If you really want to give them good education and bring them at par with others, you will have to provide reservation for them.

I would like to suggest that students should not take part in politics during their student-life.

AN HON. MEMBER : They should take part in politics.

SHRIMATI SUNDERWATI NAVAL PRABHAKAR : They should not take part in politics. If we involve them in politics, their education will be disturbed. Education is a thing which cannot be stolen.

If we are educated we shall automatically make progress.

MR. CHAIRMAN : You confine to your own points.

SHRIMATI SUNDERWATI NAVAL PRABHAKAR : The students should not be subjected to physical punishment in the primary schools. The books should be made available at cheap rates to the poor students as well other students may be able to purchase them.

The teachers should be well paid. We should have sympathy for them because they prepare the future generation. Some capable and intelligent boys directly join I.A.S. after completion of their B.A. degree. The poor boys cannot do that.

Some children join the Government Nursery Schools and some join Private Nursery Schools. The children of Government Nursery Schools should receive the same attention which the children in the private schools receive.

Education for the women should be compulsory. If the mother is educated, she can take care of her children over their number be one, two or three.

MR. CHAIRMAN : Now you please conclude. Shri C. Janga Reddy.

SHRIMATI SUNDERWATI NAVAL PRABHAKAR : I have yet to speak a lot, you have allotted me very short time.

MR. CHAIRMAN : No, no, you sit down and explain to the Minister in person.

SHRIMATI SUNDERWATI NAVAL PRABHAKAR : I am speaking on child education and I have to say one more point,

MR. CHAIRMAN : All are speaking on child education. You conclude within half a minute.

SHRIMATI SUNDERWATI NAVAL PRABHAKAR : What I want to say is that you must pay attention to the donation being demanded by public schools at the time of admission. The leading public schools demand as much Rs. 15 to 20 thousand donation for the admission of a child. How can the children of the poor be admitted in these schools, who cannot even make their both ends meet ? How can they compete with these children ? If you really want equality, you should either close-down these public schools or bring other schools at par with them.

SHRI C. JANGA REDDY (Hanamkonda) : Mr. Chairman, Sir, as soon as Prime Minister took over, he announced that changes would be brought about in the education system. I had expected that some new changes would be brought about and there would be some development and improvement in the country.

I had expected something new from the hon. Minister of Human Resource Development, but after going through it, I come to know that there is nothing new in it. It is like old wine in a new bottle which is being presented to us. We experimented with the basic education but to no avail. The idea of basic education or the rural universities, as envisaged by Mahatma Gandhi, has not been realised.

I would like to know from you as to what kind of education after matriculation leads to unemployment ? You have pointed out all the drawbacks but no remedy has been suggested. You have pointed out the same thing which have already been pointed out by the Kothari Commission. Nothing has been said about women education. Merely a document has been given and we were called for discussion in the Committee. What is new in it ? We can say that the idea of the Navodya Schools is a new one. I would request the Government to abolish the public schools which are meant for the affluent section of the society. I want that for every 5 to 10 villages, residential school should be opened for the adivasis.

You have admitted that the number of students between 6 to 14 years of age, is quite less. What are the reasons that your compulsory education has become a failure ? When the children do not get even a square meal, how can they go for compulsory education.

Our education can be divided into parts i.e. Primary, Secondary and Higher education. You do not spend as much on primary education as on university education. You have told that only 77 per cent of the children between 6 to 14 years of age, are going to schools. But these schools do not have buildings, black boards and chalk pieces. Teachers do not come on time. The number of teachers has increased but there is no increase in the number of students. You pay only to teachers. What steps are proposed to be taken for this ?

You have transferred this subject in the Concurrent List by a Constitutional amendment made during emergency. Since then, how much have you spent on it ? Previously the allocation was six per cent and now it has been reduced to one per cent. I would like to ask how much amount you want to spend on education ? How many Navodya schools you are going to open ? What type of education you propose to impart in the Navodya schools and what would be the medium of instruction there ? You are opening these schools for rich people, Government officers and the Central staff. What had happened to the proposal of Navodya middle schools ? Last year this proposal was mooted but till now nothing has been done in this regard. You may take the help of X-ray of microscope but you cannot find any such school ! When I made an enquiry from the collector, he told me that a proposal was submitted but it is still pending with the Central Government for approval. The reason given is that before starting the classes, buildings have got to be constructed. I want that you should open Navodya schools for the Scheduled Castes and provide free meal to the children from Government godowns. You should bear all the expenditure of five years primary education. The non-formal education is beyond my comprehension. Teachers appointed for adult education rarely teach. Nobody takes interest in it.

We want that Residential schools should be opened so that the children of Scheduled Castes and Scheduled Tribes may study these. Your proposal of merging medical and agricultural education with general education does not seem to be a practical idea.

I would request the hon. Minister that some concrete steps should be taken in respect of primary education and in addition to it, vocational education should also receive more attention. All the Industrialists should help the Government in this regard. If we want to enter the 21st century, we must improve our education policy.

With these words I thank you.

SHRI MOHD MAHFOOZ ALI KHAN (Etah): Mr. Chairman Sir, I am very grateful to you for granting me 2 to 3 minutes to speak on the New Education Policy. Although I should have been granted 10 to 15 minutes yet I am obliged to you for whatever time you have given me.

The debate on Education has been going on for the last two days. In this connection I have to say that when a building is to be constructed, its foundation must first be made very strong. If Primary Education is not good enough then the child's foundation would be weak and it would affect his future.

In the villages, children roam about aimlessly in the absence of schools nor colleges. Even if schools are established there, they are not provided any assistance. This is the State of our education. It is good that you are forming a New Education Policy, but it is also must be ensured that it is implemented properly.

In places like Delhi, we have seen that a person with meagre income is not able to get his children admitted in schools easily. Moreover, the schools have become so expensive that it is not possible for a common man to bear its burden. The various public and private schools in Delhi openly demand Rs. 25,000 as donation for admission. This is the situation there.

The Muslim schools being run by the minorities, neither get much aid nor receive any attention from the Government.

Again, the grant provided by the Government for the Scheduled Caste and Scheduled Tribe children, is misappropriated by the Principal and the teachers of the school. You must pay attention to this as education is a very important matter.

Today a common slogan is that English must go, but in this very House I have noticed that all the speeches are made in English. Moreover, the member who speaks in English is applauded and he can have his say in the House. The persons who speak in Hindi Urdu or any regional language are ignored. When the British left India, it was said that the English language would soon follow suit and therefore, we must speak in our own tongue. But nothing like this is evident at present. No doubt English is an International language.

ONE HON. MEMBER : You are also speaking in English.

SHRI MOHD. MAHFOOZ ALI KHAN : I am doing so because there are several Members here who do not understand Hindi.

Now I would like to submit some suggestions. You must pay attention to the Muslim educational institutions. Buildings should be constructed for these schools and scholarships given to the students so that they receive good education. It has also to be ensured that the children belonging to the Schedule Castes and Schedule tribes get the money which is allotted to them. If you go to the rural areas, you would find that the private institutions do not have any work and are centres of political activities. Today, every political leader opens a school because he has to utilize the services of the teachers during the elections. This is not a proper thing.

My constituency Etah is a backward district. You will not find any school, college or university there. You must attend to this as well.

With these words I conclude.

[English]

MR. CHAIRMAN : The Minister was to speak at 12.40, but now 15 minutes have already elapsed.

[Translation]

SHRI RAJ KUMAR RAI (Ghosi) : I want that everybody should get an opportunity to speak on the Education Policy. The Minister of Parliamentary Affairs had assured us that all the Members would be able to express their opinion on this subject. Therefore, there should be no objection in extending the time for the discussion by one hour. This is a very important matter.

MR. CHAIRMAN : Many Members have spoken on the subject. Now the hon. Minister is going to reply.

SHRI RAJ KUMAR RAI : Sir, this would be an injustice with us. This is an important subject and we rarely come across such opportunities. Therefore, other hon. Members should also be given a chance to speak.

[English]

SHRI SUNIL DUTT (Bombay North West) : This is a very important subject—education. So more time should be allotted to this subject and opinion of our other hon. colleagues should be taken before our hon. Minister speaks and given his opinion.

[Translation]

SHRI RAJ KUMAR RAI : Sir, the Minister does not have any objection to it.

MR. CHAIRMAN : It had been decided that the Minister would reply at 12.30 a.m.

[English]

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD) : Sir, I request that we may now extend the time for the discussion by one hour.

MR. CHAIRMAN : I think the House agrees to that.

MANY HON. MEMBERS : Yes, Sir.

MR. CHAIRMAN : So, the time for this discussion will now be extended by one hour.

[Translation]

SYED SHAHABUDDIN : Mr. Chairman Sir, I want to bring something to your notice. Yesterday, an hon. Member had made personal attacks on me on the floor of the House. I was not present at that time. Personal attack was made against me in my absence. I should be given an opportunity to speak in this regard.

[English]

It is completely unfair.

SHRI RAJ KUMAR RAI : This would be a wrong precedent. It was assured by the Parliamentary Affairs Minister also. Even in the House, he had given you the list and the Minister concerned knows about it.

MR. CHAIRMAN : The time for the discussion will now be extended by one hour more.

[Translation]

SHRI RAJ KUMAR RAI : Mr. Chairman, Sir, I am grateful to you for extending the time of the discussion on an important issue by one hour.

Our Prime Minister for Human Resources are considering the 150 year old policy formulated by Lord Macaulay. The Education Policy that they are farming would give a new direction to our system of education and it is very essential for the nation.

Sir, although the Radhakrishna Commission, the Mudaliar Commission and the Kothari Commission were set up, yet a proper educational policy has never emerged so far.

At present there are 5246 degree colleges 140 universities and lakhs of students study in these colleges. Therefore, a policy should be framed which is beneficial to all. Today, the Government is trying to provide a good system of education to all particularly to the poor, to the Scheduled Castes and the Scheduled Tribes and to other backward classes, we are very grateful for that. I agree that the policies in general are very good but the same cannot be said about their implementation. I am convinced of that.

[English]

This Government has the strong will power to execute its will.

[Translation]

And it would firmly resolve to fulfil its commitment to the nation.

But there are certain shortcomings in this regard. Most of the buildings of the primary schools in the country, have collapsed. The children study under the trees. Therefore, as a first step, buildings should be constructed for the primary schools and drinking water facilities should be provided as well.

The indiscipline among the teachers at the Middle-school level is such that howsoever much salaries may be granted to the teachers and howsoever favourable their terms of payment may be made, yet nothing desirable would ever happen. You have started the 'Operation Blackboard' scheme but the need of the hour is to improve the quality of teachers. Hence, you could initiate a similar scheme—the Operation Teacher—and ensure that they reach schools on time and teach properly. In addition, the various difficulties of the teachers should also be removed.

Hon. Shri Rajiv Gandhi and the hon. Minister for Human Resource Development sincerely wish to take the country forward, and that is why they have framed an education policy of a very high standard. This policy show that a lot of emphasis

has been put on vocational training and vocation oriented schools, so that they do not produce clerks who, as in past, would hunt for a clerical job after their education was over. This new Educational Policy would solve the problem of unemployment and help in controlling student agitations. Moreover, the people would receive proper and constructive education and in this manner, a very good solution to the problems of the entire nation could be found.

[English]

DR. PHULRENU GUHA (Contai) : I welcome the effort to create a new system of National Education based on partnership between the Centre and the States by the inclusion of Education in the Concurrent List. But the National Policy on Education should have a measure of flexibility to take care of the special needs of different States and backward areas. The school curriculum would help to promote national integration. There is a great need for proper vocationalization of education, suited to specific needs in specific areas. There is also great need to improve the quality of teachers.

We have the resources to meet the challenge of accelerated growth, social justice, modernization and self-reliance, but we need to recapture some of the idealism, and a clear vision of the future which characterized our freedom struggle.

The proposed system of education should have a mix of science and humanities, of manual and intellectual work designed to create good and responsible citizens who must have great faith in national integration, love for the country, and love for the people.

The narrow partisan politics have no place in education. Without curbing academic freedom and autonomy, education must be de-politicized.

I would suggest that an all-India Model Act be passed in Parliament, to avoid anarchy in the administration of universities. The national system should also evolve a national core curriculum for different

[Dr. Phulrenu Guha]

stages of education and principles of work-ethics and work discipline. The national Education Policy should assure that primary education would be universalized, illiteracy would be liquidated and adult literacy promoted. The number of teachers in the country is in lakhs. Many of them have gone into teaching, because they could not get alternative employment. A large percentage of teachers do not have the requisite background to teach the new thrust area. So in-service teachers training should be carried out most carefully and systematically.

I want to emphasise that so long as we are not able to reduce the ratio between teachers and students, the system of examination must continue.

I would like to say that there are some attempts in some of the States that examination will be eliminated in the lower stage. In different parts of the world, there is no examination. But in our country, we do not have that situation here. Last year, during the discussion on the Demands for Grants of the Ministry of Education, the then Education Minister accepted our suggestions that there should be a child care centre around each school.

Lastly, I emphasise that special care should be taken for women's education. For better enrolment of girl students, there must be a child care centre near or within a school where students can leave their brothers or sisters and attend the school.

N.C.C. students must motivate parents to send their dropout children to schools.

The women studies should be introduced in the curriculum not for girl students only but for all students.

Special care should be taken to educate girl students to make them self-reliant and from the beginning, they should know that they have equal rights in the society.

With these few words, I strongly support the National Policy on Education.

12.58 hrs.

[SHRIMATI BASAVARAJESWARI
in the Chair]

[*Translation*]

*SHRI K. RAMACHANDRA REDDY (Hindupur) : Madam Chairman, with your permission I am speaking in Telugu.

Madam, I have gone through the national policy on education introduced by the Govt. with utmost care. After going through the policy. I have come to the conclusion that it does not contain anything new. Not only it does not contain any new innovations but also many things which were found in 'Challenge of education' are not there in this policy. His policy reveals the same old views on education. Not only the wine but also the bottle appears to be old. It is jugglery of words. The high sounding and flowery language is used in the policy document only to camouflage its shortcomings. Madam, I am of the opinion that many things which are mentioned in the policy document are very difficult to implement. I am doubtful whether this Govt. would succeed in implementation of this policy. Does this Government really intend to implement its policy honestly? Does the Govt. have at its disposal sufficient funds required for implementation of a new education system? Is the machinery of dedicated workers available for its successful implementation? I have my own doubts regarding the availability of the above to make this policy a success.

Madam, the primary education system is in doldrums. It is very discouraging. It is in a very bad shape. Let alone the taught, even the teachers seem to be ignorant. The teachers really do not know anything. It is a pity that the primary education is being handled by such ignorant people. Madam, it is heartening to note in the policy document that "the methods of recruiting teachers will be reorganised to ensure merit, objectivity and conformity with spatial and functional requirements. The pay and service condition of teachers have to be

*The speech was originally delivered in Telugu.

commensurate with their social and professional responsibilities and with their social and professional responsibilities and with the need to attract talent to the profession". If our hon. Minister Shri P.V. Narasimhan Rao succeeds in achieving this goal. I would congratulate and compliment him. Madam, in this connection, I would like to suggest one thing. Of course he knows it pretty well. It is not at all a new. Shri Gurajada Appa Rao, an outstanding poet of modern Telugu literature says Man! why boast of your patriotism. Reveal your patriotism through action by contributing something substantial to the country." So what I suggest to the hon. Minister, through you Madam, is that atleast in the field of primary education, something substantial should be done to improve the quality of education. He should prove that he believes in concrete action and not in empty words. Many things have been said in the policy. If not in other things, atleast in the matter of primary education the policy must be translated into action. He should see that capable persons are appointed as primary school teachers. If he could pick up right type of people as teachers to handle primary education, I would certainly congratulate him in achieving the noble task. I request him to implement the policy in letter and spirit. Then only our primary education can come out of shambles and look up.

13 h rs.

Madam, much has been said about the dropouts by the hon. Members who have preceded me. About 76% of the pupils are dropping out every year. The Govt. eloquently pledges to reduce the drop out rate. The Govt. says that it would bring down the drop out rate and increase the number of school going children. Madam, instead of resorting to hollow promises and claims, it is better to find the root cause for the dropouts. We should examine the reasons which are resulting in such a high rate of dropouts. In our villages, both mother and father go for work to earn their livelihood. The parents do not earn more than 10 to 15 rupees per day. They are leading a miserable life. When they go out to earn their livelihood, they tell their children who

happen to be 5 or 6 years old to remain inside the house to look after the babies or send them to graze their cattle. This is the position today in our villages. This is today the position in our villages. This is to main reason why the dropout rate is so high in our country. The drop outs are linked with the economic conditions. To decrease the dropouts, it is necessary to better their financial position. Without that, the problem of dropouts cannot be solved. So it is necessary to better the economic conditions of our rural poor. Now the rural poor cannot expect to get more than Rs. 5/- or 10/- as wage for their hard labour. So their economic status should be raised first. The Govt. should take steps to eradicate their poverty, if it wants to increase the literacy among them. So I request the Govt. to see the problem of dropouts and poverty conditions together and ensure that steps are taken to increase their income. It should view it as an economic problem. Madam, I would like to quote Bhartruhari who says "However learned one may be, if he has on sense of proportion, his entire learning is useless". Education is useless if it does not teach the sense of proportion.

This national policy on education is good. It is very difficult to formulate a policy which is acceptable to all. True I too do not agree with some of the points mentioned in the document. Even then, I request the Govt. to implement this policy sincerely. This policy should not remain on paper only. It should be translated into action. It will be useless if it is not implemented in letter and spirit. As the education without sense of proportion is useless, the policy document, if not implemented properly, will prove to be utterly useless. I hope, the Govt. would implement the policy in letter and spirit with all the sincerity and sense of purpose.

Madam, thank you very much for giving me this little time and conclude my speech.

SHRI VIRDHI CHANDER JAIN (Barmer) : I shall be brief. The national education policy formulated in 1968 contained wide details but the present policy

[Shri Virdhi Chander Jain]

is quite distinct from the earlier one and the various aspects have been dealt with briefly.

On this occasion I wish to say that an education policy which does not build character and qualities of head and heart is not capable of turning out good citizens. Therefore, it is essential to have a balanced education policy. Balanced policy means that besides physical and mental development, efforts should be made by developing mental as well as emotional faculties also. And in my view if we take some concrete steps in this direction then this system of education will be a success. Its success depends on its implementation.

The second thing I want to point out is that in the Sixth Five Year Plan, outlay for education was Rs. 2,530 crores i.e. 2.6 per cent and in the Seventh Five Year Plan it is Rs. 6,383 crores i.e. 3.5 per cent. There is need to increase it to 7 per cent. Special attention is being given to vocational education and for it there is a provision of Rs. 304 crores. There is a provision of Rs. 54 crores for training and Rs. 124 crores for the State sector. We want to improve the vocational education and to promote the 10+2+3 system but we would not achieve success due to paucity of funds. The most essential thing is to have competent and honest teachers for the primary education. The primary education can never progress unless we pay attention to this aspect.

The second thing I want to say is that this non-formal education can never succeed. It brings down the standard of the students and makes them inefficient. So, nonformal education should not be continued in any circumstances.

About adult education I want to say that its implementation is not being done in a proper way. Therefore, even after spending crores of rupees the results are not visible. If you want to spread adult education, full attention will have to be paid to its implementation.

With these words, I support this new education policy. I hope you will pay attention to the points raised by me in the short time granted by you.

[English]

SHRI CHINTAMANI JENA (Balasore):
I rise to support the new national policy on education.

I request to those who are opposing it, to look and consider the constitutional obligations of the Union Government, when this is being included in the Concurrent List. The national education policy is the most essential for national integration and unity specially when we are facing challenges from anti-national, separatists and communal elements. This policy is aimed at minimising the gigantic unemployment problem which we are facing now. The children from primary schools should be taught about environment, pollution of water, air, earth, etc. The new system will provide more scope for spreading the education among the Scheduled Castes and Scheduled Tribe population. I would suggest that, in the primary schools which are located in SC&ST and backward areas, hostel accommodation should be provided, so that drop-cut will be checked. It will be helpful for universalisation of education.

The expansion of women education is the most essential. I would suggest that the college and school fee for girl students from primary to post-graduate stage, should be free. In this connection the State Government of Orissa is proceeding ahead. I would request the Union Government to come to their rescue.

Along with vocational education till plus 2 standard the higher education (Plus 3) should be qualitative. The UGC should finance adequately all those institutions which will impart plus 3 education.

I would suggest that in the Navodaya schools three-language formula should be adopted as the medium of instruction. The present system of examination should be stopped. I would request that the system which has been introduced in the Inter-

national Centre of Education at Pondicherry be introduced everywhere. I have no time ; otherwise, I would have elaborated the system prevailing there.

Some of the hon. Members from the opposition are asking as to why the system is going to be implemented within a short period of 8 months of public debate. This shows the eagerness of the Government to implement all progressive measures as early as possible. This shows the political will and determination of mind of the Government to implement it as early as possible.

Compulsory physical education and NCC should be introduced from the secondary school stage to college stage. More remuneration should be provided to the Instructors in non-formal schools and also for adult education.

This is a very costly education. For this I would suggest that all the citizens of this independent country from the age of 18 to 50 should have voluntary labour for one day in a year for successful implementation of this scheme or in lieu of that, a minimum wage of one day should be contributed to fulfil the ambition of this new education policy.

With these words, I conclude.

SYED SHAHABUDDIN (Kishanganj) : Mr. Chairman, Sir, thank you very much. I shall be absolutely brief and to the point*(Interruption)*.

MR. CHAIRMAN : You try to conclude within three minutes.

SYED SHAHABUDDIN : I will try to do that.

Madam, the educational pyramid today is standing on its head and I would like to plead with the hon. Minister to reverse it. I would also like to state that the national consensus today is for universalisation of education, at least up to the secondary stage, and against any element of elitisation in the education process. For this, the nation must have a clear target that we shall have

by a certain date—let it be the year 2000 A.D. if we cannot manage it earlier, but let us stick to that target—compulsory primary education for every child in the country and that every adult living in our country at that point of time shall be within the orbit of literacy. For this it is essential that there should be a reallocation of national resources. Therefore, at least ten per cent of the national budget at the Central level and 30 per cent of the budget at the State level must be allocated for education.

The paper speaks about comparable quality of education. This can be a misnomer. This can even be a fraud on the people of India. Comparable cannot mean uniform, cannot mean equal. I would, therefore, like to plead with the hon. Minister that we must promise to our people that every child in our country shall receive education of uniform and equal quality.

As far as the medium of instruction is concerned, I would like to emphasise that at the primary and the secondary level, the medium of instruction must be the mother-tongue and enough teachers must be trained for these levels to teach through the languages of these groups, that is to say, including the minority languages that may be prevalent in a particular area. A lot of distortion has crept into the implementation of the three-language formula. The first language must be the mother-tongue, the second language can be the regional language for those whose mother-tongue is other than the regional language and for other children it can be any other Modern Indian Language, and the third language can be either English or the national language or any other Modern Indian Language. But this needs to be reasserted and defined with clarity. I find that the paragraph relating to minority—paragraph 4.7—is very inadequate and I would like it to be strengthened, and I would like to say that educational institutions, in the spirit of the instructions issued by the late Prime Minister Mrs. Indira Gandhi, should be established in areas of minority concentration. They are backward educationally and the only way to bring them up is to lay down a national norm that for a certain quantum of population, we shall have one primary

[Syed Shahabuddin]

school or we shall have one secondary school or we shall have a college and that must be established in all the areas of our country without any exception.

Also we need to look into the school culture, the ethos of the school so that it represents the composite culture of our country, it represents truly our national identity which is a contribution of all the religions of all the languages and the cultures that have come into India from time to time. In this regard, I would like to stress particularly the role of the history textbooks and the textbooks of literature of all languages and the textbooks pertaining to social studies. The textbooks of these three subjects need to be scrutinised with great care to see that they contain material which would really lead to the evolution of Indian personality, to the evolution of a truly secular personality, to the evolution of an Indian mind.

The paper in many places speaks about informal education. Yes, by all means, let us have informal education, but only as a transient measure, not as a substitute for formal education. Otherwise, we shall again divide this country into two parts. I would like to plead that the poor families must be subsidised in order to compensate them for the earnings of the children so that the drop-out rates can be reduced.

And, finally, Madam, I would plead very strongly with the hon. Minister : Let us take the bull by the horn. This country shall not be divided into two nations ; this country shall not be divided into two cultures. We should abolish Public Schools. And, about the Navodaya Schools which you are contemplating, all sections of society should have equal access to them without any discrimination whatsoever. Then alone we shall fight the scourge of elitism which is destroying our social character and introducing inequalities in our society and disparities between classes of people. If we want to create an India in which all children shall have access to good education, to the resources of mind and the resources of culture, to human heritage, then, let us do away with this elitism which is inherent in the present concept of this Navodaya

School System. If you are going to have only one school in each district, who will go there, Mr Minister ? That is what I want to know. Thank you.

[*Translation*]

SHRI DILEEP SINGH BHURIA (Jhabua) : Madam Chairman, I congratulate Mr. Prime Minister for the discussion on the education policy for the first time after 38 year of independence. I am confident that this New Education Policy will be more beneficial and the credit for it goes to our hon. Education Minister, Shri Narasimha Rao. I would like to say something about the tribals and especially of my district Jhabua. The total population there is 7 lakhs and 98 thousand and 91 per cent of it is rural population Adivasis and Harijans constitute eighty seven per cent of the population. The education percentage is only 10 and after 38 years of independence only 3 per cent are educated. Now I want to say to the Hon. Minister that there can be no development unless a special education scheme is chalked out for the Adivasi areas. I have got the figures of many Adivasi districts but I do not want to go into those figures. They are still cut off from the mainstream. If you want to educate them, you will have to open ashram type schools in every village panchayat. These should be residential type of schools. Some incentive will have to be given to their parents because they are poor people and cannot educate their children. They will respond only when they are given some help. After independence, 90 per cent people do not know English and only 10 per cent people were trained to run the administration and enjoy the privileges. I want to tell the hon. Minister that the public and the private schools in our country turn out such persons who hold the reins of office and exploit the people. If you want to integrate the country, then you will have to make education a union subject and it will have to be nationalised. The present education system has encouraged regionalism and linguistic chauvinism. These trends can prove to be very dangerous for the country. I want to tell the Education Minister that the present system of education makes the poor poorer and the rich richer. You will have to abolish this system. We have to formulate

the education system according to our needs. We shall have to bring diversity in unity. We shall have to encourage the feeling that we are proud of being an Indian. Pt. Jawahar Lal Nehru and Shrimati Indira Gandhi had also criticised that the information about our plans did not reach the villages. The basic reason behind it is the system of education. I would request the Education Minister to bring radical changes in it because India can be strong only when the foundation is strong.

If our education policy is weak, it can lead to problems in future. I thank the hon. Minister for the New Education Policy but more changes are needed to be made. With these words, I support this education policy and thank you also.

SHRI M. L. JHIKRAM (Mandla) : Madam Chairman, there had been extensive discussion on the education policy. This subject is so important that it can be discussed for months together. I want to draw your attention to some suggestions. In fact the development of man and a nation depends on the education. Teacher is the pivot of education. The quality of education is directly linked with the teacher. When we build a house, we look for a skilled mason, for forest work a person trained in forestry is employed and for the post of 'patwari' we take a trained person in that field. But it is a matter of great regret and surprise that no training is given to the people who are supposed to build the nation. It is possible that in the past training was imparted but at present no training is given. The Government and the public are responsible for it. Now from where to get teachers? When interviews are held, such candidates appear who have no knowledge of the subject and they become teachers. They occupy the sacred seat of 'Guru' the dignity of which has been depicted by Kabir in the following words :—

*Guru Gobind Dono Khade Kake Lagun Paye.
Balihari va guru ki jisne Gobind Dio [Milaye.*

Ordinary persons occupy this important position and educate the tiny tots who are the future nation builders. They are to become leaders and scientists but their teachers are ordinary persons who are to

tally unaware of their responsibilities. How can we make any progress and to what extent? Whatever good policy Government may frame and may equip the school with all the facilities yet if the teacher is not trained and does not have any grip over his subjects, then what would he teach. I request you to hold written tests for the recruitment of primary school teachers to find out if he know all the subjects and after the examination he must be trained. He should know the child psychology. How many people know about child psychology and this education system? They know nothing and yet they are appointed teachers. The results are before us in the shape of fallen standard of education. The only reason for it is that the teachers are not competent. I would draw your attention to the fact that recruitment of teachers should be very strict so that dedicated and competent teachers are appointed.

For example, howsoever good the vehicle may be, but if the driver is not trained he would not be able to drive and would meet with an accident. The same is the case of our teachers. They are not trained. So my only request is that serious attention should be paid to the training and selection of teachers.

The second thing I would like to say is that the fee charges in private schools are high and these should be lowered. And there should be provision for pension and gratuity for the teachers of private institutes. I express my sincere thanks for the time granted.

[English]

PROF. SAIFUDDIN SOZ (Baramulla) : Madam Chairman, I have no desire to speak on this motion except that I want to simply pose a question. I felt one with Mr. Shahabuddin on many points. Universalisation—Yes and on many other points.

This is a document of great assertions. In Kothari's time when they were formulating the recommendations there was a great urge for the people who wanted to make recommendations. In the post-Kothari period, several documents appeared and

[Prof. Saifuddin Soz]

felt convinced that the entire phraseology has been copied and these assertions are not accompanied by the necessary urge. But I wish the Minister well. He has organised... .. (Interruption) You want me to speak in Hindi.

[Translation]

When you are insisting, I shall speak in Hindustani.

SHRI SULTAN SALAHUDDIN OWAISI (Hyderabad) : No, Hindustani is no language. You please speak in Urdu.

[English]

MR. CHAIRMAM : No interference please.

[Translation]

PROF. SAIFUDDIN SOZ : Madam, I want to say that I have a keen desire that the entire system of Education in India should be overhauled and Shri Narasimha Rao also expresses the same thing. I have all respect for Shri Gandhi's intentions. When I went through the document, I found that it lays claim to certain things but without any logic. I do not have much time. But as already mentioned, I want to raise a few questions. Besides, I offer my good wishes to Shri Narasimha Rao as he is responsible for education in India. Our greatest problem is that no importance is attached to education. It is evident from the attendance in the House and if I raise the question of quorum, it will lead to embarrassment because once earlier also the House was adjourned because of me. If I raise the question of quorum, the people sitting in the Central Hall would rush here and quorum would of course, be there. But out of 550 Members not even 50 members are present at a time when the fate of the country is being decided. Shri Sunil Dutt has been kind to raise his voice, which is very effective, to extend the time for discussion by one hour. When I visited the U.S.A. and the European countries, I found that full attention was

given to child education there. When they do not want a child, no child is born but if a child is born, all the necessary arrangements are made in advance, regarding its bringing up and education. This spirit is not found in India and the people here do not give that much attention towards child education.

Much has been said about the modernisation of the Child-education and making them good citizens of the country. But in fact there are no proper facilities for education at any place. There is a mention of women education in the document but there are no concrete proposals in this regard. You have also made broad education programme for adult education but that too is not clear. I would have supported you had you formulated a women literacy programme and mentioned about functional literacy. You also talk of 90% habitations and opening of schools at every km. but have you ever tried to enquire about the facilities available there. 97% of the children go to schools but what are the conditions there. Some schools do not have blackboards and others do not have mats to sit on and as Shri Janga Reddy was telling some schools even did not have buildings. Shri Syed Shahabuddin has suggested that the Public schools should be abolished but a bill is already lying pending before the House in this regard. It was placed in 'B' Category and so far as B.A.C. is concerned.

[English]

It should go on the record of the Parliament because I did not go before the BAC. So my proposal is that you should abolish the private and the public schools in India. Because you speak of democratisation of education, we want the public schools to be abolished.

Then you talk of democracy in education. Since I said that I had no intention to speak on this, I will pose question and hon. Mr. Narasimha Rao must answer it. I have no vested interests in education. My question is this. The Ministry has succeeded in only one thing. That is, organising some seminars. You said that the debate took place at the all India level. I differ with you. This was not a debate. Where is the question of debate? You organised one

successful seminar. I do not remember. Many seminars I attended. The Minister needs to be congratulated for organising such seminars. My question is : would the Minister now when he speaks—because I have come only for this, and that is to hear the Minister's reply and that has been my aim yesterday and to-day also—kindly let me and others know what are the recommendations of these seminars which you have successfully organised, and which you have incorporated in this document. As far as myself, I do not find the reflection of any major recommendation, not to speak of the detailed recommendations. The only hope that is there is—the hon. Minister should kindly heed—and there is only one hope and I wish him well so far as implementation is concerned. There is only one hope and that hope is this. They must care to listen to the expert advice in the country. So far I am convinced that this document reflects no major recommendations formulated at these seminars.

[Translation]

*SHRI G.S. BASAVARAJU (Tumkur): Madam Chairman, for more than ten hours we have discussed the New Education Policy and I am very glad to support it. Even after 38 years of Independence we have not achieved good progress in the field of education. In our present educational system certain sections especially the poor and the down trodden have been completely neglected. Therefore our Prime Minister Shri Rajiv Gandhi and the hon. Education Minister have come forward with this new education policy. The document has commendable objective and therefore I appreciate and support it.

It is high time for our educational system to lay greater emphasis on moral and spiritual aspects I do not mind even if subjects like history and science are neglected to some extent. But moral education must be an integral part of the curriculum of the new policy. Great philosophers, saints like Ramakrishna Parama Hansa, Swamy Vivekananda, Bhakti Bhandari Besavanna, Shankaracharya etc. and their life histories

should find a prominent place in the curriculum of the new education policy. Their contribution to the nation and the world should be explained to the students in educational institutions.

In the new policy the primary education is of five years duration. Out of this period at least half should be devoted to teach unity, integration and cultural heritage of our country. Total duration of school education is of 10 years duration i. e. 5+3+2. In rural areas the students find it very difficult to continue their studies after high school. Therefore duration of study in to high school should have been for three years to encourage poor students to study in the remote villages.

About 70% of the people of country live in the villages, whose main occupation is agriculture. Agriculture is the backbone of our country's economy. Therefore, children of agriculturists should receive proper and useful education. They should be taught and trained in technical education. They should be guided to know how to repair agricultural implements. In the primary school the principles of Mahatma Gandhi's basic education must be taught. In all the educational institutions there should be reservation for to wards of the agriculturists. An agriculturists' son may not get the same educational facilities as the son of an IAS officer. Hence reservation for to rural children must be ensured.

I urge upon the hon. Minister to appoint only lady teachers in primary schools, Male teachers cannot do justice in teaching primary school children. On the other hand female teachers have the required capacity and desire to teach the primary classes. They have more devotion and dedication in addition to love for the children.

Another important aspect is to appoint the suitable candidates as teachers. Persons with high intelligent quotient, and efficiency should be selected to carry on noble profession. The present trend is that those who are rejected in all other fields take up to teaching. This is more desirable trend

*The speech was originally delivered in Kannada.

[Shri G.S. Basavaraju]

because the future of our nation lies in the class rooms. Caste should not be the basis for selection of teachers.

Many students of today do not know who was Mahatma Gandhi and some of them say that late Smt. Indira Gandhi was the daughter of Mahatma Gandhi. They do not know about Subhas Chandra Bose and the history of our freedom struggle. In some institutions regionalism, casteism and rigid religious mentality have cropped up.

Therefore selection of teachers must be good. Quality of teachers should improve. Such a responsibility is on the shoulders of our hon. Minister I hope that he will do his best to give a new and progressive educational system of our country.

Madam, I thank you for giving a chance to express my views and with these words I conclude my speech.

SHRI P. NAMGYAL (Ladakh) :
Madam Chairman, the New Education Policy will benefit the remote backward areas because it has the blessings of the hon. Prime Minister and hon. Minister has also made a lot of efforts in preparing the document. The solution to our problems is envisaged in this document. I congratulate you for it.

It envisages setting up of schools at every km. for 90% population. But it applies to plains only. The distance is more in cases of remote, backward or hill areas. This is according to national average only. But that is not our problem as we have reached a stage where we have a school in areas where there are only 10 or 12 school going children. But there are small hamlets which have only one or two or three families and it is not possible for the Government to open schools in such villages.

You have a programme of Navodaya Schools, in which good children of other schools would be admitted. But there are district head-quarters and difficult areas where hamlets comprising 2 to 3 families are located at a distance of 50 to 100 kilometres from each other and no schools are available

there. Government should bear all the expenses for education or in respect of such children. There the people are very poor; they hardly get a square meal.

For such children, upto the age of 14 there should be residential schools in district headquarters, which has also been mentioned in this Policy.

You are allowing me only three minutes to speak on the document which you have prepared with great effort. I feel, by doing this, you are not doing justice with this document.

I shall suggest that all the private schools should be nationalised and converted into Navodaya schools. This has also been suggested by my colleagues. Because only the children of the rich and the influential people can go to these private institutions. The children of poor cannot get admission in these schools. Therefore, I would suggest that these schools should be nationalised. Everybody should be given an equal opportunity to have education.

The document, which has been presented should also be implemented properly. You should issue directives to the State Governments in this regard and must monitor its implementation from time to time.

It is stated in your document that the schools in remote areas will have two teachers instead of one. We have been demanding it for a long time. Besides, you should also make a Cadre for them. You should provide better grades to the teachers who are posted in such areas so that they do not face any frustration. Actually what happens is that the teachers just go to the classes but do not teach the students properly. In order to remove their frustration, you should enhance their scales of pay and introduce efficiency bar and prescribe qualification so that good teachers go to remote areas and the children of these areas could get good education.

Education through T.V., is a welcome step. It is not possible to instal T.V. sets everywhere in remote areas. You should provide a special satellite antenna and a

T.V. set running with solar energy in every village, which could be directly linked to Delhi. Only after this arrangement, can the people of tribal areas understand the vastness of India. When somebody tells them that earth is round they just laugh at it. They think that earth is flat.

In the end, I would like to say that the proper implementation of this document is very important. This is a very good document, for which I congratulate hon. Prime Minister and the Minister of Human Resources.

[*English*]

SHRI SARAT DEB (Kendrapara) : Madam, After going through the National Education Policy Paper, I am reminded of the phrase "if wishes were the horses, then beggars would ride". Because I cannot understand what is the sense that this policy has when this country is being ruled by one party right from the beginning till now.

Why I say this is because they have mentioned that for the implementation of this policy, there will be a lot of requirement of funds. I still have doubt, as some of the Hon. Members from the Treasury Benches also have said, while welcoming this, that there is always a proviso "if this is implemented".

I want to bring it to your notice that they have referred to the policy of 1968 where it was said that as soon as possible, the funds should be raised to 6%. But after a lapse of 17 years, this Government could not reach the target of 6%. Then, Sir, what they are talking of the new education policy how are we going to accept that when the Government did not earlier implement it.

Secondly I want to bring to your notice that till now education is being treated as a non-plan scheme in the State. When there is a directive from the Finance Department to cut down the expenditure on the non-plan side how they propose to include until and unless it is included in the plan sector!

How they will implement it! So, they themselves are contradicting. First when this Government came into power they said they are against capitation fees but here as far as resource mobilisation is concerned they say that we will raise it through donations and other charitable institutions to manage the institute. I cannot understand it. Those who were speaking against public schools should know that almost all the public schools in this country are run through donations and charitable institutions. Again you are doing the same thing. On the one hand you are saying that capitation fees should be abolished whereas on the other hand you say in order to put up such institutions you raise the donations through individuals and charitable institutions. I would like to remind my hon. friend, Mr. Sunil Dutt that while he was speaking yesterday he was referring to Gandhian principles. He forgot that the basic principle Gandhiji preached was : Do what you say. But while speaking he was referring a lot to the rural areas whereas he admitted that he got his son admitted to St. Lawrence School.....

13.47 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

SHRI SUNIL DUTT : Sir, let me correct. I compared my own education to the education of my son. I do not tell lies but there are people in the Opposition who never mention where their sons were studying and here they talk about schools for the poor people. I want to know where their sons are studying? I admit it that I come from a village. I studied in a small school in a village but I could afford my son over there. (*Interruptions*) I am a nationalist. I do not talk about religion.

SYED SHAHABUDDIN : I do not want to reply to this ** He called me all sorts of things yesterday. I was not present here. He is a new Member. He does not know the courtesy to be shown to other Members. (*Interruption*)

**

**Expunged as ordered by the Chair.

MR. DEPUTY-SPEAKER : Nothing will go on record. Mr. Shahabuddin, if you go on shouting I will name you.

*(Interruptions)***

MR. DEPUTY-SPEAKER : Nothing will go on record. Please take your seats.

*(Interruptions)***

SOME HON. MEMBERS : He must withdraw.

SHRI SUNIL DUTT : It is unparliamentary.

MR. DEPUTY-SPEAKER : If there is something unparliamentary I will expunge it. Please listen to me first.

(Interruptions)

SHRI SUNIL DUTT : Sir, I take a very strong objection to what he has said.
(Interruption)

MR. DEPUTY-SPEAKER : You please take your seat first. What is the use of shouting at each other like this.

(Interruptions)

MR. DEPUTY-SPEAKER : Please take your seat first.

SHRI SUNIL DUTT : Mr. Deputy-Speaker, he has to withdraw his words uttered by him in this august House against me. *(Interruptions)* It is a shame.

MR. DEPUTY-SPEAKER : You please take your seat. The hon. Minister is on his legs. He will explain the position.

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NAVI AZAD): Mr. Deputy-Speaker, Sir, since the word uttered by him is an unparliamentary word—it is most unfortunate and unbecoming on the part of the Member of Parliament on the

other side—I would request through you, Sir, that the hon. Member should withdraw his words and apologise to this House.

SYED SHAHABUDDIN : I am prepared to withdraw what I have said today provided whatever the hon. Member said yesterday is also withdrawn by him. He attacked me in my absence. *(Interruptions)* Whatever I have said today now will remain on record. I stand by what I said and he has no business to attack me in the manner he did yesterday. *(Interruptions)*

SHRI SUNIL DUTT : What all I said yesterday in Parliament is on record. *(Interruptions)*.

DR. G. S. RAJHANS (Jhanjharpur) : Today he has said ** and he must withdraw that word.

SHRI GHULAM NABI AZAD : Sir, he should withdraw that word.

PROF. MADHU DANDAVATE (Rajapur) : Sir, I think his greuse is justified. Sir, we would not like any Member of this House to be described in any manner which is unparliamentary and defamatory. At this stage I do not want to justify it and I would like to assure you that such words which will be unparliamentary will be withdrawn. There will actually be no difficulty. Try to understand the background why it has happened. Sometimes Members make remarks under provocation. Yesterday for instance, without any malaise or any intention, hon. Member, Mr Sunil Dutt, while speaking in this House made a reference to the hon. Member, Syed Shahabuddin. There was a reference that he said that I am a Muslim and I will live as a Muslim. Sir, I have carefully gone through the proceedings. In the past, the tallest man in this country like Maulana Abul Kalam Azad and Dr. Zakir Hussain said in this very platform and elsewhere "I am proud to be a Muslim and I shall die as Muslim". Those men always believed that there was no conflict in being a devout Muslim and a devout Indian and there is no conflict between the two. Dr. Zakir

**Not recorded.

**Expunged as ordered by the Chair.

Hussain referred to it so many times. In one of the functions in Yusuf Ali Centre, he said" as a devout Muslim, I would like to say that I don't find any conflict between I being an Indian and I being a devout Muslim". Mahatma Gandhi once said "If I had not found the Heavens in Hinduism, I would have committed suicide". But then he said "Between my Hinduism and my Indianhood, there is no conflict". Unfortunately, out of the hon. Member's utterances, some misunderstanding is there. I would only request you that you should go through those proceedings of yesterday and if there is anything that may caste aspersions on Syed Shahabuddin, that should be removed after examining and you can call Mr. Sunil Dutt in your chamber and explain the position. At the same time, I would also request Syed Shahabuddin that since everything has arisen out of those remarks, though he is a Member of my party, I shall request him that there is no harm—if any word has been used, that will not fit in with the dignity and decorum of this House—there is absolutely nothing wrong in withdrawing that word.

(Interruptions)

MR. DEPUTY-SPEAKER : It is regarding the word only ; the other things I will go through.

SYED SHAHABUDDIN : Without any malaise, I have already explained my position. He attacked my educational background, he attacked my being a Member of Parliament, he attacked my profession and my religion.

MR. DEPUTY-SPEAKER : I do not want all that discussion. Please take your seat. Listen to me what I am saying..... *(Interruption)*.

SHRI SUNIL DUTT : I can guarantee this man is telling a ** He has taken an oath here..... *(Interruptions)*.

PROF. MADHU DANDAVATE : Through you, I will appeal to hon. Member, Shri Sunil Dutt, let the matter be left then and there. He has said it and as far as the record is concerned, you would go through it. *(Interruptions)*

SHRI SUNIL DUTT : It is not for you or for your party, but for that Member to withdraw. How can he call a Member of this august House here as ** How can he call him **

PROF. MADHU DANDAVATE : Those words should be expunged. I am myself demanding. But the other record also will be gone through..... *(Interruptions)*

MR. DEPUTY-SPEAKER : Listen to me. Take your seats. I want to say something about it.

Expunging is no problem and I can expunge whatever is unparliamentary. But the point is that they are requesting the hon. Member to withdraw those words which are unparliamentary. Shri Sunil Dutt raised certain matters. It is there. I will go through the record. If there is anything objectionable, I will expunge.

PROF. MADHU DANDAVATE : That is all he is demanding.

MR. DEPUTY-SPEAKER : That I will do..... *(Interruptions)*

DR. G. S. RAJHANS : He has used certain unparliamentary words against an hon. Member. Will you kindly allow me also to use certain unparliamentary words and then you expunge them?.... *(Interruptions)*

SHRI SUNIL DUTT : He has used unparliamentary words for me. He has insulted me in this august House..... *(Interruptions)*.

MR. DEPUTY-SPEAKER : I request all the hon. Members that when they are speaking on the subject, they should try to avoid this kind of reference personally. Secondly, whatever has happened, I will go through the complete proceedings. If there is anything objectionable, I will expunge. Secondly, Shri Shahabuddin in his emotions has used certain words against the other Member ; that is not nice. Therefore, it is my personal request to him to withdraw those words.

**Expunged as ordered by the Chair.

PROF. MADHU DANDAVATE : As far as the religion is concerned, the sentiments are very important. For instance, if one says "I am proud to be a Muslim and I shall live as a Muslim" and if anyone makes any light comment on that and if that is posed as something contradictory to one being an Indian, it would be considered a greater insult. I, therefore, request you to kindly go through all that.

MR. DEPUTY-SPEAKER : I will do that. The difficulty is about the word used by the hon. Member.(Interruption)

SHRI SUNIL DUTT : I never used any unparliamentary words against him..... (Interruptions).

PROF. SAIFUDDIN SOZ : We agree with Prof. Dandavate.

DR. G. S. RAJHANS : He has abused Shri Sunil Dutt. He should withdraw his words.

[Translation]

PROF. SAIFUDDIN SOZ : We admit it.

14 hrs.

[English]

(Interruptions)

PROF. MADHU DANDAVATE : Shri Sunil Dutt has said this thing Yesterday. I may read out to you :

"When the Muslim Personal Law was discussed one of the most honoured members of Parliament Shri Syed Shahabuddin said, I am a Muslim, I will live in this country as a Muslim.' How can an hon. Member of this Parliament say like this."

Is there anything wrong in what Shri Shahabuddin said ?

(Interruptions)

What is the conflict between being a Muslim and also an Indian ? Is this unparliamentary ?

(Interruptions)

Please listen to me. I am only quoting from what you have said. Please listen to me :

"How can an hon. member of this Parliament say like this ? He may be a Muslim and he must live as an Indian. He was in Foreign Service. Is this the way how he was representing our country ? Is this the education that he has got in this country ? Is this how he takes the country to the 21st Century? Our Prime Minister with all his vision, has made this policy on paper for it to come to reality. But if people like my hon. friend are there in this country and Parliament, then this will not become a reality..."

(Interruptions)

If I say that I will live in this country as a Muslim, there is nothing wrong. Many stalwarts in this country have said that there is no conflict in being an Indian and a Muslim... (Interruptions)

MR. DEPUTY-SPEAKER : Their approach is like that. But if a member gets emotional and uses such words in the Parliament, then it is not good.

PROF. SAIFUDDIN SOZ : But can he use such words as "Is this the education he has got" and all that ?

SHRI SUNIL DUTT : Why should he call me a ** I have the right to express. Did I call him **

PROF. MADHU DANDAVATE : When I am agreeing with you, why are you differing with me ?

(Interruptions)

** Expunged as ordered by the Chair.

SHRI V. KISHORE CHANDRA S. DEO (Parvathipuram) : Mr. Deputy Speaker Sir, objection has been taken to certain words which have been used by hon. member Syed Shahabuddin. Now as my hon. colleague Prof. Madhu Dandavate asked you to go through the record and remove those words.

MR. DEPUTY-SPEAKER : Which words ?

SHRI V. KISHORE CHANDRA S. DEO : But what I would like to impress upon you is that when there is an affront or an assault on somebody's religious sentiments those words cannot be used, because it may hurt his feelings. But what is more insulting is when an assault is made on religion. In a secular state...(Interruptions).

MR. DEPUTY-SPEAKER : That is all right. He can oppose it.

I am not saying that whatever he had said is correct.

(Interruptions)

SHRI SUNIL DUTT : I call myself a Hindu but I am proud to live in this country as an Indian.

(Interruptions)

SHRI V. KISHORE CHANDRA S. DEO : Why did these members vote for that Bill day before yesterday, if they are so against(Interruptions)

MR. DEPUTY-SPEAKER : Order please. The Minister is on his legs. Please listen to him.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI H.K.L. BHAGAT) : I am sorry Sir that heat is being generated here today, the last day of the Session. I would not like and none of us would like any heat to be generated. I would like to say that everybody is free, whether he is a member on that side or a member on this side. He has his own

perceptions about situations and problems. Sometimes one may have his own perceptions about persons. One may emphasise one part of it and the other may emphasise the other part of it. There I think the members on both sides have got the freedom to say. If A said something which he thought, he was free to say, on that there should be no quarrel. The only point is that nothing should be said which is unparliamentary and which offends the dignity of the House. You may see the record and omit that part of it. With that it should end. That is all.

SHRI V. KISHORE CHANDRA S. DEO : That is what we have said !

AN HON. MEMBER : The word '***' is totally unparliamentary and it should be expunged, Sir. That is all.

MR. DEPUTY-SPEAKER : That was over. He has already withdrawn. Mr. Shahabuddin, you withdraw that word. It is withdrawn. Please take your seats. I have told you that the word is withdrawn. The matter ends with that. Please sit down.

[Translation]

SHRI SULTAN SALAHUDDIN OWAISI : It does not relate to Shri Shahabuddin only but it relates to the entire Muslim Community.

[English]

(Interruptions)

MR. DEPUTY-SPEAKER : No. Mr. Ansari is telling you.

(Interruptions)

SHRI GHULAM NABI AZAD : I am very sorry, you always try to politicise everything. This is completely wrong.

MR. DEPUTY-SPEAKER : Mr. Ansari is on his legs. Please listen to him.

*** Expunged as ordered by the Chair.

SHRI GHULAM NABI AZAD : Don't try to politicise everything.

SHRI H. K. L. BHAGAT : Let me make it clear. We have the greatest respect for the Muslim community, for every Member of the House. There is no aspersion caused. We are not against the Muslim community.

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI Z. R. ANSARI) : Sir, it is most unfortunate that this matter is being communalised. There is nothing communal in this. Sir, Prof. Dandavate had quoted some portions from the speech of Mr. Sunil Dutt, it is his personal view. Views can differ. The answer to those views is equally forceful and he can have his own views and he can express his own views. But the main question is that in his speech, which he has just quoted, I do not find a single word which is unparliamentary.

(Interruptions)

Please bear with me. Not a single word is unparliamentary. It is a matter of opinion. Whatever Shri Sunil Dutt has said is a matter of opinion. He can very forcefully rebut that view, but not using such language which is totally unparliamentary.

MR. DEPUTY-SPEAKER : He has already withdrawn it.

SHRI Z. R. ANSARI : No, Sir.....

(Interruptions)

MR. DEPUTY-SPEAKER : No, he has already withdrawn.

SHRI Z. R. ANSARI : Therefore, the greatness of a person lies not in insisting something which he has done wrong, but the greatness after all lies in accepting the mistake he has committed. So, I would request Mr. Shahabuddin...

(Interruptions)

MR. DEPUTY-SPEAKER : He has already withdrawn it. The matter is settled.

SYED SHAHABUDDIN : I have not withdrawn it. I am prepared to face any consequence—before the bar of the House, before the bar of this country or before the bar of this nation. But I don't agree with Mr. Ansari that his words don't imply any insinuation or any implication or disparaging remarks. I stand by my honor and I stand by every word I said and I shall not withdraw any word until Shri Sunil Dutt withdraws whatever he has said. If he withdraws his words, I shall withdraw every word, I said...

(Interruptions)

[Translation]

SHRI SULTAN SALAHUDDIN OWAISI : I want to give my views about the education policy.

(Interruptions)

[English]

MR. DEPUTY-SPEAKER : No. The matter is already settled. If anybody says anything about this matter, nothing will go on record. Please take your seat. You are wasting the time. The Minister will have to reply now.

[Translation]

SHRI SULTAN SALAHUDDIN OWAISI : Mr. Deputy Speaker, Sir. my name has called, but...*(Interruptions)*

[English]

MR. DEPUTY-SPEAKER : What can I do. You can seek clarifications. I will allow you afterwards. I will call you afterwards. You are not listening to me. Can't you understand what I am telling you ?

SHRI SARAT DEB (Kendrapara) : This is really not a National Policy on Education. It looks like the manifesto of

the Congress Party. It is luseless and unworkable. It has no meaning at all. That is what I want to say.

MR. DEPUTY-SPEAKER : Now the hon. Minister.

[Translation]

SHRI SULTAN SALAHUDDIN OWAISI : Why am I being made a scape-goat ? This is a strange situation. Please give me 2 minutes only. The quarrel is between Shri Shahabuddin and Shri Sunil Dutt but I am being deprived of my chance to speak.

(Interruptions)

[English]

MR. DEPUTY-SPEAKER : Take your seats. The Minister is on his legs. All of you please take your seats. (Interruptions) I will call you afterwards. Please sit down. I have been saying that I will give an opportunity to you, (Interruptions) Let it be.

I will call you, Mr. Owaisi. Take your seat first.

Now the Minister will speak.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND OF HOME AFFAIRS (SHRI P. V. NARASIMHA RAO) : Mr. Deputy-Speaker, Sir, A large number of Members have participated in this debate. The number was expected because we knew all along that there was a very keen interest on education in this country inside Parliament, outside Parliament, at all levels ; and this has been demonstrated by the national debate that has gone on for the last 7 or 8 months.

So, I am grateful to the Members for having given there considered views. I have tried to study the reactions of Members of Parliament, the Press, of other educationists, experts etc.

Again, as anticipated, it has been a subdued reaction, a sedate reaction, asfar as possible a dispassionate reaction ; and maybe a matter-of-fact reaction. Again, I am glad about this, because when we talk of implementation, there are certain misgivings—quite natural, because in our own earlier document called the 'Challenge of Education', so many defects had been pointed out. Generally, Government does not point out mistakes ; but in this case it was done deliberately, because we wanted to draw out each and every one in this country, and know his view.

Of course, sometimes there has been a tendency to agree with that document very readily, because that gives a handle to beat some-one with. But we don't mind. Even that is acceptable to the Government, because ultimately if a teacher does not attend the school, it is not the Prime Minister of India who is responsible. The idea was to find out who is responsible, at what level the responsibility lay, or lies, or should lie.

So, that document placed certain facts before the nation. It was for us for the nation to debate, to come to a conclusion, to the right conclusions ; and I would like first to submit to the House that whatever opinions, whatever feedback we got from the field was not only documented in 14 large volumes, analyzed, collated ; and on the basis of those volumes, on the basis of that public feedback, the papers prepared by those who had analysed the feed back were made the basis for the formulation of the policy. Prof. Soz just pointed out that he does not find any reflection of any seminar in the document. I would like to inform him that I can point out any number of items on which what is contained in the document is not only a reflection but a verbatim reproduction of what was recommended. I would not like to go into details because that would only take the time of the House, but I would like to say in general that on all matters contained there has been a feed back and there is no brain wave here in the Ministry, Government has not interpolated anything in the document which was not recommended or which was not reflected in the recommendations. Naturally,

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the recommendations were not all onesided ; there was bound to be some difference in the recommendations. In the seminars I attended in some of the seminars although I did not speak at any seminar, I found there was considerable difference of opinion. On a matters like education, you can never expect that there would be no difference of opinion. But the document and the ideas contained therein have a unity about them. You have a vision of the future, you have some ideas to look at the future, the immediate future, the long distant future and create a vision in front of you and that is what has been placed in this document, incorporated in this document. So, I would like members to appreciate the fact that no document can have everything that has been given to us as a feed back. We have taken only the essence. If there are any things that should have been said but have not been said, they could always come later and no one is claiming perfection in this document or comprehensiveness in the sense that it has everything in it and nothing is left out.

I am prepared to concede that one section of people or the other or certain special kind of areas which could have been added in the document may have got left out, because if we start adding areas and adding, sections, the list will be endless. Even so, it has come out during the debate that educationally and socially backward classes have not been pointedly referred to. I would like to say that can be set right because that was always the idea and has been brought in the document in a different context, in a different way, in different phraseology, yet if this phraseology is to be substituted or re-inforced anywhere in the document, it could be done in the light of suggestions. We could add the hill areas for instance ; we could add desert areas ; we could add islands for instance, because they have certain special problems. So, in the same way, educationally and socially backward classes could also be more pointedly brought into it. We will see while finalising the text of the document, we can certainly look into those things.

There is also a kind of scepticism sometimes mixed with certain expectancy. We agree that this, in all humility, has to be accepted. There have been lapses. Those lapses should not be repeated. But when it says, any one says that there is nothing new in this, well, that is perhaps tantamount to criticism which is totally uniformed. Of course, criticism is no substitute for reading the papers.

So, I have nothing more to say than that. Because, if you read through, and if you compare it with the last 1968 policy, you will find that there is nothing which has been said here which is a mere repetition of 1968, except the language policy. That item been disposed of in a few sentences, because we thought that the language policy as formulated and adumbrated in the 1968 document was perfect in all respects and we had nothing to add to it we thought so much about it, but came to the conclusion that the 1968 formulation was made after a lot of deliberation and we have nothing to change in it, we have nothing to add and that is why we disposed of that question briefly and said that the 1968 language policy needs to be implemented, it will be implemented. That is the operative portion, only one half of assentence. All the other items, I would submit, respectfully, have an element of novelty in them, something new something fresh, something which has been thought of after the 1968 policy and those elements have been incorporated. I would like to just mention, a few.

Before I come to what is new, I would like to say what is to be done next, because that seems to be the crux of the whole thing.

As the Prime Minister pointed to the National Development Council, and as I have also said on many occasions, this is only a policy, this will have to be now translated into a strategy and the plan of action and the line of implementation and the details will follow.

Now, someone may ask me : ' Where is your strategy ? Where is your plan of action ? ' Well, I must say " I wanted the

policy to be first approved. How do I prepare a strategy before finalising the policy?" So, the policy, after finalisation, will be followed by strategies and implementation programmes, not only that. There will be constant monitoring. This is what did not happen—unfortunately—in the case of the last policy. The policy itself said that there will be a review every five years. I am not aware of any review which can be really called a review proper, and therefore, what could have been pointed out at the end of the first five years, was not pointed out and what would have been corrected at the end of five years was not corrected, with the result that these things have accumulated for more than seventeen years. That will not be the case now and no one need have any misgiving on that because the National Development Council is going to review this next year in 1987. I would like to invite Members of Parliament, and I wanted to request the hon. Speaker to have one discussion on Education Policy and its implementation every session. I would welcome that.

PROF. N. G. RANGA (Guntur) :
Not every session, every year.

SHRI P. V. NARASIMHA RAO : I would welcome that. We would like to tell you what all is being done. In the next session, for instance, we can give as much as possible of the implementation strategies. There is no difficulty about that, we are already thinking of these things, some have been formulated, some are in the process of formulation, naturally we could not formulate them one hundred per cent because then, one would say that we just took Parliaments approval of the policy for granted. So, we have not done that. We have kept certain things unsaid. We would, after approval of the policy, like to say and do them. So, this time at least it is going to be a series of actions, a series of steps and not just one short policy being approved and forgotten.

Now, that does not mean that everything is going to be done overnight according to what we say. This is what we want to ask you, time and again. Now, why this

did not happen in the past, if it did not happen, what are the lessons to be drawn from it?

So, This is a kind of pragmatic approach continuously monitoring, continuously reviewing, to improve the situation, and this is going to be our approach.

The Central Advisory Board on Education is going to be the body which is charged with a very large amount of responsibility in the educational field hereafter. Now, that has a large number of Members including all the Education Ministers of States, very prominent educationists, Central Government official, etc. I happen to be the Chairman. So it is a fully representative body which, according to the policy itself, could work through committees and could continue to review the policy from time to time. Therefore, this time, care has been taken to see that implementation of the policy is not just left in the air but is well provided for.

Now I come to the question of what is new. Perhaps, the answer to this one question will take me throughout the document and probably bring out all the salient features of the document so that I do not have to attend to any other question.

Let me first say in a few words what is the difference in the situation as it existed in 1968 and as it exists today. There is a qualitative difference. The 1968 document was the first ever policy brought out by the Government. It was couched in the fewest possible words because it was buttressed by a very big volume of the Kothari Commission report. So, taken together that is a very big document—policy and the report. The policy by itself was couched in a very few words and gave only a few directions. Now, we have elaborated on that. Not that the ideas are not there, but then in pursuance of the ideas, the new ideas that have come up meanwhile, have been incorporated in this. Today we have a situation in which the explosion of knowledge, just to quote one, has become more or less unmanageable. It is not possible by linear expansion of schools and teachers, if you have to cope with this

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knowledge. So you will have to think of new methods of coping with this situation. This is agreed on all hands. But when it comes to rhetoric, something else is said. We have said, for instance, that this linear expansion is not going to be enough. We will have to do something more. If educational technology takes another 15 to 20 years to reach the last village, the village is not going to rest content if it is to remain where it is. Therefore, we have stated that now educational technology which we are going to use in teaching methods, etc. will have to take a jump to the village. This is precisely what the presentation document contains. All that could not be repeated in the policy. But there it was very clearly stated that it is not a question of starting from Delhi and going to the last village after 20 years. What a Delhi school gets, the school in the remotest corner also should get by way of educational technology. Now, educational technology does not mean only sophisticated things. That is why, we said that we strengthen the base. We start with the "operation black board". The blackboard somehow caught the imagination of everybody, not the piece of chalk. Since it caught the imagination of everybody during the national debate, we call it "operation black board." And what it means is a massive programme of school improvement. Now, who gives the blackboard is the question. Is it the village community or is it the Central Government or is it anyone in between? This is what we have now to decide in the CABE. All Education Ministers of States will have to tell me; zila parishads will have to tell me. What I want is that there should be a blackboard. If they cannot give it, then we will have to say, "All right, if you cannot give it, what can you give? Can you give half a blackboard? Can you give one-fourth of a blackboard? Can you give at least a piece of chalk that will be needed to write on the blackboard?" So, let us have a dialogue with them and see that the blackboard and whatever goes with it, is given to that school. This is the kind of exercise that we will have to do. Not that we are going to every school to ask them, but we will talk to the State Governments, we will find out how much it is going to cost and how we share that cost. In this massive programme, the

Central Government has taken a larger responsibility. That is what has been very clearly stated that in care of some programmes which are considered to be of utmost importance, the Central Government is going, for the first time, to take a larger responsibility.

In the case of the top, the IITs for instance, today we have IITs where the machinery is obsolete. Obsolescence is really stalking the campuses of the IITs and other higher education, technical education institutions. So, it is not just the base we are attending to. This base is very necessary. It has now been accepted as a policy, as a programme which needs to be implemented and will be implemented. But we cannot really afford to neglect the top. Therefore, we have said something definite about the top, about technical education, about higher education which makes us self-reliant in our economy, in our programmes, and the nation gets a kind of morale out of it. Without that, the nation would still remain backward, lag behind other nations. Therefore, that was important. So, the base has been taken care of, the top has been taken care of and you cannot really isolate these two from the body. It will have to be the whole gamut starting from the base and as the base goes on getting strengthened and goes on higher and higher, naturally the improvement programme also will have to follow suit. That is why perhaps for the first time we are going to have a national system of education. I do hope that at least this will be conceded as something new.

There is a core curriculum. Some Member said core curriculum should be formulated in consultation with the States. How else would we do it? The core curriculum has been formulated in consultation with everyone hailing from everywhere. It cannot be done by a few persons, a handful of persons, howsoever expert they may be, sitting in Delhi. That is not the intention at all. If there is a core curriculum in respect of nationalistic ideals, goals, the language may differ but the substance will be the same. This is what it is. If there is Subramania Bharati in Tamil Nadu, there is Gurajada Appa Rao in Andhra, there is Bharatendu Harishchandra or Makhan Lal

Chaturvedi in U.P. So, we have the same idea. That is what we mean by the unity of India in its diversity and that is what really will be catered to, that is what really would be the content of the core curriculum. Not only in one respect, but it will be what we need for the whole country without exception. Take science, for instance. Science and mathematics were not compulsory subjects before 1968. As a result of the Kothari Commission's Report, it has taken quite a few years to make them compulsory up to class ten. Today it is compulsory, tomorrow you may have to make something else compulsory. You may have to change the face of mathematics which has been brought out in the document. It is not the mathematics—the time and distance and the time and work—which you and I learnt in our days. It has to be different. The mathematics of today would have to fit into the new technology of today. If that technology requires another two years of a bridge course, then this mathematics is useless. So, all these things have been taken care of. When we go into the nitty-gritty, we will certainly come to Parliament with whatever is being planned. Again, the national system says it is not just seven years or eight years of schooling. It insists on something which has not been insisted upon before. It insists on a given skill, a given competence being acquired by all children throughout the country. This may look utopian, this may look unrealistic, but we are thinking in terms of the direction in which we have to move and, therefore, unless we say in collective terms that this will be the ideal, this will be the goal of the national system of education, we will not be really defining our goals properly. So, that is being done for the first time again, the incorporation or integration of culture in Education. What does this really mean? I would like to take a couple of minutes on this. Sir, it is because of our cultural well springs that in the old days some thousands of years back, this nation was considered one of the wisest on the face of the earth. Just one subject was understood by all the classes of people through different methods. The 'Ramayana' was studied by the pandits through a book. The same 'Ramayana' was studied through folklore through hundreds of types of folklore by millions and millions of people throughout the country. So, the

wisdom of our texts, of the 'shastras' was transmitted down the line. There was no disturbance anywhere, there was no stoppage anywhere. What has happened during foreign rule is that they gave us everything but took our soul away. They killed our soul and that is how the thing got stuck there. Now we have to get it unstuck. We will have to integrate culture with education. It is not going to be easy. Nobody pretends that it will happen for the asking. This is going to require our resourcefulness to the utmost extent. This is going to be a test for educationists. This is going to be a test for teachers and administrators and for Members of Parliament, may be. So, I am quite clear in my mind that this will have to be done. Otherwise what will happen is, we will be progressing materially, we have made lot of progress since 1968, but I must say that along with the progress, certain erosion of values also has taken place. Now we cannot deny that. Today every educated person cannot be called a wise person.

SHRI INDRAJIT GUPTA (Basirhat) :
Cannot be called a cultured person also.

SHRI P.V. NARASIMHA RAO : He cannot be called even a cultured person. Probably that is why the earlier document said : "Education has to be looked upon as a part of culture." That is the way we are looking at Education. It is not as if culture is being made a part of education. It is the other way round. So, since that has been cut off, we have been left high and dry. That will have to be brought back.

Sir, then take Sports. Again this is another instance where something new has been said. We are going to see that sports education, or the performance in sports and games etc. is made an integral part of the pupil's assessment. Now what does this mean? What does this involve? It involves another massive programme. Unless you have playfields, unless you have play material, unless you have someone to teach the students, you cannot really examine them. If you have to examine them it will be possible only when you make all these things available to them. So when we say that this is going to be an integral part of education we are committed in advance that

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all these will be provided. So, this is how the whole thing has been conceived of in a comprehensive manner.

Then, Sir, there is the integration of the early childhood education with the ICDS programme. These come as bits and pieces in the document ; small sentences. It cannot be more than that. Even then it has become 30 pages and everybody is saying that it is verbiage. Naturally. If you don't read it, it is just verbiage from a distance. One sentence says that these two programmes are to be integrated. Now, how do we integrate these programmes ? Fortunate they are both in the same Ministry here. But they are not in the same Department in the States. They are not in the same hands at the district level. Now this means a total integration on the same lines right down the grassroot level. Without that, it is not possible for me or for the Government of India alone to take care of this. We will have to again sit with the authorities there at the State level. Nothing can really go through unless we convince the State Governments, sit with them and see how we integrate this programme.

Sir, in the case of equalisation, in the case of bringing in equity in education, there is really a charter of equalisation in this policy. The thrust of the policy is bringing about equity. There is no other thrust. If you ask me, strengthening the base means bringing in equity. We have by name listed out the sections who have been left out—women, Scheduled Castes, Scheduled Tribes, minorities, the handicapped who have special problems, and now as I said, I am going to include the other sections who are implied very much in it but have not been mentioned directly and specially. The crux of the whole thing is, if we do not bring about equality, then education would not have succeeded in one of the most important functions it has to discharge. In the case of women we have said that education will be made an instrument of basic change. Not only in the case of women, we know that the person who is educated in the village howsoever poor he may be, his position changes, while his uneducated elder brother is a different person altogether, we see this in every village, it is a daily experience. So,

education has to be made an instrument, a very effective instrument in bringing about equalisation and equality.

Sir, when we say we are going to insist on a minimum level of achievement, it goes without saying that this is a commitment which is quantifiable and verifiable. It is not just saying that a child will remain in school for 5 years or 6 years, what he learns is his own business, not ours. There is a very great difference in fact in this situation. So, it is a quantifiable programme that will have to be taken up and a verifiable commitment that we make.

Then, Sir, about the emphasis on the retention at school, we have discussed this in this very House several times. What about drop out ? Some Members very emphatically said that the drop-out is something alarming. Yes, but how do we go into it ? How do we go about dealing with the drop-outs, then again dealing with the drop-outs, as I said, it is a question of micro-planning. If you really have to deal with drop-out, you will have to deal with every parent in the village. And who can do it ? Not the Prime Minister of India, but the sarpanch perhaps might be able to do it or the member in the panchayat representing that ward can perhaps do it, or maybe if there is a panchayat among his own section, those people can do it. But who is to approach them ? The person who is dealing with education at the gross-root level, whether he is an inspector or a village level worker, whoever he is, his job chart will have to change and we will have to judge, the headmaster, the teacher and the village level worker accordingly. His job charts will have to change and we will have to make retention as one of the criteria of judging the success of the school. Otherwise how will you bring it about ? Naturally, here it is only verbiage, but when it comes to really acting on it and prepare a strategy for it, what am I going to say what is the strategy we are going to decide upon ? Well, I have no ready made answers, I have said this many times. This is a question on which each one of us, Members of Parliament particularly, as I had submitted earlier, have a lot to do. Go to a village. If you first go to a school, if you have some

time, a few minutes, to go to the school or chat with the Headmaster. I am sure there will be a lot of difference. Maybe we could do it and some are doing it ; others might consider the desirability of taking a little more interest.

Sir, about vocationalisation, again this is a matter which was decided upon, never acted upon. Except Tamil Nadu no attempt at real vocationalisation was made during the last 17 years. It was very clear in the Kothari Commission report that this has to be done at plus 2 stage. Well, my friends from Andhra Pradesh will bear me out. It is at +2 stage, but some-how it was left a little indefinite. They said, it could be either in the higher education or in the higher secondary. Now, what happened in Andhra Pradesh was that we called it a Junior College. When you called it a college, you got contribution from the people. When you wanted to call it a higher secondary school, they could not understand. They understood only as school. The people said, if you open a college, we will give you contribution. If you want to have a school, we won't. So, when we had to open 256 of these higher secondary schools in one year, we had to go in for contribution and contribution we could get only, if a sign board of a Junior College was hung there. But the result was that it became a college in the real sense of the word, in all senses, of term and it never reverted back to the position where it ought to have been a higher secondary with vocationalisation, with different vocation had taught and so on. The workshops and the whole lot of things had got to be done. Nothing was got done. In the result, we got the contribution from the people but we were not able to do anything by way of vocationalisation. I am not talking in superlative terms or absolute terms. What I am saying comparatively is that what was really recommended by the Commission, never got off the ground. That will have to be looked into.

We have given a target. This target was arrived at again not in the Ministry or not in the Education Department here. It was arrived at after deliberations with the States, with those who were dealing with the subject in the States. Only after that, we said in a very cautious way, that by 1990, we would

be able to, say, vocationalise 10% of the schools and go on to 25% by 1995. It is a modest percentage. But in terms of actual work to be done, it is stupendous. So, we have not really hit sixers here and there all round the wicket. We went into it very carefully and we thought that this is within the range of possibility, although there are so many ifs and buts. Even so, we have taken the courage to say, this is what we will try to do and will achieve.

Then, I come to continuing education. Again this is a new concept, comparatively a new concept. Everybody has been taking about it. Books have been written. But we do not have the money to give training even once to a teacher. Then what is the talk about continuing education ? Yet, we have talked about it; we have also started it. Even without waiting for the policy to be approved, we have started a programme of training 5 lakhs of teachers in this summer vacation. The programme is already underway. So, many things which need not have waited for the policy have been started. Well, it cannot be a perfect programme. It may be only 8 days 10 days. But it is necessary to start this somewhere and we have started it this year itself.

Sir, one thing which has become controversial in many ways, in many States and may-be in many sections of people, depending on their own interest, is decentralisation. The teachers left to themselves, would normally say, we would like not to come under local bodies. This has been our experience in Andhra Pradesh. My friends will bear me out. But how else? There are other States where the Government has been running, district education officers have been running the show.

PROF. MADHU DANDAVATE :
They prefer centralised finances and decentralised working.

SHRI P. V. NARASIMHA RAO :
Yes, that is right. They prefer centralised finances, decentralised working on paper and defused working in actual practice, that means no work. Sir, this is a controversial thing. But I would say that we must have faith in the Panchayat bodies,

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May-be whatever they have been doing, for various reasons, has not been quite satisfactory. Well, the same thing can be said for Assembly, Parliament, everybody, But nobody has evaluated us. We have been evaluating them all the time. So, that makes the difference. There have been shortcomings everywhere. But we will have to ultimately rely on them for operation and this is what the document has brought out. In spite of the fact that there is going to be a lot of controversy on this matter and maybe that some State Governments may find it difficult to accept some features, I would like to say that as persons who believe in democracy at the grassroots level, it should be the endeavour of all Members of Parliament to see that these Panchayat bodies are properly organised—that is No. 1 and then secondly they are properly equipped to look into the questions of education. If they do this, there is no reason why they should not succeed. If the teacher is not attending school, it is for the Panchayat to tell us that he is not attending. For heaven's sake how, can the State Government know whether a teacher is attending or not? We generally know that they are not attending, but it may not be wholly true. In many cases the teachers are attending, the teachers are teaching and examinations are being held and everything is being done but whenever something goes wrong, it hits the headlines...(Interuptions)

SYED SHAHABUDDIN : Give the Panchayats the power to hire and fire the teachers.

SHRI P. V. NARASIMHA RAO : We will go into that. I have an open mind on that. Who is to get the powers? We know the Panchayat Presidents were wielding some powers. Mr. Madhav Reddi will tell you. They were wielding powers but it soiled down only to the power of transfer. It become a one point programme. That is what happened. Now should we do it? Should we go in for it or should there be some limitation and should there be some second look into all this? All these matters we will have to go into because all these methods have been tried at different levels of Panchayat systems. Maharashtra has the system of Zila Parishads taking over

the management of these schools. In Andhra Pradesh again there is a three-tier system and all that. All these systems have been tried out. Ultimately we have to see which system delivers the goods and in which area. It is quite possible that there may be a little variation here and there. We should be ready for that and that should not come in the way of our endeavour to shore it up.

Next, statutory status for the All India Council of Technical Education. I think this has not been done before. We are now promising because we really, want it. The All India Council for Technical Education was a powerful body—a very powerful body till 20 years or 15 years ago until some States started going on their own and opening Engineering Colleges by scores... (*Interuptions*) This is what happened and the All India Council for Technical Education just remained staring at all these. So we will have to give some teeth to this Council so that they make a manpower survey of how many engineers are needed, and so on. We do not want unemployed engineers roaming on the streets. So this will have to be done. It has been promised in the document that this will be done. Maybe in the shortest practical time I will come to the Parliament with a Bill or something on this.

Networking of the institutions. Now we know the Engineering Colleges are there. They do not have any contact with the next village. I know of agricultural colleges around which not many villages have received any of the improved agricultural practices. They go somewhere-else but not to the next village because extension has been very weak. Where extension programmes have been strong, this has happened and where they have been weak, it has not happened. Therefore, we will have now to have a networking and a kind of a sandwich course is necessary. Now the difficulty is that where you have an Engineering College you do not always have the industry. You do not have a network of industries around the college. So the students will have to go long distances and the industry people may not like the students to come and disturb their industries. Maybe they are not on the best of terms. All these personal, impersonal, institutional and

organisational problems will have to be looked into once we say we are going to bring about some networking. It is just one sentence but it has a lot of and lot implications in it. We will try to start doing this immediately and see how it works, say, after one year.

Sir, now about an, Umbrella Body, someone said, is not going to work. I am really amazed. That is the only thing that should work. If the Doctor does not know that he is serving the people or if he is content with his practice and in come in the town with his patient from the upper brackets of income, now that is not the kind of motivation we are supposed to spend for. We will have to see that technical and professional education in all fields—Agriculture, Medical, Health, Engineering, all these areas—has some kind of relationship with one another and with developmental secue in general. This can be done only when we have a body, it can be called an Umbrella Body. It is not going to interfere in the day-to-day affairs of ICMR and ICAR. But it will have to really go into the nitty-gritty. How many agricultural graduates you want and what kind of education should an agricultural graduate receive. Today the element of health in Medical Education has been minimal. 10 year ago, it was almost nothing. May be they have increased a little now. There is need to increase it further. So, all these would have to be gone into by an Umbrella Body. That has been promised in the Document.

Sir, some hon. Member was saying that we have not done anything about donation colleges. There is a difference between donation and capitation. There is nothing wrong in my taking donation; otherwise how do I run a college as a private college? Now, the private enterprise in this country has done something good in the educational field until it got distorted and converted into what we call capitation colleges.....

(Interruptions)

That is commercialisation. Whether it is at the school-level or at the professional-level we have said that we are going to curb commercialisation. But we have not stopped at that. We say, we will find a

way where public charity or public enterprise could be channelled so as to be made use of in the field of education, but not capitation not seats for sale. This is what I had said in Parliament. I stick to that.

(Interruptions)

That aspect has also been very fully examined.

As regards the non-formal side, this is a very important matter. This needs a little faith. I am quite sure most of us will at least—I can say for myself—appreciate that. I do not see non-formal education as inept. I have reports, glorious reports of some experiments in non-formal education where they have given better results than what the formal education has given, that is why I said we are not taking the two as substitutes of each other. They are different. We do not say that where there is regular school, we lock up this school and start non-formal education. It is not like that. What we say is there are two types of education. Now the achievement level would have to be gone into and examined further in order to see which is better. But we do not have to immediately. Most of us have been educated in the non-formal mode, let we say. We did not have formal schools when we were young; We were actually educated in the non-formal way. Not exactly what we call technically non-formal today, but in a manner which was not formal. We did not go and get enrolled in any school. Most of us at least my age-group people, would certainly bear me out, that this has been the situation in those days. We came from native states. They did not want us to go to schools. They did not have any schools. Government in those days was very particular to see that there were no schools. So, how do we get educated? It was in the non-formal way. So, we need not brush it aside, tick it off as something inferior. To some extent, it may be superior. But in some other respect it may also be inferior. We do not know.

(Interruptions)

For the first time, we have talked about the Rural University. I would like hon. Members to visit Gandhigram. I beg of

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you. I will take them there, in batches, if they wish. If all go together, people there will be scared. May be in small batches we could go. You see the achievement of that area. 100 per cent enrollment, 100 per cent retention, 100 per cent employment in the villages. They have not become Collectors, no. But there is gainful employment in villages. One institution, one cottage and village industry produces goods worth about four and a half crores annually. This is something which gives you hope that in this nation the well springs of culture are still there. Now, let us replicate these things as many as possible through the next plan and in the coming plans. I am sure at least some of the basic education which was conceived of by Mahatma Gandhi could be resurrected. Otherwise, we have no right to mention his name. We have, in the last 30 years, done nothing for that. In fact, we have scuttled it. By 'we' I mean the whole nation because the parents did not want it. Sir, I was a member of the Basic Education Committee in Andhra Pradesh. We went from village to village, we made very detailed enquiries; the parents did not want it. They thought that the other schools would get quick returns so far as their children were concerned. That was in 1957, about 30 years ago. Today there is a greater need for a return to that kind of education, and I would say that in pursuance of this policy if we could replicate Gandhigrames in a few States, it would be good. But we will have to be careful because even that can be distorted; it all depends on the person who is running it. But I would certainly recommend, as the policy recommends, that we should try to replicate the rural institute pattern.

15 hrs.

The most important by far is the subject which has been exercising the minds of quite a few Members on the other side, particularly, and some educationists also; I must be fair; it is not just Members of Parliament but some educationists also have raised certain doubts in regard to Navodaya Vidyalayas. I would like to take a few minutes on that because it is important. We seem to have forgotten our past, our

history, to such an extent that we have somehow got ourselves compartmentalised. We have the tradition of Viharas, we have the tradition of great centres of learning where not only people from all over India but people from other countries also, in large numbers, came, got education and training and went back. Incidentally, there has not been, really speaking, any record. Our history is being reconstructed out of what the others wrote—Fahien, Huen Tsang and so on. So, we have this tradition. Let us revive this tradition if possible. The idea is, national integration in action. This is what, in one word, has been said. Now, if one does not want to understand it, that is a different matter. But I would like to place before you an experiment which has been started, not today but several years ago, in Andhra Pradesh; anybody will bear me out that it is working well, the results are very good. Some schools in Maharashtra were converted into these schools. 'Neterhat' in Bihar was the real inspiration which went to all these schools. We have done certain things of this nature. We have opened certain schools of this nature. Maybe, they were different from one another, and this new one is also going to be a school of its own kind. But I would like to repeat that it would be national integration in action.

We have been talking about 1968 policy on language. Nothing has happened. No one has learnt Tamil in Uttar Pradesh. Naturally, in Tamil Nadu there is a reluctance to learn Hindi although lakhs and lakhs are learning in a different way. I would like to say, just by way of an illustration, there are about 180 to 200 Hindi-speaking districts in India in Bihar, Uttar Pradesh, Madhya Pradesh, Haryana, Rajasthan. The total number of districts in the country is 400 and odd. May be we have 50-50 between Hindi and non-Hindi may be a little more on non-Hindi side. Suppose, out of these 200 schools in 200 districts of Hindi areas we allot 60 schools for Tamil, we say 1,20,000 students who will be studying at the end of the 5th year from now, 60 out of these schools would have to learn Tamil because 20% of the boys will come from Tamil Nadu. I have talked to the boys more and to the politicians less. The boys are prepared to come.

Boys from Tamil Nadu will come 20% in each school. Boys from Punjab will come, boys from Bengal will come and boys from North-East will come. So, in all these schools there is going to be a three-language formula instituted. The Government of Haryana, for instance, some years ago introduced Telugu. I have no hesitation in saying that both the teachers and the taught were of a very high order. I received them as Chairman of the Telugu Akademy when they came to Hyderabad. I must say that some of them spoke better Telugu because it was learnt, it was not just taken for granted.

PROF. MADHU DANDAVATE : Your Marathi is better than Telugu.

SHRI P. V. NARASIMHA RAO : Well, you do not know how my Telugu is.

This is the real idea. This is not that we do not have schools. This is being made available to rural children. Again there is a misunderstanding on this. We have a common test over the whole district. What is the point in saying that you have only one school in the district? Well, we will have to start with one, we may go to 10 if it catches on. One does not know.

PROF. SAIFUDDIN SOZ : That is not possible within the financial kitty at all because 2½ crores of rupees will go to one school only.

SHRI P. V. NARASIMHA RAO : Prof. Soz, I have got offers from many quarters that they would like to run the schools on exactly the same pattern as laid down by us. They are so enamoured, they are so much sold on the pattern.

PROF. SAIFUDDIN SOZ : They are private parties.

SHRI P. V. NARASIMHA RAO : Not necessarily private. There is a lot of enthusiasm among Zilla Parishad schools, if you ask me when I come with the assistance. (*Interruptions*). Let us see, why are we really raking up a controversy

here? The Prime Minister has already said, Sir, that we are not going to force the school on those who do not want.

(*Interruptions*)

SHRI AMAL DATTA (Diomand Harbour) : Are you seriously suggesting Zilla Parishad will run these schools? They require 2½ crores of rupees each!

SHRI P. V. NARASIMHA RAO : We are seriously suggesting that we assist them and they will run the schools. I am not talking of the Zilla Parishad doing it from finances given by the State Governments.

SHRI AMAL DATTA : Then, financed by the Central Government?

SHRI P. V. NARASIMHA RAO : Certainly. Why not? (*Interruptions*) I am saying this off the cuff. I have no plan for this. But since you have asked me, I said why not. (*Interruptions*) There are many ways of doing this.

(*Interruptions*)

MR. DEPUTY-SPEAKER : Enough, enough, no discussion.

SHRI P. V. NARASIMHA RAO : I would like to meet as many objections as possible, except doctrinaire objections. I would like to say that there are many methods, many variations. The idea is that the rural children should get the full benefit. The idea is that we run the school on a on-charge basis. The idea is that it should be national integration in action in the sense that students from one State to some extent, to a given percentage will go and study in other States. The idea is that this should be a centre of excellence which radiates excellence to the schools round about. It is being done in Andhra Pradesh. The school which we started in Place-A is able to inspire some quality, at least in 10-12 schools round about, here is a living example of what has been done and what could be done. The question is only about the language. Now in the Kendriya Vidyalas we have English and Hindi. In these new Vidya-

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lyas because they are going to start at Class VI we cannot start with Hindi and English. We will have to continue for two-three years as a bridge where the local language and another co-medium would have to be taught. Then they bridge over to the other side where they will be able to switch over to the Hindi/English medium for the rest of the 4 or 5 years, on the basis that these schools are meant for the whole of the county. This is an experiment. I am sure it is going to succeed. We are not going to convert all the Telugu medium, Bengali medium or Kanada medium schools into this. We are not going to do that. We are going to start new schools.

AN HON. MEMBER : What will be the medium of instruction ?

SHRI P.V. NARASIMHA RAO : The medium of instruction will be from the mother-tongue switching over to Hindi or English at the end of two-three years. That is what it is going to be. (*Interruptions*)

The clinching point is that we are really not going to force it on the State Government. If they are not so keen about it. We will not ask for land and buildings from the State Governments. We will find out if there is anybody else who is prepared to give. For instance, Shri Kishore Chandra Deo yesterday offered me a building. So, my problem about Srikakulam district is solved because he has promised to give me a building. The first thing in Andhra Pradesh we will do is that we will go to his place. We will have it there. Then we will look round if similar enthusiastic Members of Parliament or Members of Assembly come forward. There is no use of cribbing about it now. (*Interruptions*) This is the pattern. I have no doubt that all this controversy has been to the good—good for these schools.

PROF. MADHU DANDAVATE : He has not only promised but he has already given.

SHRI P. V. NARASIMHA RAO : I have not yet taken but, at least, I believe him that whatever he gives me will be good enough.

Sir, I think I have dealt with all the points that have been raised. It is not a question of scoring debating points. It is a question of taking up a massive programme. We have in all humility thought that it is possible and this is what we are going to do. The implementation programme we will be preparing, but I would like Members of Parliament like Prof. Soz, who has been associated with all the seminars...

PROF. SAIFUDDIN SOZ : The seminars have been good.

SHRI P.V. NARASIMHA RAO : Now he says that these seminars are not reflected. The only thing is that he has not really tried to find out whether the seminar has got any reflection here. This is all that I would like to submit to Parliament. Thank you very much.

PROF. N.G. RANGA : Sir, lot of importance is attached to the new title 'Development of Human Resources'. A huge population has been neglected hitherto. Now we want through this education they should all be benefited.

[*Translation*]

SHRI SULTAN SALAHUDDIN OWAISI : I wish to ask you only 2 or 3 questions. So far as the discussion on this policy is concerned, two lines of a poet come to my mind :

*Woh baat jis ka saare
Phasane mein ziker nahin,
Woh baat inko bahut
nagavaar guzri*

You please tell me what would be the position of the linguistic minorities, in this document ?

SHRI P. V. NARASIMHA RAO : There is a complete paragraph devoted to this aspect ; please go through it attentively.

SHRI SULTAN SALAHUDDIN OWAISI : Secondly, as far as the institutions of the minorities are concerned, one Government may give the permission but the next Government may give a notice to close that institution, which is very discouraging for us.

Thirdly, the Urdu speaking minorities be given protection in the matter of setting up schools and institutions, which has been guaranteed in the Constitution. These guarantees should be ensured irrespective of the changes in the Governments, just as change in Government in Andhra Pradesh is creating problems for us there. You say that minorities do not get Government employment as they do not possess the requisite qualification. But when we want to open schools for this purpose, they are closed. This point must receive attention in this new policy.

SHRI P.V. NARASIMHA RAO : In the reply, I only want to say this much that I have sympathy for you but I am helpless in this regard.

SHRI SULTAN SALAHUDDIN OWAISI : I would say only this much :—

*Khak ho jayenge ham
Tumko Khabar hone tak*

SHRI P.V. NARASIMHA RAO : Do not think that we know better. I also want to tell you that I shall not let you come to any harm, so far as it is within our means.

SHRI SULTAN SALAHUDDIN OWAISI : All right.

[English]

SHRI AMAL DUTTA : Sir, here it should contain some target date for universal enrolment for elementary education. I think in this document which we are discussing, now, no date has been mentioned.

SHRI P. V. NARASIMHA RAO : It has been mentioned here at page 13 para No. 5.12 and I quote :

“This effort will be fully coordinated with the network of non-formal education. It shall be ensured that all children”

Please note here. I have seen one amendment also, but in a different para.

SHRI BASUDEB ACHARIA : Are you accepting that amendment ?

SHRI P. V. NARASIMHA RAO : I am not accepting the amendment. It has already come there in some other form.

SHRI AMAL DUTTA : Sir, we are suffering from dearth of resources. We are not able to pump in more money for education in spite of our best wishes over the last two decades. I want to know the priority. Your priority is on universal education or your priority is on Navodaya Vidyalaya...

SHRI P.V. NARASIMHA RAO : I am sorry that one point got missed. There is a lot of misgiving again, on the availability of funds. I share the misgivings. But I have some good news. In the N.D.C. meeting, the Prime Minister made a categorical statement. He said that this expenditure on education, being 6% of the National income, would have to be taken care of from the next Plan. But even before the next Plan comes, whatever is possible, we will accommodate. That is number one.

Number two is that he has categorically stated in his speech there and confirmed elsewhere that out of the NREP and RLEGP funds, the first charge will be the primary school building, these funds come to about Rs. 1200 crores. Out of that, we don't want any specific portion. What we want is that it should be the first charge and that is what we have promised. If a school is not wanted, we need not get any thing for that place. But where a school is wanted, these funds will be appropriated as a first charge to schools. Now, this is a great relief. In some areas where the collectors and others are really conscious of education, they have been taking out some part of these funds and using them for school building, but perhaps not without audit objections. This has been the story so far. Now that the Prime Minister has given the commitment and the Planning Commission has accepted that, well, this is going to be a very great relief to us. We can certainly think of diverting our own funds meant for buildings to middle and secondary schools. They have become real assets. That is one thing. The other thing is that we have not yet quantified ; we have

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given all kinds of figures, Rs. 15000 or Rs. 18000 crores on an aggregate basis ; we may be needing a large amount of money, but how much can we spend in the next three and a half years ? Are we prepared to spend money meaningfully ? I hope and trust that to the extent we are prepared to take up a concrete programme, money would not be wanting. This is all I could say. I cannot give you figures just as we give figures in a Plan.

MR. DEPUTY-SPEAKER : I shall now put the amendments moved by Shri Saifuddin Chowdhary to the vote of the House.

SHRI SAIFUDDIN CHOWDHARY : I moved these amendments, but I never spoke. I have to speak on them.

MR. DEPUTY-SPEAKER : I already called you yesterday, but you were not there at that time (*Interruptions*) If you were not there, what can I do ?.. (*Interruptions*)

SHRI SAIFUDDIN CHOWDHARY : Peculiar things are happening in this House (*Interruption*).

MR. DEPUTY-SPEAKER : You know the agenda. You have to be there, when your turn comes. You were not there at that time, when I called you.

SHRI GHULAM NABI AZAD : This is only a document, you cannot give an amendment.

SHRI SAIFUDDIN CHOWDHARY : I want all the amendments to be put separately and I will seek division on each and every amendment.

MR. DEPUTY-SPEAKER : You demand it. I can put all the amendments to the vote of the House.

SHRI SAIFUDDIN CHOWDHARY : I want them to be put separately. Nobody has seen the amendments.

MR. DEPUTY-SPEAKER : Everybody has seen them.

SHRI BASUDEB ACHARIA : There are 30 amendments. How can you put all the amendments together.

SHRI SAIFUDDIN CHOWDHARY : What is the rule by which I am prevented to move separately ? . (*Interruption*)

MR. DEPUTY-SPEAKER : You have already moved the amendments.

SHRI SAIFUDDIN CHOWDHARY : I want to speak.

MR. DEPUTY-SPEAKER : I called you at that time, but you were not there. I gave you a chance, but you were not present.

SHRI BASUDEB ACHARIA : When?

MR. DEPUTY-SPEAKER : You were also present at that time. You searched for him. You sent also somebody to call him ...(*Interruptions*).

SHRI SAIFUDDIN CHOWDHARY : Tell me, what should I do now ?

MR. DEPUTY-SPEAKER : If you want a division on these amendments, you can, but I cannot allow you to speak. I already called you, but were not there at that time.

SHRI SAIFUDDIN CHOWDHARY : When ?

MR. DEPUTY-SPEAKER : Yesterday, you can go through the record.

SHRI SAIFUDDIN CHOWDHARY : I was there till the end. I moved the amendments yesterday. I want to speak now.. (*Interruptions*)

(*Interruptions*)

MR. DEPUTY-SPEAKER : You were not here at that time. I called you.

SHRI BASUDEB ACHARIA : He has already moved his amendments. Now he is to speak. It is there in the records.

MR. DEPUTY-SPEAKER : Amendments can be moved before the Minister replied.

SHRI SAIFUDDIN CHOWDHARY : I wanted to know whether I could speak at that time. You said, 'no'.

MR. DEPUTY-SPEAKER : Before the Minister's reply, you have to move and speak on these things.

SHRI AMAL DATTA : Before the Minister speaks, how can he move the amendments ?

MR. DEPUTY-SPEAKER : That is why I gave him a chance to speak on the amendments.

(Interruptions)

SHRI BASUDEB ACHARIA : Yesterday the Chairman allowed him to move the amendments.

SHRI SAIFUDDIN CHOWDHARY : Now the point is that I may not press for voting all the amendments. But...

(Interruptions)

MR. DEPUTY-SPEAKER : You tell me which ones you want to put to vote.

SHRI SAIFUDDIN CHOWDHARY : How can you put it to vote, without my speaking about them. You please tell me.

(Interruptions)

You should give me some time to speak.

MR. DEPUTY-SPEAKER : Which portion do you want to put to the vote ? You tell me. But I cannot allow you to speak.

SHRI NARAYAN CHAUBEY (Midna pore) : How can be move without speaking ? It is not correct...*(Interruptions)*

SHRI AMAL DATTA : In this way, the time of the House is being wasted. He might have finished by this time.

MR. DEPUTY-SPEAKER : I cannot allow. I have to see the rules.

SHRI SAIFUDDIN CHOWDHARY : But I was not allowed to speak yesterday.

MR. DEPUTY-SPEAKER : You were called. But you were not there.

SHRI BASUDEB ACHARIA : When did you call him to speak ?

MR. DEPUTY-SPEAKER : You go through the record.

SHRI SAIFUDDIN CHOWDHARY : Mr. Deputy Speaker, I come to move the amendments. I asked whether I could speak. But I was told, 'Not now'.

MR. DEPUTY-SPEAKER : I have called his name.

SHRI GHULAM NABI AZAD : Once the ruling is given, why are you agitating ?

SHRI BASUDEB ACHARIA : What is the ruling ? Under what rule, is it given?

SHRI SAIFUDDIN CHOWDHARY : If you do not allow me to speak, how can the House know as to what are my amendments ?

MR. DEPUTY-SPEAKER : Well, they are circulated.

SHRI BASUDEB ACHARIA : You cannot prevent him from speaking.

SHRI SAIFUDDIN CHOWDHARY : I want voting for each of my amendments.

(Interruptions)

MR. DEPUTY-SPEAKER : Order please. You want voting on each of the amendments ?

(Interruptions)

SHRI SAIFUDDIN CHOWDHARY :
I have given notice for each amendment.

MR. DEPUTY-SPEAKER : Do you
want to move each of the amendments ?

SHRI SATYAGOPAL MISRA (Tamluk):
On each of the amendments ; I want the
Division.

(Interruptions)

MR. DEPUTY-SPEAKER : Yesterday
I called him. He was not there.

SHRI NARAYAN CHAUBEY : He
would have finished his speech by now.
Precious time is wasted. Unnecessarily the
time of the House is wasted. 10 minutes
have passed. He might have covered all
his points.

SHRI BASUDEB ACHARIA : Other-
wise, please accept these 30 amendments.
You accept all the amendments. They are
all important. Then we will not speak and
the matter will end...*(Interruption)*

MR. DEPUTY-SPEAKER : Please take
your seats. I can suggest only this. You
can quote the number of Amendments
which are already being circulated. You
tell, which Amendment you want me to put
to vote. That is all.

SHRI SAIFUDDIN CHOWDHARY :
I want all my Amendments to be put
separately.

MR. DEPUTY-SPEAKER : If you
want me to put separately, I am putting it.

(Interruptions)

SHRI NARAYAN CHAUBEY :
30 × 2 = 60

(Interruptions)

PROF. SAIFUDDIN SOZ : Within
four minutes, let him express his views.
Please allow him. Heavens will not fall.

MR. DEPUTY-SPEAKER : Let it be.
I am not objecting, even if it takes one hour.
I don't mind. Amendment number 1.

PROF. SAIFUDDIN SOZ : What is
this Amendment number 1 ? I don't
understand.....

(Interruptions)

We are here. All right Rules are there
We must understand what the Parliament is
doing. He would have finished his speech
by now. We have already wasted the time.
We are not here to waste the time...

(Interruptions)

MR. DEPUTY-SPEAKER : I do not
want to create any precedent now.

(Interruptions)

MR. DEPUTY-SPEAKER : Take your
seat. Please listen to me. The Manual of
Business and Procedure of Lok Sabha in
Page No. 336(b) says :

"A Member cannot claim to speak as of
right on grounds that he has an Amend-
ment on Order Paper. Chair is under
no obligation to call any Member who
has an Amendment on Order Paper. If
Chair takes up one Amendment out of
the several on Order Paper and restricts
this discussion the decision of the House
on that Amendment might render all or
any of other Amendments unnecessary
or useless."

SHRI NARAYAN CHAUBEY : It is
a convention.

MR. DEPUTY-SPEAKER : Now, you
are saying convention. Afterwards, you will
argue some other thing. It is a Rule.

(Interruptions)

MR. DEPUTY-SPEAKER : Rule 359
in the Rules of Procedure and Conduct of
Business of Lok Sabha says :

"Subject to the provisions of sub-rule(3) of rule 358 the reply of the mover of the original motion shall in all cases conclude the debate."

(Interruptions)

MR. DEPUTY-SPEAKER : Already we have circulated these Amendments to the Members. Therefore, if anybody wants anything, when he is moving his Amendment he can read, if he likes.

PROF. SAIFUDDIN SOZ : You give him three minutes for his speech covering all the Amendments.

(Interruptions)

MR. DEPUTY-SPEAKER : I cannot allow.

AN HON. MEMBER : The House should know what are the Amendments.

MR. DEPUTY-SPEAKER : The Amendments have already been circulated. Everybody is having a copy.

(Interruption)

PROF. SAIFUDDIN SOZ : Hon. Minister is prepared to listen to him.

MR. DEPUTY-SPEAKER : Hon. Minister.

(Interruptions)

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND HOME AFFAIRS (SHRI P. V. NARASIMHA RAO) : In this case *Mounam Asammati Lakshnam.*

MR. DEPUTY-SPEAKER : So, he is not accepting your Amendments.

SHRI NARAYAN CHAUBEY : *Mounam* is always *Sammati Lakshnam.*

MR. DEPUTY-SPEAKER : He is not accepting your Amendments. That is all.

(Interruptions)

MR DEPUTY-SPEAKER : Amendment number 1.

SHRI SAIFUDDIN CHOWDHARY : This is Amendment number 1. To make education compulsory and universal.

SHRI BASUDEB ACHARIA : Very good amendment.

SHRI SAIFUDDIN CHOWDHARY : It is a mockery of universal education.

(Interruption)

SHRI P. V. NARASIMHA RAO : This is redundant Amendment. It is already there, if you run through the entire thing.

SHRI BASUDEB ACHARIA : When you are making education compulsory, how can you ..

(Interruptions)

MR. DEPUTY-SPEAKER : Order, please.....

I now put amendment No 1, subdivision (1) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (1) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (2) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (2) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (3) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (3) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (4) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (4) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (5) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (5) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (6) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (6) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (7) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (7) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (8) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (8) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (9) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (9) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (10) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (10) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (11) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (11) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (12) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (12) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (13) moved by Shri Saifuddin to the vote of the House.

Amendment No. 1 (13) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (14) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (14) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (15) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (15) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (16) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (16) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (17) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (17) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (18) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (18) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (19) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (19) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (20) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (20) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (21) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (21) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (22) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (22) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (23) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (23) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (24) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (24) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (25) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (25) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (26) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (26) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (27) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (27) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (28) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (28) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (29) moved by Shri Saifuddin Chowdhary to the vote of the House.

Amendment No. 1 (29) was put and negatived.

MR. DEPUTY-SPEAKER : I now put amendment No. 1 (30) moved by Shri Saifuddin Chowdhary to the vote of the House. The question is :

“After paragraph 12.2, insert—

“12.3 This is only possible with the realisation of the objective of providing education and employment for all.” 1 (30)

SHRI SAIFUDDIN CHOWDHARY :
I want to press it for a division.

MR. DEPUTY-SPEAKER : Let the Lobbies be cleared.

MR. DEPUTY-SPEAKER : Now I put Amendment No. 30, moved by Shri Saifuddin Chowdhary to vote.

SHRI SAIFUDDIN CHOWDHARY :
Sir, I press for a division.

MR. DEPUTY-SPEAKER : Let the lobbies be cleared.

Now, the lobbies have been cleared.

SHRI SAIFUDDIN CHOWDHARY :
I do not press for it.

MR. DEPUTY-SPEAKER : Now I put Amendment No. 30, moved by Shri Saifuddin Chowdhary to vote.

Amendment No. 1 (30) was put and negatived.

(Interruptions)

MR. DEPUTY-SPEAKER : Order, order please.

MR. DEPUTY-SPEAKER : The question is :

"This House approves of the Draft National Policy on Education—1986, laid on the Table of the House on 2nd May, 1986."

The Motion was adopted.

— — —

MR. DEPUTY-SPEAKER : Now we will go to the next item, Item No. 6 ; Rather, Item Nos. 6, 7 and 8. We have now to fix the time.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI H. K. L. BHAGAT) : Item Nos. 6 and 7 can be discussed together but voted separately. I think one hour is enough because the whole business must be finished today.

MR. DEPUTY-SPEAKER : Yes, one hour is enough.

(Interruptions)

MR. DEPUTY-SPEAKER : They are making some objections.

(Interruptions)

MR. DEPUTY-SPEAKER : Hon. Members may go to their seats and resume their seats.

(Interruptions)

MR. DEPUTY-SPEAKER : Then, we will allot half-an-hour, half-an-hour, each.

SHRI NARAYAN CHAUBEY (Midnapore) : Why, even half-an-hour ? You can pass everything, as you have passed the others. *(Interruptions)* What is the use ? What is the use of bringing such bills up here ?

SHRI PIYUS TIRAKY (Alipurduara) : There are forty-two members here.

MR. DEPUTY-SPEAKER : One minute. The hon. Minister is on his legs.

SHRI H. K. L. BHAGAT : I say, that if you want to discuss these things separately that is different.

These are so controversial matters. We want to finish the business in time. That is why.....

(Interruptions)

AN HON. MEMBER : One hour each should be given.

SHRI H. K. L. BHAGAT : Then you should be prepared to sit extra time today after 6 P.M.

SHRI PIYUS TIRAKY : All right ; we will sit.

SHRI C. MADHAV REDDY (Adilabad) : We have now three Bills before us, and we have two hours at our disposal. First one is an important Bill and the other two are amending Bills. So, one hour may be allotted to the first Bill and other two Bills may be given half-an-hour each. In this way, by six we will close.

MR. DEPUTY-SPEAKER : Agreed. But this includes Ministers' reply also.

— — —

15.50 hrs.

ENVIRONMENT (PROTECTION) BILL

[English]

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI Z. R. ANSARI) : I beg to move :

"That the Bill to provide for the protection and improvement of environment and for matters connected therewith be taken into consideration."

I need hardly emphasise the importance of this Bill for Protection of Environment. We face serious environmental problems and the health and integrity of our natural resources are in danger. Environmental pollution caused by unplanned discharge of wastes and residues and improper handling of toxic chemicals or other hazardous substances has serious implications for the health and well being of our population. The Bhopal gas tragedy has poignantly brought home the dangers to human society, health and environment, which can arise from industrial accidents. There have been other gas leakages, on a smaller scale, before and after the Bhopal gas tragedy.

Hon'ble Members have been continuously expressing concern over these episodes and emphasising the need for taking adequate safeguards for prevention and containment of such accidents. The need for effectively controlling environmental pollution has also been emphasised time and again in the House. Government fully shares the concern of the hon. Members and has been examining how best to strengthen the legal framework and the regulatory agencies for this purpose. Efforts are also underway to promote safety at all stages, levels and operations, especially in hazardous industries where accidents can endanger not only the workers within factory premises but also the surrounding inhabitants and environment. Besides, it is also necessary to keep in view the more long term ecological and environmental imperatives. The hon. Members will recall that I had made a statement on 3 December, 1985 in Parliament that legislative measures for environmental protection would be strengthened. The present proposal is an important step in that direction.

I would like to highlight briefly the main aspects of the proposed Bill. The proposed Bill seeks to legislate in an area which involves complex scientific, technical and organisational issues. The Bill is general in scope and contains enabling provisions for taking measures for protection of environment. This is an area which has emerged in the recent past and where the state of the art is undergoing rapid change. For implementing the law it will be necessary to lay down guidelines, standards, criteria,

procedures, etc. in the relevant areas in consultation with technical experts. The necessary action for such rule making will be taken once the Bill is enacted.

The proposed Bill will enable Central Government directly to take a wide range of measures for environmental protection. The need for such powers has of late become especially evident. Under the provisions of the Bill, standards for emissions or discharge of environmental pollutants can be specified. Premises, plant, equipment, machinery, manufacturing processes, material or substances can be inspected and suitable directions given for prevention, control or abatement of pollution. Any person causing pollution can be ordered to take corrective measures or such action can be carried out at his expense. Procedures and standards can be laid down for handling hazardous substances. Procedures and standards can also be laid down for prevention of accidents which may cause environmental pollution and for taking remedial measures if such accidents occur.

The Bill contains provisions to enable quick and effective emergency responses. A provision has been made for intimation by concerned persons of apprehended or actual discharge of pollutants due to accidents or other unforeseen acts or events to designated authorities to facilitate speedy remedial action. Besides giving directions to concerned regulatory agencies and occupiers, it would be possible to enforce closure of operations and withdraw supplies and services (such as power or water). The Bill provides that specified classes of industries or operations or processes can be prohibited in certain areas or permitted only subject to safeguards. The provisions will help in ensuring that hazardous industries, operations or processes are not located in densely populated or ecologically sensitive areas; and that such existing activities can, in unavoidable cases, be relocated.

15.56 hrs

[SHRI SOMNATH RATH *in the Chair*]

The Bill will enable the Central Government to coordinate activities of Central and State Government officers, or other autho-

[Shri Somnath Rath]

rities for environmental protection. There are, at present, laws which deal directly or indirectly, with environmental matters. There are also regulatory agencies/inspecto-rates set up under such laws which function both at Central and State levels. The existing laws generally focus on specific hazardous or dangerous substances or types of pollution. They do not cover all the areas which need to be controlled for environment protection. The existing regulatory agencies lack jurisdiction in some areas. There are inadequate linkages in handling matters of industrial and environmental safety. Since the existing laws focus on specific aspects of environment, the regulatory agencies function within their limited fields. However, in environmental matters, it is necessary to have a long-term and global view. It is also necessary to harmonise and update the rules, practices or procedures of different regulatory agencies. At present, there is no clear focus of authority or responsibility for preventing or coping with damages to environment originating in industrial or related activity. There are areas which are either not covered or fall between the jurisdictions of existing regulatory agencies. An authority is, therefore, necessary for coordinating the activities of existing regulatory agencies bearing on the environment and for devising systems for long term environmental protection and speedy and adequate response to emergency situations threatening environment. The Bill, therefore, provides for an authority or authorities for exercising the proposed powers and functions.

To the extent possible, the new law will be implemented using the provisions of the existing Acts and the proposed authority will be able to give directions to other regulatory agencies. The authority, however, is not intended to replace any existing regulatory agencies under different laws.

16.00 hrs.

The proposed legislation provides for stiff penalties. Penalty for contravention of provisions of the Act and the rules, orders or directions thereunder will be imprisonment for a term which may extend to five years—

this is the teeth which we are going to provide — or fine, which may extend to rupees one lakh or both; and with an additional fine of rupees 5000 every day if violation continues after conviction. If the offence continues beyond a period of one year after the date of conviction, it will be punishable with imprisonment upto seven years. Private complaints will be cognisable after 60 days notice is given to designated authorities. The jurisdiction of civil courts is barred in matters falling within the purview of the proposed legislation.

Sir, Laws can only provide the framework for protection of the environment and it is necessary that official and voluntary agencies should work together to create the needed awareness. Indeed, environment is all-pervasive and the success of our efforts in this area ultimately call for the involvement of the entire population at all levels.

Sir, I am sure that with the provisions proposed in the draft Bill some of which I have briefly mentioned in my speech, Government would be able to protect the environment more effectively.

Sir, I move.

MR. CHAIRMAN : Motion moved :

“That the Bill to provide for the protection and improvement of environment and for matters connected therewith, be taken into consideration.”

SHRI G.L. DOGRA (Udhampur) : Sir, I rise on a point of order. My point of order is this. If you see Clause 1, sub-clause (2) you will see that it says ‘It extends to the whole of India.’ It includes the Jammu and Kashmir State. Now, in my opinion it is coming under the Seventh schedule, First Part, Entry 97.

MR. CHAIRMAN : You please let me know what is the point of order? Which rule is infringed? What is the point of order?

SHRI G.L. DOGRA : I am explaining that.

SHRI ABDUL RASHID KABULI (Srinagar) : He says, it cannot be extended to Jammu and Kashmir State.

MR. CHAIRMAN : Let him say. You are not to say.

SHRI G. L. DOGRA : If you read it, it says that it will extend to the whole of India.

MR. CHAIRMAN : I want to know which rule has been infringed.

SHRI G. L. DOGRA : Constitution is there. Entry 97 as is applicable to Jammu and Kashmir will not be able to cover this. That is what I am raising.

MR. CHAIRMAN : That point can be decided by courts. One can go to court. Not here. Over-ruled.

SHRI P. NAMGYAL (Ladakh) : I am not opposing the introduction of the Bill. My point of order is only this. It is a technical thing. My point is under rule 376. Under the Constitution of India, Article 370 says that any Act applicable to the whole of India cannot be applied to the State of Jammu and Kashmir unless the concurrence of the State Government is taken. What Mr. Dogra means is that perhaps the Minister must have obtained the concurrence of the Governor of Jammu and Kashmir State.

MR. CHAIRMAN : Rule 376 merely says, point of order can be raised. Nothing else.

SHRI P. NAMGYAL : Article 370 of the Constitution is there.

MR. CHAIRMAN : I only want to know which rule is infringed.

SHRI P. NAMGYAL : Article 370 of the Constitution of India.

MR. CHAIRMAN : How it is infringed? You please tell me.

SHRI P. NAMGYAL : I told you, Sir. Any Act made by the Parliament (which is applicable to the whole of India) cannot be automatically applied to the State of Jammu and Kashmir.

MR. CHAIRMAN : Kindly hear me. This is again a point to be decided by the courts.

(Interruptions)

MR. CHAIRMAN : In the garb of point of order no statement will be made. If you feel that any rule of the House is infringed upon, then only please raise the point of order.

SHRI P. NAMGYAL : That is what I am raising for, Sir.

MR. CHAIRMAN : If any other thing is to be decided by the court of law, it is for the court to decide. So, it is overruled. I gave my ruling.

SHRI P. NAMGYAL : We are not against this Act. We welcome this Act, we do not oppose it, but . . .

(Interruptions)

MR. CHAIRMAN : Now, Shri Madhav Reddi. Are you moving your amendment?

SHRI C. MADHAV REDDI (Adilabad): Sir, I move :

"That the Bill to provide for the protection and improvement of environment and for matters connected therewith, be referred to a Joint Committee of the House consisting of 30 members, 20 from this House, namely :—

- (1) Shrimati Akbar Jahan Abdullah
- (2) Shri Basudeb Acharia
- (3) Shri Z. R. Ansari
- (4) Shri Bhattam Sri Rama Murty
- (5) Shri Somnath Chatterjee
- (6) Smt. Usha Choudhary

[Shri C. Madhav Reddi]

- (7) Shri Saifuddin Chowdhary
- (8) Shri Mool Chand Daga
- (9) Prof. Madhu Dandavate
- (10) Shri Indrajit Gupta
- (11) Shri Abdul Rashid Kabuli
- (12) Dr (Mrs) T. Kalpana Devi
- (13) Shri P. Kolandaivelu
- (14) Shri Hannan Mollah.
- (15) Shri D. N. Reddy
- (16) Shri K. Ramachandra Reddy
- (17) Shri V. Tulsiram
- (18) Shri K. P. Unnikrishnan
- (19) Shri Girdhari Lal Vyas
- (20) Shri C. Madhav Reddy

and 10 from Rajya Sabha ;

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

that the Committee shall make a report to this House by the last day of the next session ;

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

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 members to be appointed by Rajya Sabha to the Joint Committee".

Sir, I rise to welcome this measure which is to be supported by all sections of the House because, as you all know, our eco system is very much disturbed and we are all very much concerned about it. But what I point out at this stage is that this Bill has been hastily drafted. It has got a number of mistakes and a list of nine mistakes in it have been circulated.

(Interruption)

It was introduced with the permission of the Speaker yesterday and today it is brought for consideration. Sir, had it been

an ordinary Bill amending a clause or two, it would have been easier for the Members to study, to understand and to speak. But this is a very important measure. This is the Act which is coming before us after waiting for 10 years or even more because this is based on the recommendations of the U N Conference at Stockholm which was held in 1972. Sir, I was going through the Report of the Stockholm Conference which contains 109 recommendations. These are the recommendations made to all the participating countries including our own country. We all support it, we are very vociferous that this should be brought about, but we waited for 12 years, but now when we are bringing this Bill, it is only a comprehensive Bill. The Minister was just now telling and he was right that Government is taking the powers to make rules, which means all the important points that you want to have or all the important measures that you want to take, you want to include in the rules. Am I correct ?

SHRI Z. R. ANSARI : Yes, you are right.

SHRI C. MADHAV REDDI : As far as the rule-making power of the Government is concerned, it only concerns with the administrative and other implementation part of it, not with regard to several other measures which we have to take. In that case, the rule book will be about 500 pages, if you are going to incorporate all the 109 recommendations of the Stockholm Conference. I would suggest that it would have been better had the Government waited for some time and called a Conference on the lines of the Stockholm Conference, invited all the State Governments, all the agencies which are concerned because just now the Minister was telling that it is one thing to pass a legislation, but unless the people are committed, unless the legislation is implemented the ecology cannot be saved. How are you going to educate people ? How are you going to involve the people ? As you all know, there are several laws already existing, but they have got their own limitations because they are not comprehensive legislations, they are laws concerning various specific hazards and these laws are actually in operation, but you will be surprised to know that many of the

State Governments are not concerned with the problem at all. You are just going on sending circulars, but they will never listen. It is because, they are not involved; they are not committed. They do not know the importance of protecting the ecology of the country. How are you going to get them involved? I am reminded to think of the several countries before the Stockholm Conference. Before this conference, no country was serious about this problem. It is only after 1972, when all the countries joined together, when they deliberated on it for several days and when they concluded these deliberations, the realisation has come about. How are you going to bring about this realisation in this country? Unless you call a conference of that magnitude involving all the agencies, I am afraid, it is not possible and it will remain only on the statute book and no implementation will take place. Many of the measures have to be taken by the State Government. After all they are the implementing agencies. There are certain voluntary agencies which you have mentioned just now. But by and large, it is the Departments of the State Governments who have to take action. How are you going to involve those departments? Have you called all of them and consulted them before drafting this Bill? No, it has not been done. This is a programme in which the people have to be involved. Several agencies have to be involved. If today in Garhwal district, the felling of trees has been stopped, it is only because of the Chipco movement started by Mr. Sunderlal Bhuguna. It is only because of his mass movement that this could be stopped. On the same lines, whether it is a question of industrial effluents or any other hazardous thing, they are to be educated. The people should know; administration should be involved. The State Government Ministers, political machinery, non-political administrative machinery have to be involved. That has not been done. That is my grouse. That is the reason. Even though I support the Bill I feel that it is too premature and some preparatory work has to be done before a comprehensive Bill is brought before this House. I have no time at my disposal and I do not want to take much time of the House. I feel that the amendment which I have moved that it should be referred to the select Committee

be the Select Committee be accepted so that the Select Committee may reach each and every State headquarters, talk to them and find out what is to be done, what is the intention of the Government and these things have to be told. And then a comprehensive Bill should be prepared and brought before this House.

SHRI DIGVIJAY SINH (Surendranagar): Mr. Chairman, Sir, today's discussion on the Environment Bill reminds me of two very eventful debates on environment which took place here in 1980 on the rape of mother and in 1982 on the dying ocean, and the whole House joined the debate.

For the first time, we have been discussing the environment over two Bills and I would at the outset compliment the Government, the hon. Prime Minister who is incharge of Environment and the Minister of State for Environment for a few good things that have been initiated lately.

First and foremost is something which has happened today. While discussing the national educational policy, it is heartening to note that there is a specific chapter included in the policy namely a chapter on environmental education. It is very encouraging. I also hope that the Forest Conservation Act which is being amended will also be brought before the House, by the Monsoon session to strengthen the laws of forest protection. I am also impressed upon with the two new agencies which the Government has set up, namely the Central Ganga Authority and the National Wasteland Development Board. I do know that the good effects of these programmes may be received by the next generation. But it has to be done and I am sure we are all in full consonance with these programmes.

I would also like to tell you and I would like the hon. Members of the Opposition to know that we in the Congress Party have even started a cell, a Party cell on Environment and I wish that all the political parties in the Opposition also do the same. Today at 5 O'clock in the Annexe the hon. Prime Minister is inaugurating the first meeting of our Party Cell on Environment.

[Shri Digvijay Singh]

I would also like to draw the attention of the hon. Minister to a few of what I feel, glaring anomalies which, I think, should have been considered. First of all, while discussing the Environment Protection Bill I would like to submit that the Government knows that there is a forum of Parliamentarians on Environment consisting of more than 100 members of Parliament which we call the Parliamentary Environment Forum of all Parties and before this Bill was brought before this House, at least this Parliamentary Environment Forum should have been consulted because many new ideas, many basic ideas would have been thrown up. Nevertheless, now that it is before us, my preliminary remarks are that on the whole it is a good Bill. It acts an umbrella legislation which knits the various enactments on environmental protection under one umbrella. It also gives a little greater responsibility to the citizen to raise issues where the Government or any implementing body has failed in implementing the environmental laws. But a couple of things are glaring which I think should have been included. One is a better apportionment should have been established with those countries, specially, the United States and some other advanced countries where the art of standing to sue has been there for the last whole generation, maybe for 50 years—where the art of standing to sue, an individual who stands to sue against the non-performance of the Government. That should have been included.

I do not know whether the Department on Environment has a legal cell. But even if it does not have, it should have a good cell which can advise the Government on all these things.

Second thing I have been hammering and I have been talking about since the last so many years is on the need to have Mofussil Courts or Tribunals which can be even peripatetic and which can go round where a person can go and lodge a complaint against the non-performance of the Government. All these provisions could be made available more easily to the petitioner...

MR. CHAIRMAN : You mean Mobile Courts ?

SHRI DIGVIJAY SINGH : Yes mobile courts or Tribunals like the Tribunals which you have for other areas. With the greater awareness of the environment round the country and implementation of various laws for the protection of nature, whether it is wild life or pollution whichever it is, why cannot we have mobile courts which can dispense the law at the rural level ?

I would like to draw the attention of the House because I did not have a chance to raise discussion under Rule 193 on various questions that I had asked in Parliament and got negative replies. I will take only 3 to 4 minutes of this august House to talk about them. One of them is the saw mills. There is no policy with regard to the saw mills and the saw mills are the greatest damaging agencies of the forests. There should be national policy on saw mills. I asked a question and got a negative answer. Secondly, I asked a question on a provision in the Seventh Five Year Plan to set up District Environment Committees by the State Government and should be funded by the State and the Centre equally. The provision is there. But, in a sense, no financial allocation has been made. So, without that, how do you create an awareness at the grass-root level ? I want this to be done immediately this year. There should not be any delay. I asked the question. But the answer was negative. I had asked the question. But the answer was wrongly replied. The question was whether there has been a protocol between India and France. The reply is 'No, Sir ; it does not arise, since the Central Ganga Authority is functioning in coordination and protocol with France.

Tax benefits have been given for any industry which wants to shift out of the congested areas. The question asked was : how many industries have taken advantage of this tax benefit to shift out of a congested area ; the money accrued from the sale of land and property and the machinery which would attract no capital gains provided it is ploughed back in five years. The answer is none. I wish that there is a healthy debate on this.

SHRI SHANTARAM NAIK (Panaji) : Sir, this legislation is initially welcome. We required a general legislation on this side and you have got this one. One honourable Member has also described this Bill as an ideal and good Bill. I will not say so. Because, if you see the major part of the law, it is not a comprehensive one. What measures you are going to take in future on environment are not contained in the Bill. It is only a 20 per cent legislation. 'Major part of the law will come in the (a) directions (b) measures and (c) rules which have been provided for in the Act. This is a sort of skeleton law. For instance, if you go through Clause 3, sub-Clause 2, it provides for so many measures to be taken. Now, you will take measures in future when the Bill will be passed. What measures these are, we do not know. Only subjects have been given. Similarly, you have provided for directions under Clause 5. Notwithstanding anything contained in any other law but subject to the provisions of the Act, the Central Government, in exercise of the powers and performance of its functions, may issue direction in writing etc. etc. These directions include the closure, prohibition or regulation of any industry in operation. Now, when this direction should be issued, when the industry should be closed under this Clause, is not stated. Such a vast source of delegation of powers is not a true legislation to that extent. The delegation of powers must be to the lesser extent. But major part of it must come in the Bill. For instance, about 60 to 70 per cent must be laid down in the Bill and the 30 per cent should be left to the rule-making power, direction-making power and measures-taking power. Unfortunately, it is not so here. Ultimately, today we are taking up this subject seriously. What is the punishment provided for? The punishment may extend upto 5 years or with a fine which may extend to Rs. 1 lakh. So, the first option is fine and all industrialists who are violating and the other persons who are violating it, will go scot-free with fine. Unless you make it compulsory imprisonment for violation of environmental law, nothing will be done.

SHRI R. P. DAS (Krishnagar) : Sir, this Bill has come in the context of the Bhopal gas tragedy. We are glad that this

Bill has been brought before the House at last. Its main purpose is to cover the aspects of industrial safety and management of hazardous substances. It is a very good piece of legislation and if it can be implemented, it will have its relevance. Otherwise, a very good Bill like this may lose its relevance. I would like to support this Bill. I would also like to point out two things.

I would like the Minister to say whether enough funds could be provided for implementation of the provisions of this Bill. As far as we know, during the Kumbh Mela, nearly crores of rupees were spent for clearance of drainage and for other municipal services in Haridwar. That was done in a very good manner, no doubt, but that was done at the instance of the higher authorities, that was done under certain pressure and the employees were made to work. As a matter of fact, there is no urge on the part of the Municipalities themselves to have the municipal services done properly in their areas. For instance, there are hundreds of Municipalities on both sides of the Ganges which are responsible for the pollution of the Ganga, because they discharge their entire polluted water into the river; in this way the river water is polluted to such an extent that the water cannot be used for drinking purposes or for any other purpose. It is no longer the holy water that it used to be. There is a Ganga Action Plan for clearance of the entire stretch of the river, and that Action Plan is supposed to be implemented.

As far as I know, there are eight schemes in West Bengal for several towns and about Rs. 68 crores were sanctioned under the Ganga Action Plan, but only Rs. 1 crore could be released so far for implementation of the schemes. Therefore, it is abundantly clear that the Authority, the Government, could not fund these schemes. It will be very much relevant if the Authority could arrange for funds for implementation of the schemes.

The second point is, that the people have to be involved in the protection and preservation of the environment. According to the Chairman of U.P. Jal Nigam, the

[Shri R.P. Das]

general public are responsible for pollution of water only to the extent of 5 per cent, but the Municipalities are responsible for pollution of water to the extent of 60 to 80 per cent. Industries and public sector undertakings are also responsible for pollution. Therefore, the Municipalities and all other people should be motivated, should be taught, in such a manner that they take care of this aspect and do not pollute the water.

16.20 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

[*Translation*]

SHRI HARISH RAWAT (Almora) : Mr. Deputy Speaker, Sir, this Bill tells us about an objective but it is silent about how this objective is to be fulfilled and what measures would be adopted for this purpose. I want to request Shri Ansari that merely making law is not sufficient, you should have a proper machinery to enforce and implement it. The present machinery is not even properly manned. It needs to be strengthened. There are Pollution Control Boards and Water Pollution Control Boards in the States but you know better about their actual performance. I would like to submit in this regard that at present besides making legislation for the protection of environment, the need of the hour is to generate an awareness among people regarding observing these laws.

There is an apprehension among the people in some areas that the laws framed for the protection of environment are not meant to protect their interests but these will be used against the interests of the local people. As my colleague Shri Digvijay Singh has just now pointed out that the Forest Conservation Act 1980, does not fulfil the aim for which it was made. There are many adivasi areas which have dense forests. The people there feel that the Forest Conservation Act does not protect their interests. These laws are not the public but public is meant for them. This type of feeling is being generated. I would

like to make a request in this regard that whenever there is discussion on this subject at least the opinion of the people from the areas which abound in forests, should be sought. A feeling should be generated among the people there that laws are being made to control something.

So far as the question of giving information to the people is concerned, you had mentioned about a scheme of forming a committee at district level by the State Governments. In this context, I would like to request you that there is a need to bring this scheme to hill areas at university and degree level. There is a need of making a central body to coordinate it.

With these words, I conclude.

[*English*]

SHRI SOMNATH RATH (Aska) : I only invite the attention of the Hon. Minister to one point ; that is the Effect of other laws 'as stated in Section 24 (1) and (2) of the Bill. It says :

'Save as otherwise provided by or under the Atomic Energy Act, 1962 in relation to radio-active air pollution and subject to the provisions of sub-section (2), the provisions of this Act and the rules or orders made therein shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act.

Where any act or omission constitutes an offence punishable under this Act and also under any other Act then the offender found guilty of such offence shall be liable to be punished under the other Act and not under this Act."

So, for example, as for the environment, cutting of the forest should be stopped. There is an Indian Forest Act and also State Forest Act. There, the punishment is only simple ; only fine or a few months' imprisonment. But here the punishment is five years imprisonment for the first

offence and seven years imprisonment for the second offence, besides fine. So, what will be the fate of this Act when it is said that this is a comprehensive Bill? Environment means stopping the cutting of forests which is very very important. Under those circumstances what will happen is that the persons will cut the forest; but they cannot be punished under this Act.

Secondly, about the water pollution, the States have got their laws, the Centre also has got the law. With regard to air pollution also the Centre has got another law. Then, what is the effect of this law? If there is pollution—either air pollution or water pollution—and cutting of forest the accused will be punished under those Acts and not as envisaged in this Bill when it is made into an Act. So, I do not think that anybody will be afraid of the higher punishment stated in this Bill. It will have no effect and teeth. Practically it will not punish those persons who are violating the law and polluting water and the atmosphere. I think, the Hon. Minister will consider this.

If you call this a comprehensive Act, the provisions of this Act should prevail over other Acts in existence. So, practically punishment as laid down in this Bill will be ineffective and redundant.

In this Bill under Section 19 there is a provision giving scope to an individual to complain. I think, in Food Adulteration Act there was such a provision. I would like to ask the Hon. Minister as to how many persons have taken advantage of this right and filed in courts complaints against those who have committed offence. If a person has to complain, who will bear the expenses of that complaint? That may be made clear in the rules; or else individuals may not come forward to complain against the offenders.

I welcome this Bill and I request that these two aspects may please be considered by the Hon. Minister while he replies.

SHRI P. KOLANDAIVELU (Gobichettipalayam): Mr. Deputy Speaker Sir: I welcome the Bill out of public interest. This

Bill ought to have been brought before this August House about 10-12 years back. But after the Stockholm Conference so many recommendations have been made—about 109 recommendations have been made. By those recommendations you are bringing a Bill, that too after the Bhopal gas problem and so many other gas problems.

I want to draw the attention of the Hon. Minister with regard to Clause 17 and 23 of the Bill.

The clause reads:

“Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.”

Supposing he is able to say that without his knowledge it has taken place and he is not guilty of the offence. Now under this guise anybody can escape from the clutches of law. So, this clause should be made more stricter so as to include Government officers also.

Clause 23 is about ‘power of delegation.’ You are delegating power only to an officer or the State Government. But I want to say that you are making an inroad and encroachment upon the powers of the State. Full powers have to be given to the State in order to implement the various provisions and then only the Act will be of public interest nature, and even the State Governments will be having their powers to take action against those who are found guilty.

In the Statement of objects and Reasons you have said because of the environment pollution and other things ecology is not being kept fully well and, as such, this Bill has been brought. I request the hon. Minister to educate people on this aspect. We have to educate people then only this Bill can be of some use to the people. Thank you.

PROF. NARAIN CHAND PARASHAR (Hamirpur) : Sir, I welcome this Bill and congratulate the hon. Prime Minister and the Minister of State for Environment for bringing this Bill. The concern for environmental quality has been reflected in the Bill and it has been observed as to what is the duty of the Government, other companies and even individuals to keep the environment clean.

I would like to invite your attention to Clause 17 :

“Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.”

This refers to only commitment of an offence whereas earlier the point has been highlighted that non-performance of duty and omission should also be included in the list of Criminal activities. The municipal committees and DDA are responsible for creating so much dirt which is polluting the atmosphere in Delhi. They have open sewage and even sewerage tanks with the result that it becomes difficult for the people to live near the tank. They do not bother about it. Though the plans were different yet on the last pretext of finding no solution they have these tanks. Such kind of activities, namely, failure to cover the sewerage or septic tanks or allowing the sewage water to flow in the open are the omissions. They are not included under the act of commitment. The civic activities should also be included in the purview of this.

Sir, civil courts have been kept out of this. They have been debarred from entertaining any suits into their purview. This is a welcome step otherwise a lot of litigation will be involved but I would request the Minister to ensure that not only these rules are made accordingly but also such loopholes are plugged. Now, sir, every Head of Department will try to prove that the offence was committed by his juniors and without his knowledge. The intention of the Bill is not to punish the

Junior Engineer or an employee of the company but the Head of the Department. So, the loop should be plugged. When a Minister has to resign for mistakes committed by a Government servant why should not the head of the Company or the head of the Department be made responsible for this Commission or omission. Sir, with these observations, I welcome the Bill and it is good for the environment in this country.

[Translation]

SHRI C. JANGA REDDY (Hanamkonda) : Mr. Deputy Speaker, Sir, I welcome this Bill. Wherever factories are set up in India, trees should be planted in the maximum possible area. Factory premises should have enough unbuilt space so that trees could be planted there. It should be made mandatory for the factory owners to observe this rule so that the air pollution is removed.

We should also take steps to clean the river Godavari. Sufficient arrangements should be made to remove the air pollution and water pollution in the country. If we bring green revolution in the country, we can purify the air. The people who cause pollution or do not observe the Pollution Act, should be awarded condign punishment. If this work is left to the officers of the State Government, then they might show leniency. I want that there should be an independent body to take action in this regard. If there is no independent body for this purpose and Inspectors also are the employees of factory-owners, then this Act cannot be implemented. Therefore, be it Central Government or State Government, an independent body should be formed for this purpose. The Inspectors who are the employees of the factory-owners cannot set the things right. I want that this task should be dealt with independently.

While issuing a license for a factory, you should lay down this condition that the factory should be at a distance of 5 to 10 kms. from a village and there should be 2 to 3 acres of land around the factory in which trees are planted. Then only you can check the pollution caused by the factory.

With these words. I support the Bill.

SHRI RAM PYARE PANIKA (Robertsganj): Mr. Deputy Speaker, Sir, I welcome this Bill whole-heartedly. It was being felt for quite some time that such a Bill should be introduced. As Prof. Parashar has expressed his doubt in this matter, I also think that the authorities are showing slackness in the discharge of their duties. There must be some improvement in this. I want that the Head of the Department should be entrusted with the responsibilities in a definite manner. Otherwise, what may happen is that if a complaint is filed against a certain collector, the village record-keeper may wrongly be accused of the same guilt by the time the enquiry comes to an end. In other words, it may happen that an employee of a company is accused of an error which the company itself has committed.

We are all aware of the extent of pollution in our country. I shall tell you about my constituency. Life has become very difficult there due to the emission of smoke from the various factories. The environment in the forest areas is also getting more and more polluted. The concerned officials do not like to visit those areas. Those who are posted there want to get themselves transferred to some other area. I would like that a special survey of the Mirzapur Constituency should be conducted and seen how life has been made miserable there.

I welcome the Bill that has been introduced which would benefit the whole country. The shortcomings in this Bill should be removed. Trees are being felled rapidly and forests are vanishing. By our "Conservation of Forests" Act, very wrong notions are spreading among the people. The Conservator, by using his authority, is filling law-suits against the people. Thousands of legal cases have already been filed. Thus, he is misusing his authority and each conservator earns upto Rs. 1 lakh in this way. Therefore, you must frame strict rules and laws and get those enforced so that the common people do not have to face any hardship.

With these words, I conclude my speech.

[English]

SHRI V. KISHORE CHANDRA S. DEO (Parvathipuram): Sir, I rise to welcome this Bill as a positive step towards protecting the environments. Several provisions have been made to control various types of pollution. As the time is limited, it is not possible to cover all the points. I would, therefore, take this opportunity to put forward only a few things before the hon. Minister.

Apart from controlling pollution, one has also to protect the environments that exist around us. Several Members have said and all of us know that one of the reasons for polluting the environments is denudation of forests. In this respect, I would like to bring to the notice of the hon. Minister that one of the main hazards to the forests today is not just felling the trees for timber. I represent an area which is covered by a lot of this kind of area. I find that one of the greatest hazards to the forest is the felling and cutting of the trees for making charcoal. They get a permit for making a certain quantity of charcoal and with that permit they go on cutting the trees. There is a lot of corruption and it is difficult to control it. I would like to take this opportunity to appeal to the hon. Minister and request him to come forward with a Central legislation to prevent the felling and cutting of trees for charcoal. Permits for making charcoal should not be given to anybody anywhere in all the States. I think it will go a long way in the controlling of denudation of forests.

The second point that I would like to bring to the notice of the hon. Minister is about the new eucalyptus culture. There are several conflicting reports about it and many feel that eucalyptus trees in these areas can be bad for the environment in the sense that it also affects the soil; nothing grows after that. They say that it is not useful for anything; it is useful for fuel only. Besides that it also affects the ground water sources. There are several other factors which are not conducive to this kind of growth. I would like the hon. Minister to take certain steps from the Centre to educate the State Governments about this and prevent indiscriminate

[Shri V. Kishore Chandra S. Deo]

planting of eucalyptus on the hilly slopes or forest land which has been denuded.

I hope he will also take positive action to see that the making of charcoal is prevented.

These are the only two points that I wanted to make. I would also like to thank you for the opportunity given to me to make these points.

[*Translation*]

SHRI AZIZ QURESHI (Satna) : Mr. Deputy Speaker, Sir, First I would like to congratulate the hon. Prime Minister and the hon. Minister of State in the Ministry of Environment and Forests for introducing this Bill. Then, Sir, I would like to request that if the scope of this Bill is limited to certain large cities, then perhaps, we would not be doing justice to our task. I would like that your monitoring and your implementation should cross the boundaries of the cities and reach those backward rural areas, the Adivasi areas and "No-industry districts", where the big industrialists like the Tatas and the Birlas have encroached upon the rural land, set up industries there and thus destroyed the entire environment. To illustrate my point, I would like to refer to my own constituency, Satna. In this constituency of Madhya Pradesh, there are three cement factories located in the areas of Satna, Camore and Maihar. It seems as if the people working in those factories as also those who are living nearby are not considered as human being at all. Since the time I have been elected from this place, i.e., for the last one year, I have been raising my voice against the big industrialists in the Lok Sabha, through the medium of Questions and Debates, but the reply has been the same every time, the actual question has been evaded and full protection has been granted to those erring industrialists. They have such powerful connections that the officials sitting in your Ministries and Secretariats protect them and so long as they provide protection in this manner, we can take no action against them. I would request the hon. Minister to go along with me to

Satna, Camore and Maihar, where the cement factories are located. At least upto a distance of 20 miles around those places it cannot be said that the people are hail and hearty and are breathing fresh air in an open atmosphere. In those areas, the crops are destroyed, the cattle die and the health of the human beings is adversely affected. Those who work in those factories are not regarded as human beings at all.

I would like that where you have provided so much in the Bill, you should also keep a provision by which compensation could be paid to those whose crops or cattle are destroyed, or if an individual's health or the health of the members of his family is affected in any way. Attention must be paid to this.

I would like to point out one more thing. There are several Government Undertakings and there is a place named Jeertalai in my constituency where the lime-stone mines of Bokaro Steel Plant are situated. You must go there and observe the situation for yourself. I have raised questions in the House in this regard, but it is regretful that the concerned officials have not divulged the facts to the Government. The living condition of the workers in that undertaking is a matter of shame and sorrow for us. Therefore, you must pay attention towards this also. The treatment being meted out to the workers by the officials of the said undertaking is most deplorable.

With these words, I support this Bill.

SHRI ABDUL RASHID KABULI (Srinagar) : Mr. Deputy Speaker, Sir, so far as this Bill is concerned, the first thing I want to urge is that you should see if this Bill can be extended to Jammu and Kashmir or not. On principle, I support this will. I do not oppose it. I think that this Bill is practical and beneficial especially to Jammu and Kashmir. The ecology and environment of that area have been jeopardized in many ways. To solve the problem this type of law was very essential. I submit that this bill attracts the provisions of Article 370 of the Constitution. It falls under VII Schedule, List I, entry 97 covering Residuary Powers. So it cannot be extended

to Jammu and Kashmir ordinarily. This Bill cannot be applicable to that State until the State Legislature does not adopt and implement it. This Bill cannot be directly applied to Jammu and Kashmir from here. So I would like to appeal through Mr. Deputy Speaker to note this lapse because somewhere, some wrong might be done. Day before yesterday, Muslim Women Protection Bill was passed and it was clearly mentioned in the Bill—"The Bill does not apply to Jammu and Kashmir."

So, I would like to say that the Parliament which guides the destiny of whole country should not do this. The second thing I would like to say is that Taj Mahal is endangered. Such type of monuments are to be protected. An oil refinery has been set up in Mathura. I do not know what solution or way-out you have chosen but something should be done in this regard. Yesterday only, Dal lake was shown on television. It has been heavily polluted. Dal lake is an example of beauty of not only Kashmir but of the whole of India. But that Dal lake is being polluted and is shrinking. Jammu and Kashmir has made a project for its development and it should be financially assisted. Such type of Lakes should be protected. Such industries should be established there as do not cause pollution. I want to tell that all told I welcome this Bill. We want that Jammu Kashmir legislature should adopt and recommend it. But you cannot directly apply it to Jammu and Kashmir unless you make a provision therefor in the Bill itself.

[English]

DR. PRABHAT KUMAR MISHRA (Janjgir): I rise to support the Bill on Environment Protection and I congratulate the Government for taking firm decisions regarding environment comprising constant supervision and punishment if found wrong or if found acting against the interest of the living creatures, plants and also the soil.

But Sir, I regret to state that though there have been rules and regulations in the past, to my astonishment, the minimum required goal could not be achieved. The Government is very liberal in giving licences

to industries and this resulted in unplanned industrialisation in the country, especially in the tribal sector. Once the land is acquired for the plant or factory, it not only affects the land itself in which it is installed, but also the surrounding areas upto a radius of 25 KM, and pollutes the whole area.

Pollution is all the more, so far as cement plants are concerned. For example in Akaltara of Bilaspur District, there are two cement factories within a radius of 10 KM. But these affect the ecology of the area and fertility of the soil upto a radius of 50 KM. Sir, environment is totally connected with forests. But out of the 300.5 million hectares of geographical land of our country, there should have been 100 million hectares of land as forest land, but only 70 million hectares of land is forest land, and out of which 50 per cent is only the so-called forest and 25 per cent is only the deep forest. So, there should be re-forestation. The Government should look after deforestation more to meet out the equilibrium, of this environment.

Sir, I would like to draw the attention of the Government to the Korba, the biggest industrial town in India. There is not only a problem of suspended particulate material, but also the increase of Carbon Monoxide and Sulphur dioxide and decrease of Oxygen in the atmosphere. But the disequilibrium of the air in the atmosphere is the main cause which is creating trouble not only to the humanbeings but to the plants also. Sir, it is the main source of income. It is also affecting the plants. For your information the Sal trees are dying which is an economic loss also. In the last, I would like to draw the attention of the hon. Minister that he should keep a close monitoring of the public sector and the private sector, and I particularly stress more on private sector as in the District of Bilaspur, where there are two paper mills—Brook Bond Paper Mills and Madhya Bharat Paper Mills—which are polluting the water of Aropa and Hasdeo rivers. The humanbeing and the animals which are using the water of those rivers are badly affected. They are causing bloody diarrhoea to children and so many other diseases as it contains large amount of chlorine and Caustic Soda. So, I would request the Government to monitor the things

[Dr. Prabhat Kumar Mishra]

and frame rules and regulations. And those Rules should be followed both by the Private Sector and the Public Sector. And the Private Sector and the Public Sector should be asked to regulate their plants so that it does not cause any air or water pollution.

SHRI D.B. PATIL (Kolaba) Sir, not that there are no Acts, as regards air pollution. The Acts are there. But the main question is about its implementation. Even if it is enacted and if it is not implemented properly, there is no use of this Act. So, far as air pollution and water pollution is concerned, it is not only the responsibility of the private industries but it is also the responsibility of the public undertakings of the Central Government and the State Governments. Because of the polluted drinking water, not only people are affected, but also the cattles. So it is a question of implementation. I would cite an example in my own constituency, the Hindustan Organic Chemicals in Raygarh district are being prosecuted for air pollution and water pollution. In spite of warnings given to them, many times by the district authorities, they did not take proper steps to prevent air pollution and water pollution. It is said that "Charity begins at home." So, to begin with the Central Government should direct its own undertakings to take care of this. It does not mean that private industry should not be dealt with firmly and deterrently.

Lastly, I would say that all the problems should be dealt with very deterrently.

SHRI Z.R. ANSARI : Sir, let me first of all thank all the hon. Members of this august House for the support they have rendered to this Bill. As a matter of fact, this was the desire of this House and for quite a long time, the hon. Members were waiting for such a measure to be taken. We should take care of the environmental problems. This is an umbrella enactment—a general enactment. The other Acts which take care of the pollution in different areas are water Act, Air Act and we have provisions for controlling pollution in the industrial undertakings also. We have Motor Vehicles Act. There are many Acts

which take care of the pollution in the specific areas. But, the Government thought it proper that we should have a general legislation which should take care of all those areas and also strengthen those Acts which are already there. The process of strengthening those Acts is also under way ; and we propose to, and we are considering as to how to strengthen, how to provide more teeth to those Acts which are already there, and under which pollution is being controlled and environment is being improved.

17 hrs.

This is an area which is highly technical. The one objection which has been taken by some hon. Members is that this is a legislation which is less than half, and that more than half has been left for rules, directions and other things. It is true, because this is an area which is highly technical; and in such a technical area, unless we just consult those technicians and those technical people, we cannot bring an all-pervasive legislation. So, I would request the hon. Members just to go through the third paragraph of the Memorandum Regarding Delegated Legislation given in the Bill—which says :

"The matters with respect to which the rules may be made under clauses 6, 7 and 8 are matters of highly technical and specialised nature. In most of such matters, it would be possible to frame rules only after detailed study, research and investigation."

So, this is the thing which has to be processed in consultation...

SHRI C. MADHAV REDDI (Adilabad) : A lot of countries have already made this law. They are therefor your guidance.

SHRI Z. R. ANSARI : I am sorry to inform the hon. Member—I do not know ; I may be lacking in that knowledge. But as far as I know, this country is proud of bringing in such a legislation ; and in no other country of this word such a legislation is there. This is my information, as far as I know. I am subject to correction

of course. I do not know if it is there in any other country. But this sort of a legislation which is all-pervasive, which takes care of every sources of pollution, and of every area which is important from the environment point of view—I don't think there is such an umbrella legislation in any country, as far as my knowledge goes. I will stand corrected, if the hon. Member provides any information to the contrary. This is the reason why we thought that already much time had elapsed. Actually, this legislation must have just after the great tragedy of Bhopal. We took a lot of time to finalize this legislation, and we do not want, and we do not wish to delay this matter any more. That is why we brought in this legislation, and left the technicalities to be taken care of by technical people ; and in consultation with the technical people, we will certainly come forward before this august House, with the rules which will be framed under this Act. This is the reply to this question.

There is one question which has been raised, about the States being taken into confidence, and that a Stockholm type of convention could have been called here. Everybody knows how these things move. We have brought in this Central legislation under the Stockholm Convention, under Article 253 read with Entry 17 ; and in that Article, it is unnecessary to consult the State legislatures. It is not necessary. Of course, we shall utilize all those agencies, all that machinery which is available with the State Government or with the Central Government or under different laws, but if need be, we shall certainly evolve some such machinery, which should take care of those aspects together and a sort of coordinated effort has to be made. I am sorry, it is not entry 17 ; it is entry 13, article 253 of the Union List.

Two things have been said by hon. member. We have given this right to the private person under clause 90 so that those persons who are hit by the pollution created by certain industrial undertakings or by municipal authority or anybody or even by public undertakings, they should not depend on State agencies to take action against this, but anybody, any citizen of this country is entitled to make an application for that

purpose to the court ; and we have given this complaint the status of the cognizable offence provided before lodging a complaint, he must inform the authority or authorities, whatever it may be, and after 60 days of the notice, he can go and suit the public undertaking or the private undertaking or any industrial undertaking. This is the first time that we have given this responsibility.

SHRI SOMNATH RATH : The cost of the court must be borne by the government. *

SHRI Z.R. ANSARI : This is a matter of detail.

SHRI SOMNATH RATH : You kindly consider this point while framing the rules.

SHRI Z. R. ANSARI : That is matters to be taken care of in the rule under which these clauses are framed. Of course, when it is a cognisable offence, certainly you have a point that some assistance has to be given by the government if it is found that the complaint is genuine.

Some Point has been made by one hon. member about a public servant. In this connection, clause 17 (1) reads as follows :

‘Where an offence under this Act has been committed by any Department of Government, the Head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge of that he exercised all due diligence to prevent the commission of such offence.’

The norms of natural justice are that before punishing a person we give him an opportunity to prove that he is not guilty. He has to prove that he is not guilty. And it is the normal thing, which is provided here. The burden of proof is on the officer or on the Head of the Department

[Shri Z.R. Ansari]

to prove that it was done without his knowledge or without his consent and he has to prove that it was committed without his knowledge or that he took due care, exercise due diligence to prevent the commission of an offence, then he will not be guilty. So, the burden of proof is there. Otherwise, the Head of the Department will be liable for the offences committed by him.

I do not want to take much of the time of the House, there are many things which have been said regarding.....

SHRI SHANTARAM NAIK (Panaji : What about punishment ?

SHRI Z. R. ANSARI : I think that the punishment of five years, and seven years, and rupees one lakh is, in comparison to the normal punishments which we are having in the other Acts also—like the Water Pollution Act, Air Pollution Act, Soil Conservation Act, Forest Conservation Act—in comparison to those Acts, this punishment seems to be quite sufficient. Let us see. If it does not work, we will come up before this august House for another amendment. But let us not start with a cannon when we can kill mice by a sword. The cannon should be kept for a future date to be used when we are not able to kill the mice by our danda. So, I quite agree that there may be cases where some sort of things may be done, but let us apply these provisions and then we shall come here if necessary, on a future date. (Interruptions) I do not want to enter into that now.

Sir, many things have been said which are not relevant for the purposes of this Bill which we are discussing, such as the Ganga Action Plan, the Forest Conservation Act and so on. Those are areas which are different.

We are also considering to make certain amendments in the Forest Conservation Act and we will come before this House and that will be the proper time to discuss these things.

As far as the Ganga Action Plan is concerned, (Interruptions) one hon. Member has said that enough funds have not been given. I do not want to say anything but at least in one State, I can say that one crore of rupees which has been given has not been utilised as yet.

SHRI NARAYAN CHAUBEY : There is no water in the Ganga.

SHRI SAIFUDDIN CHOWDHARY : Listen to what he is saying.

SHRI R. P. DAS (Krishnagar) : That has been utilised. Out of Rs. 68 crores sanctioned only one crore of rupees has been released.

SHRI Z. R. ANSARI : It is not to be provided, all for one time. The money has to be released in instalments and as soon as we get the report about its utilisation we release some more money. If you just keep that money without utilising.. ... (Interruptions)

SHRI NARAYAN CHAUBEY : There is no water in the Ganga.

SHRI Z. R. ANSARI : Sir, these are the few points and I think that this Bill is actually according to the wishes of this august House, and most of the hon. Members or all the hon. Members of this august House have welcomed this Bill and I hope that this Bill will be a landmark in the history of this august House for the protection and preservation of our environment.

MR. DEPUTY-SPEAKER : Mr, Madhav Reddi, are you withdrawing your amendment ?

SHRI C. MADHAV REDDI : No.

MR. DEPUTY-SPEAKER : I shall now put Amendment No. 1 moved by Shri C. Madhav Reddi to the vote of the House.

Amendment No. 1 was put and negatived

SHRI Z.R. ANSARI : Sir, my amendment is there.

MR. DEPUTY-SPEAKER : We will take it up.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to provide for the protection and improvement of environment and for matters connected therewith be taken into consideration."

The motion was adopted

MR. DEPUTY-SPEAKER : Now, we take up clause by clause consideration. The question is :

"That clause 2 stand part of the Bill"

The motion was adopted
Clause 2 was added to the Bill

Clause 3—(Power of Central Government to take measures to protect and Improve Environment

Amendment made

Page 3, lines 2 and 3,—

Omit "not being a ship or an aircraft"

(SHRI Z. R. ANSARI) (2)

MR. DEPUTY-SPEAKER : The question is :

"That clause 3, as amended, stand part of the Bill"

The motion was adopted
Clause 3, as amended was added to the Bill
Clauses 4 to 18 were added to the Bill
Clause 19—(Cognizance of offences)

Amendment made

Page 9,—

Omit lines 22 to 27 (3)

(SHRI Z. R. ANSARI)

MR. DEPUTY-SPEAKER: The question is :

"That clause 19, as amended, stand part of the Bill"

The motion was adopted
Clause 19, as amended, was added to the Bill
Clauses 20 to 23 were added to the Bill
Clause 24—(Effect of other laws)

Amendment made

Page 10, lines 5 and 6,—

OMIT "Save as otherwise provided by or under the Atomic Energy Act, 1962 in relation to radio-active air pollution and"

(SHRI Z. R. ANSARI)

MR. DEPUTY-SPEAKER: The question is :

"That clause 24, as amended, stand part of the Bill".

The motion was adopted
Clause 24, as amended, was added to the Bill
Clause 25 and 26 were added to the Bill
Clause 1, the Enacting Formula, the Preamble and the Title were added to the Bill

SHRI Z. R. ANSARI : I beg to move :

"That the Bill, as amended, be passed".

MR. DEPUTY-SPEAKER: The question is :

"That the Bill, as amended, be passed"

The motion was adopted

17.20 hrs.

WILD LIFE (PROTECTION) AMENDMENT BILL

[English]

MR. DEPUTY-SPEAKER : Now we shall take up item No. 7 regarding Wild Life (Protection) Amendment Bill. Half an hour is allotted for this. I would like everybody to be brief when they are speaking.

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI Z. R. ANSARI) : Sir, I beg to move :

"That the Bill further to amend the Wild Life (Protection) Act, 1972, be taken into consideration."

The Wild Life (Protection) Act enacted in 1972, for the protection of wild animals and birds, is now in force throughout the country except in Jammu and Kashmir which has its own Wild Life (Protection) Act enacted in 1978.

The Wild Life (Protection) Act, 1972 provides the much needed uniform legislative support to implement the wildlife conservation efforts in the country. It is a comprehensive Act which provides for protection of wild animals and their habitat as well as control and regulation on hunting and trade or commerce and prescribes penalties and punishments for contraventions of its provisions. However, over the years, with the changing times, various provisions of the Act have been found wanting to deal with some aspects relating to enforcement and trade. It was on account of this that during 1982, the Act was amended for the first time to provide for grant of new licences, especially to a Government of India undertaking which had been authorised to acquire declared stocks of snake skins from licensed dealers and to manufacture articles for export. Besides, the amendment laid down that capture of wild animals specified in Schedule I could only be done with the permission of Government of India.....(*Interruption*).

[*Translation*]

PROF. MADHU DANDAVATE : What have you to do with the wild animals ?

SHRI Z. R. ANSARI : Both of us are together.

[*English*]

Next to habitat destruction, the major cause of wild life decimation has been its commercial exploitation. This is true of

India as it is elsewhere. The most serious offences today under the Wild Life (Protection) Act are those which pertain to poaching for purposes of sale, or trade offences. A ban on the trade and taxidermy of animals and articles therefrom, which are endangered or gravely reduced, must be now enforced if these animals are to be protected.

The amendment of the Act now proposed through the Wild Life (Protection) Amendment Bill, 1986 is with a view to prohibiting trade or commerce in trophies, animal articles etc. derived from certain specified wild animals. The main reason for this proposal is that while the Export policy is quite stringent with regard to wild animals and derivatives therefrom, trade within the country, continues to be permitted under the provisions of the Wild Life (Protection) Act, 1972. Since there is hardly any market within the country, the stocks acquired by the traders are smuggled out to meet the demand in the foreign markets where these items have high value and fetch attractive prices. This clandestine trade places a heavy pressure on the wild populations of several species of wild animals, many of which are threatened on this account. Poaching of wild elephants for ivory is a case in point. It is noteworthy that poaching for ivory is almost entirely confined to the South Indian States which are the main centres of ivory carving. Today there is no restriction in the carving of ivory articles and its sale and the ivory illegally acquired from Indian elephants is thus easily mixed with ivory imported into India. The animals article stocks declared by the traders at the time of commencement of the Wild Life (Protection) Act, 1972 are still used as a cover for illicit trade. Attempts to acquire the declared stocks of skins like snake skins through the Bharat Leather Corporation after the 1982 amendment of the Act have not met with the desired success mainly because most of the traders are not inclined to part with their stocks and thereby lose the ploy for illegal activities. The proposed amendment to the Act, therefore, seeks to make a general provision to deal with all species of wild animals which are threatened by trade or commerce in them or their derivatives. All such species of wild animals will be transferred to Part II of Schedule II

of the Act, while the provisions of the Act are being amended to prohibit trade in such animals or their derivatives. The amended provisions will then apply also to any wild animal which may be transferred in future to Part II of Schedule II. For purposes of trade restrictions, the animals listed under Part II of Schedule II would be put on a par with the endangered animals mentioned in Schedule I of the Act, all of which have been given the designation of specified wild animals, and all of which would henceforth be banned for trade. A period of two months is being specified to provide an opportunity to the traders to dispose of their declared stocks of such specified wild animals within the country, including to notified Government undertakings. After this specified period, no further trade will be permitted and all existing licences would be invalidated thereafter. No further licences would be granted for internal trade on the specified wild animals or their derivatives, in future. An exemption is being given only to notified Government of India undertakings who can purchase stocks through licensees during the specified period of two months, for manufacturing articles exclusively for export.

At present there is a ban on the manufacture of articles made of and grade in ivory from Indian elephants as the animal is already included in Schedule I of the Act. However, there is at present an exemption given to manufacturers of articles made of and dealers in ivory imported into India, under the provisions of the Act, which is being removed to deal with the illegal trade in Indian ivory mentioned earlier. The amendment provides that the manufacture of and trade in articles made of imported ivory would henceforth be under licence granted under the Act. For any contravention of the provisions of the Amending Act, a higher penalty and punishment than presently available under the Act, is being prescribed.

The House may kindly consider and pass the Wild Life (Protection) Amendment Bill, 1986 in the current session of Parliament.

Sir, I move.

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill further to amend the Wild Life (Protection) Act, 1972, be taken into consideration".

PROF. MADHU DANDAVATE : Sir, protection of wild life in the House also :

MR. DEPUTY SPEAKER : We are mild ourselves ; there is no wild life ; Even animals are very calm and they are not wild !

Now, Shri Sobhanadreeswara Rao.

SHRI V. SOBHANADREESWARA RAO (Vijayawada) : Mr. Deputy Speaker, Sir, I welcome the Amendment proposed by the Minister to the Wild Life (Protection) Act, 1972. The amendments are quite essential as otherwise the gang of some traders and poachers, just for their own selfish ends, and with a view to earn more money, are smuggling out the wild animals as well as birds and the skins and their derivatives. At any cost this trend should be arrested. Hence we welcome this amendment. In spite of all these amendments, much depends upon the sincerity with which we implement the Act.

Sir, though at present, to kill a wild animal, we have to take the permission of Chief Wild Life Warden, without which nobody is expected to kill the wild animal, yet, in spite of that provision, there are several instances where several poachers are killing these animals.

Sir, it is also found many a time that the people working in the Department are also hands-in-glove with these poacher and they want to shield these poachers. Whenever such instances are brought to the notice of the Government, the Government should take stringent action against the poachers as well as the personnel involved in such incidents so that in future nobody will take the risk to do such a thing.

Sir, we are happy to learn that some efforts are being made by the Government to identify additional areas to constitute

[Shri V. Sobhanadreeswara]

wild life sanctuaries and national parks. This process, I suggest, should be speeded up and my strong request to the Government is that Kolleru Lake in Andhra Pradesh is a very famous place and birds, especially very rare species, come from many far off places, not only from our country, but even from Siberia, China, Indonesia and several other foreign countries. Unfortunately some greedy people are trying to kill those birds especially in that season. I suggest that Government should take stringent action for arresting such a type of activity by some people and I urge upon the Government to declare a national part for birds in Kolleru area.

Another suggestion I want to make to the Government is that there is a famous bird park in the miniature Indonesia, in Jakarta, where thousands of parks are there, and it is really a heartening sight to find the birds in the parks. I urge upon the Government to take steps to establish and develop one such park in our country also to create an awakening and a strong feeling among the people that it is the duty of the citizens to protect these birds.

Lastly, Sir, I urge upon the Government to take all necessary steps to encourage the growth of herbivores which help in regeneration in forest vegetation which retard the burning of forests. I am told the Minister has been telling that nearly a lakh of acres of forest area every year is burning which is detrimental to the growth of wild animals. I urge upon the Government to take this suggestion and take necessary steps in this regard.

With these words, I thank you for giving me an opportunity to speak.

SHRI K.P. SINGH DEO (Dhenkanal) : Sir, first of all I would compliment the Minister for Environment as well as the Prime Minister as the Minister Incharge for having brought this Wild Life (Protection) Amendment Bill. Sir, it is very welcome in the sense that it is 13-1/2 years too long that we have waited for this legislation to take place. But at the same time, legislation alone will not serve the purpose because just

as the taste of the pudding lies in its eating, the test of this legislation will lie in its implementation and its enforcement.

From the Statement of Objects and Reasons as well as the Minister's statement, it indicates that this is a rather serious matter because the traders have been in fact resisting the handing over of the skins and other products to the Government and therefore, it has taken 13-1/2 years.

Sir, we passed this legislation in 1972. As the hon. Minister told us, the first amendment came in 1982. In 1972 it was a watershed, we were the first country to pass the Wild Life (Protection) Act which has delegated the authority to the States to frame their own rules. Now that it is a concurrent subject, I think the Centre will take more interest in its enforcement and in the implementation of various provisions. Now, Sir, this is not something really new to us. Our Directive Principles of State Policy as enshrined in the Constitution says that the State shall endeavour to protect and improve the environment and to safeguard forest and wild life of the country. It means, it is not only flora and fauna but also water, soil and air which is the life-line of man itself. Our mythology and the Holy Scriptures as well as the Ashokan rock edicts are replete with instances where we have revered the wild life and given protection from time immemorial.

Panditji also gave a lot of importance and Indian Board for Wild Life was created during his time in 1950. The late Prime Minister, Shrimati Indira Gandhi was the first head of Government who participated both at Stockholm in 1970-72 as well as in 1980-81 when launching of the World Conservation Strategy at its meeting held here in Vigyan Bhavan in New Delhi. She was the first head of the Government in the world to pioneer this concept of environment. Then, we are signatory to the CITES, Conference on the International Trade on Endangered Species, which had its conference in Delhi. We were also its office-bearers. Therefore, in the light of all this, it is incongruous that so far we have not been able to stop or prevent vested interests from carrying on this illicit trade. There-

fore, I have also moved an amendment which I will come to during the clause-by-clause discussion.

Our ladies in the Kumaon and Garhwal regions through the Chipko movement have also done a lot to preserve forest from depredation and exploitation by the contractors. It is also interesting that India is again the pioneer when the first ecological task force in the world was set up in the Shajahanpur block of Dehradun area and my hon. colleague, Mr. Brahma Dutt says that they have done good work both in Mussorie and Dehradun area and the second one is set up in the Bikaner area of Rajasthan. I hope the hon. Minister will also endeavour that more such ecological task forces are raised with 100% ex-servicemen who belong to that area so that they have a sense of belonging and they have a stake in the environment there and which has been an unqualified success both in Rajasthan and in Dehradun area. I hope, he will also very soon sanction two such task forces in the other two regions of Shivaliks—one in Jammu & Kashmir and the other in Himachal Pradesh.

Then, we have got this Tiger reserves, national parks, sanctuaries. And also in the 7th Plan, we are adding a lot of social forestry. Recently in the bio-sphere reserves, there was some announcement that apart from the 13 bio-sphere reserves, one or two additional such centres are being taken up here. I would like to say that his hon. predecessor Mr. Vir Sen when he went last year to Simlipal Park, which is one of the 9 original Tiger reserves, he had made a commitment that in future the Government of India would take up more bio-sphere reserves. He said, the Simlipal Park which forms a unique eco system will also be considered.

Sir, first and foremost is that our ethos on forestry must change from the imperialistic attitude of the productive aspect of forestry to protective aspect of forestry. We should not put too much stress on the revenue generation of the forestry. In this the worst culprits are the Forest Corporations and the Forest Corporations are only bothered about the cost of everything, price of everything and they

know the value of nothing about forest. I refer to many of the States in the North-eastern sector as well as my own home State where the Forest Corporations are in operation and as the hon. Member has said, this is another source of depredation of forests. At a time when the growing human population is conflicting with the requirements of wild life and forestry, it is interesting to note that a study conducted on the Silent Valley of Kerala by the Bombay Natural History Society as well as by the Indian Board for Wildlife and other expert bodies have come to the conclusion that thousands of acres of forests if destroyed will result in 250,000 tonnes of carbon di-oxide not being recycled. The World Meteorological Organisation and the UN Environment Programme have also come to the conclusion that this carbon di-oxide is affecting not only the temperature and climate but also the polar regions where it will result in five metres of more water coming in and it will inundate and flood specially South East Asia, that is, India as well as the Netherlands and other countries, that means the most fertile areas of our country, that is the food bowl of India. Therefore, this takes a very serious aspect which has to be looked into and the Central Government here, since it is a Concurrent subject, will get the active co-operation of the State Government in trying to replant, regenerate and cover the forest area.

Just a few more points. One is that it is having an adverse effect on floods, drought and cyclone. Then the carbon di-oxide as well as the Sulphur di-oxide are also affecting the entire ecology and the biosphere and it is also polluting the atmosphere.

I am very happy that the Environment Bill before us has got the unanimous support of the entire House. It is a comprehensive Bill and the whole House has supported it. I hope like the Ganga, the Government will also take a look at the Brahmani and the Mahanadi Valleys where major industries are located and some of the super thermal power stations are sought to be located. While there should be an impact analysis of ecology and environment on any development project, but, at the same time, on flimsy environmental grounds defence projects and super thermal power

[Shri K.P. Singh Deo]

stations like Talcher and Ib valley and the defence ordnance factory which is coming up in Bolangir should not be delayed or put on the side lines.

I wholeheartedly support this legislation and I compliment the Minister for bringing this.

[Translation]

***SHRI MATILAL HANSDA (Jhargram):** Sir, the object of this Wild Life (Protection) Amendment Bill, 1986 is to plug the loopholes and shortcomings of the existing wild life (Protection) Act, 1972. Taking advantage of these loopholes a section of the poverty stricken, unemployed and miserable people of our country on the one hand and the greedy, high-profit-motivated professionals and traders on the other, have embarked upon a systematic campaign of destroying wild life indiscriminately. This has become a matter of grave concern for the lovers of nature, environment and wild life and the scientists, humanists and the Government. Hence this Bill has been brought forth with the object of plugging the loopholes and protecting the wild life, forest wealth and forest areas and expanding the same. I would like to say a few things on this Bill and make some recommendations also. My party and the left front hopes that with the extensive cooperation of the people everywhere, the implementation of this legislation can go a long way to halt the process of indiscriminate destruction of the valuable wild life of our country.

Sir, the Wild Life (Protection) Act was passed in 1972. After 14 long years this amendment Bill has been brought forth today. In this legislation 'wild life' has been defined as, "any animal, bees, butterflies crustaceus, fish and moths and aquatic or land vegetation which forms part of any habitat." The condition of the wild animals is very critical in all areas except the national parks, the sanctuaries and the protected area. A few species of wild animals have

become extinct and a few others are facing extinction. The report of the expert committee of the Indian Board for Wild Life contains a list of species of wild animals who are considered to be in danger of extinction. All of them has not been included in No. 1 Schedule of this Bill. This should have been done for their complete protection. The provision of constituting the Indian Board for wild life with sufficient representatives of the State Wild life Boards should have been made in this amendment Bill. This almost indispensable provision has not been made in this Bill. Under the Wild Life (Protection) Act of 1972, the conservation and protection of Wild life was regulated both in the forest areas and outside. But in this Bill the trading in wild animals, wild animal articles, trophies and ivory inside the country has not been banned. There was a provision of regulating the same. The manufacturers, dealers, taxidermists etc. have been given licences to deal in these articles. Taking advantage of the loopholes of this legislation, the wild animals, birds etc. are being exported to foreign markets illegally and in a clandestine manner. Since there is hardly any market within the country for wild animals or articles, and derivatives thereof or trophies etc., the stocks acquired for trade within the country are being smuggled out to meet the demand in foreign markets. With a view to stop this practice, Chapter V A has been added to this amendment Bill and trading in these commodities is being prohibited within and outside the country. After two months of the enactment of this legislation, all existing licences issued for internal trade would become invalid. Those who want to keep the existing stocks with them as their personal or private possessions, they will have to declare the same to the Chief Wild Life Warden or to the authorised officer who will issue an ownership certificate to them. But the Central Government Corporations or private societies have been granted exemption for purposes of exports. Further, those who are holding a licence to carry on the business as taxidermists, they have also been exempted and are allowed to carry on the business of taxidermist for or on behalf of the Government or any

*The speech was originally delivered in Bengali.

corporation or society who have been granted exemption. Those engaged in this work for scientific and educational purposes, with the previous authorisation in writing of the Chief Wild Life Warden, have also been exempted.

Under Chapter 5A of this amendmet Bill, nobody else will be permitted to trade in scheduled animals, articles and trophies as manufacturer, dealer, taxidermist etc. No body is permitted to cook or serve meat derived from scheduled animals in any hotel, restaurant etc. Violation of the provisions of this legislation is a cognizable offence and entails imprisonment ranging from 1 to 7 years and a fine of Rs. 5000/-

Now, Sir, I will make a few recommendations suggestions.

There are many extensive forests in the country where there are no protected areas. There the protected forest areas should be extended for the protection of wild life.

There are at present 247 wild life sanctuaries and 53 National Parks in the country. More protected areas should be set up as wild life sanctuaries and national parks. These should be undertaken by the concerned States and Union territories

All types of import and export trade in animals, birds and rare plants should be completely banned, without exception.

In the 7th Five Year Plan the Central Govt. has allocated Rs. 16.8 crores for the sancturies, national parks, tiger projects etc. in the States and union territories. This amount is too inadequate compared to the needs. It is essential to increase this allocation substantially.

The officers and employees entrusted with wild life protection work in the protected forest areas are in collusion with the poachers and illegal hunters. Because of this, nobody is punished whatever penal provisions there may be in the law. This aspect has to be kept in view. I draw the attention of the Govt. to this serious situation. With that Sir, I thank you and conclude my speech.

[English]

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands): Mr. Deputy-Speaker, Sir, there can hardly be two opinions about this particular legislation. I welcome the Bill and I congratulate the hon. Prime Minister and the Minister for Environment and Forests for bringing this legislation before this august House. This Bill has a very limited scope. I would only like to point out some of the methods in the process of implementation where the common people are facing harassment from the departmental officers.

Number one is, in the case of elephant ivory, you have put an embargo that it cannot be used for manufacturing any item. There are elephants which are owned and maintained by individuals. After the death of the elephant, if the owner has got the ivory, how will it be disposed of? By getting a certificate from the Chief Wild Life Warden, he can keep it in his house, but if he wants to sell it, then he has to sell it to the government undertaking or society or whatever is the authorised institution. In that case, the price that he will be getting will be much less than the market price. So, while implementing this provision it has to be seen that proper prices are given to the owners of these elephants. Otherwise illegal trade will go on.

The main intention of the Bill is that there should be no poaching. To put an end to poaching, this Bill has been brought. But at the same time the legal owners of the wild life should be protected so far as disposal of skin and other things of the wild life are concerned.

There are crocodiles in some of the areas like Andaman and Nicobar Islands, and the cattle are being killed and even human beings are killed by the crocodiles. But Government is not paying any compensation to these people. When you are protecting the wild life, at the same time the poor villages whose cattle are killed by crocodiles should be given adequate compensation.

[Shri Manoranjan Bhakta]

Another important point that I would like to mention is this. The poachers are not only traders but also senior government officials. I would like to bring this allegation to the notice of the House that in most of the cases the forest officials themselves kill the wild animals. Also I have seen in my constituency that the Defence officials go at night and kill the wild animals. In such cases there is no protection of the wild life ; no check is being kept on the activities of these officials. I would request the hon. Minister to see that a method is evolved by which these high officials are prevented from killing the wild life.

In Andaman and Nicobar Islands there is an item called ambergris. This is the vomit of whales. It is a strongly-scented substance which is found floating on the sea water or sometimes it is found on the shore. It is only a refuse. There also the Forest Department people are creating problems and are harassing the villagers and others while they are collecting the ambergris. There is no question of killing any animal. This is only the vomit of the whales which is floating in the sea and coming to the shore. If anybody is collecting, there should be no embargo on this.

With these words, I support the Bill. Thank you.

SHRI SARAT DEB (Kendrapara) : Mr. Deputy-Speaker, Sir, the amendment that has been brought is definitely a progressive one and I welcome it. Rather I would say that this amendment which has been brought today should have been the principal Act in 1972.

India in the whole world is well known for its wild life as well as for foreign birds. But unfortunately, leave apart the Central Parliament even in the State Governments also there have been laws to protect the wild animals ; but inspite of those laws that have been enacted from our practical experience we have seen that poaching is going on. Certain animal species which are rare in the world, which are found in India and for which India has been famous are completely getting extinct from this country. Whichever species are left, they are also now facing this problem.

Therefore, I would tell the Minister that the amendment that has been brought today is not very sufficient to protect the wild lives. Rather there should be more strict laws.

I want to add that in order to stop poaching only bringing laws or involving officials is not sufficient. Protecting the animal means that you have to take the local people into confidence. Only when there is involvement of the local people can you stop the poaching.

I want to cite certain examples. As far as black bugs are concerned there are certain regions in India where people have protected them out of the religious sentiments. That is how they have been preserved. Particularly in Orissa it is there. If we can educate the people of the forest and nearby areas, we then only succeed. Or else, as my colleagues have said, this poaching will go on with the connivance of the forest officials.

It is all right that we should protect the wild animals ; but at the same time we should also see that these wild animals do not become hazardous to the farmers and to the people. Why I am saying this is because there is a crocodile farm in Orissa in my constituency where crocodile farming is taking place. No doubt, it is a very good project ; but the outcome of it has become very dangerous. After a crocodile becomes adult it becomes a menace. There are hundreds of examples where they are taking human lives. Ordinary crocodiles which are wild are scared of human beings. But these crocodiles which are reared in the farms get acquainted with human beings from the very childhood and when they are grown up, they do not have any fear for human beings. The question is how to control them.

18.00 hrs.

The wild boar species, though it is a wild animal, it is very hazardous because it is a pest. Controlling this is the duty of the Government. Similarly I want to bring to the notice of the Hon. Minister that in the coast of Bay of Bengal there are certain areas where species of tortoise come and lay eggs particularly in my area which is internationally reputed for that but fortunately

that area has been neglected and could not be developed and as a result of which 4000 tortoise died in the last season. It was really a pitiable sight.

MR. DEPUTY-SPEAKER : Please conclude.

SHRI SARAT DEB : I will sum up by saying that on the question of trade these tortoise shells if they are properly marketed to the foreign countries like Australia they will fetch a very good foreign exchange for the country. So from commercial angle also it will earn a good amount to the State exchequer.

As far as ivory is concerned those persons who are rearing elephants domestically, the tusk of the elephant keeps growing and they keep on cutting it. They have to sell it to the State Trading Corporation as the market for it has been banned the person concerned should be given proper price for the labour he puts in rearing the elephant.

Lastly the crocodile farming though it has been taken up since long yet it has not been commercialised as yet.

[*Translation*]

SHRI DAL CHANDER JAIN (Damoh): Mr. Deputy Speaker, Sir, I support the Wild Life (Protection) Amendment Bill introduced in the House. I shall not repeat the points already raised by our hon Members but I would like to attract your attention to some new points.

Sometimes, hunting is done in the forests declared reserved. I have an information that sometimes even the forest department officers collude in such activities. Sir, it is a separate thing but the nearby living poor labour and farmers face great difficulty when their cattle stray into those reserved forests. The difficulty in getting them back beggars description. We shall have to bear in mind that those poor labourers and farmers should not be harassed unnecessarily when their cattle stray into the reserved forests.

Sir, the second thing is that our country of Bhagwan Mahavira and Bhagwan Budha believes in non-violence. We have to protect the rare wild animals and birds. In this connection, I want to draw your attention to a news in the 'Navbharat' of 25.3.86 published from Jabalpur. There was a news that trade of human flesh is in full swing and that 50,000 human skeletons are exported to foreign countries from here because they are in short supply there. What I mean to say is that we receive many reports of missing persons. These persons are whisked away in a mysterious manner ; we have to take care of them. We have to protect the wild life but also have to take care of the common complaints.

SHRI MANOJ PANDEY (Bettiah) : Mr. Deputy Speaker, Sir, I support the Bill introduced here in connection with protection of wild life.

First of all I would submit that in the game-sanctuaries of the country, as one hon. Member has said, big officers and other important persons are even today indulging in poaching and it is necessary to stop them from doing so. We introduce a Bill and pass it here but in reality our forests are not protected even today and wild animals are becoming victims of the poachers.

These so-called hunters are big officers and other important persons, who have lot of money. I would like to draw the attention of the hon. Minister towards Champaran district of North Bihar. There is one game-sanctuary in Madanpur whose protection has been entrusted to the local officers and forest officers. But I know that there are certain officers among them who encourage such hunters and take them for hunting during night.

We pass the Bill just by sitting here but have we ever brought a Bill wherein it might be provided that such forest officers who are indulging in illegal activities will be apprehended ? We know that protection of wild life is very necessary. Otherwise the way they are being hunted, the forests will be emptied of these animals.

[Shri Manoj Pandey]

In Madanpur sanctuary, a survey made some 2 or 3 years back showed the number of tigers 25 but today I can say with authority that their number is decreasing and if we do not take some timely action, there will be no more tigers in that area.

Balmik Nagar is at the farthest end of West Champaran. From there onward, border of Nepal begins. Nepal's forests and our forests are contiguous. Nepal's wild animals, including rhinos, enter our forests also. I know it myself that these rhinos are being poached. If we continue to give them this liberty, then we shall not be able to protect our wild life.

I would submit that these unauthorised activities should be stopped. I support the Bill.

[English]

SHRI PIYUS TIRAKY (Alipurduara) : Mr Deputy-Speaker, Sir, I have only one or two points to make on this Bill.

In Jalpaiguri district at Rajabhatkhawa, there is a proposal to have a Tiger Project. The area has already been demarcated and the people living there have to vacate the place. I would urge upon the Government that the people already living there for centuries must be rehabilitated first before the Tiger Project is implemented. The area should also be properly protected, so that it does not prove to be a menace to the surrounding area. Animals, special cows, buffaloes and other domestic animals are killed by the tigers and sometimes even human beings lose their lives. The Tiger Project is welcome, but I must add that in all these projects, we have the ultimate good of the human beings in view and, therefore, the project should not be a menace for the people living there.

Further, I find that in the Forest Department persons who are given employment are generally from the town areas, those who are not habituated to living in the forest areas. That is not the right approach. You must take persons for

employment in the Forest Department from that area itself, especially the tribals in that area, who have got the real love for the forests and the animals there.

As we know, the forests area has been reduced to a considerable extent. We must take proper action for afforestation, so that we can have more forests and the wild animals can move from one place to another in the forest freely. If the animals are confined to one place, just as we have them in the zoos, they begin to suffer from many diseases, which are sometimes very difficult to be cured. And if one animal gets that disease, it spreads to others also.

As I said, the employment in the Forest Department should be given to people who know the entire forest area, they are habituated to live in those environments and have love for the forests.

Secondly, a lot of deforestation has taken place already. We have now introduced social forestry and that should be encouraged. A number of small birds and other species of the wild life are becoming extinct or have already become extinct. The people living in those areas should be encouraged to preserve those birds and animals, they previously had. Specially the tribals living there for centuries are well conversant with these species, and they have great love for the wild life. They should be given all encouragement.

[Translation]

SHRI BRAHMA DUTT (Tehri Garhwal): Mr. Deputy Speaker, Sir, I support this amendment Bill. In this connection I want to submit 3 or 4 things.

It is a scientific fact that for the protection of the human society, the protection of trees, animals and wild life is imperative. This Bill has also been brought with the purpose that the trade of wild animals could be brought to an end. There was a time when man used to hunt animals for eating because farming had not then started. Later on, hunting of these animals became a pastime.

Presently what is needed is to protect them and to increase their number. Two-third of my constituency consists of forests wherein wild animals used to be plenty but today they are not seen. Forests catch fire resulting in destruction of trees as well as of animals. Why do the forests catch fire? Because earlier cooperation of the people living in forests was sought and certain rights were given to them. Therefore, these thing did not happen. Nowadays, they have been deprived of those right. Therefore, some coordination should be established. Secondly, there is shortage of drinking water there. Due to lack of forest conservation and also because of soil erosion, the drinking water is not available in that area.

One thing more I want to say is that if we do some work, howsoever good it may be, in an unrealistic manner that will not yield good result. There is on Rajaji Sanctuary in our area. There is one more sanctuary upwards. Between these two sanctuaries fall three villages, namely, Raiwala, Gorimañ and Partitnagar. There is one big military camp and Raiwala Station there. But God knows to whom did it occur that these two sanctuaries should be converted into one? The hon. Prime Minister has just now said that we will not implement any scheme till the people who are going to be affected are re-settled somewhere else. There are two thousand families in these there villages. Notices have been issued to these two thousand families about connecting these two sanctuaries and about acquiring their land. But it has not occurred to our officers that there is one station there which cannot be removed and there is a big military camp which also cannot be removed. I then suggested one way out that a corridor can be provided between these two sanctuaries. Our purpose will be served with this corridor. What we are to see is that not only the animals in the forests should remain protected but people living in the surrounding areas of those forests should also remain safe.

One thing more I want to say. It is good fortune of our district that hon. Prime Minister laid the foundation stone of the Wild Life Institute there last year. But some two weeks back when I went there to

see the progress, I found that only the foundation stone was there and no building has been constructed there so far. Kindly look into that because research work regarding wild-life protection and procreation is going to be done there. These are my suggestions. I would like to submit that the future of humanity depends on the protection of trees, animals and birds.

[English]

SHRI P. NAMGYAL (Ladakh) : Mr. Deputy Speaker Sir, I rise to support the Wild Life (Protection) Amendment Bill, 1986, in which it has been sought to check the clandestine and illicit trade in skin and trophies other products of some of the wild life species, which are on the verge of extinction. The Act passed in the year 1972 is being used as a cover for such illicit trade.

Sir, my constituency is full of many kinds of wild life species such as snow leopard, stone martin, black-necked crane, blue sheep, Markbor, wild yak, antelope, etc. Some of these species have become very rare because of the indiscriminate killing for their skins and other products as also for their meat. They are almost on the verge of extinction. Sir, the Jammu & Kashmir State has got its own Wild Life Act, which has got the same loopholes as you have projected here in this Bill for amendment. Unless the Wild Life (Protection) Act of the Jammu & Kashmir State is amended in line with this Act, it will have no use because the traders will get protection under the Jammu & Kashmir Wild Life Act and shift their business to Kashmir. Hence the very purpose of amending this Bill will be defeated. You have to impress upon the Governor of Jammu and Kashmir to amend the State Government's Wild Life Act in line with this Central Act. Then only, we can check this illicit trade.

Sir, regarding some of the wild animals, we have a peculiar problem in my constituency. In some parts of our constituency, there are thousands of wild asses, which are locally known as 'Kiang'. The Chinese on the other side of the border shoot these

[Shri P. Namgyal]

animals and eat their flesh with the result that these animals have migrated from the Chinese side to our side of the border. The result is that they almost denuded the entire area of whatever little greeneries such as or bushes or grasses or the pasture land are there. This has very badly affected the environment of the area.

MR. DEPUTY-SPEAKER : Now you have to eat it.

SHRI P. NAMGYAL : We don't eat it. That is why this problem is there. Not only a few hundreds but there are thousands of this animal are there in a very small area, but now these animals have started invading the farmers' field, and damaging the crops. So you have to find a method to check the growth of this animal, by caging them and castrating, or by some other method or you have to resort to selective killings. So this has created a big problem for us and you have to think in this direction.

Lastly, there is a need for establishment of a Wild Life Sanctuary in my area. We have very many species of wild life which are rare species. So, if the Government of India comes forward with a proposal, it would be well and good. Although State Government had a proposal to establish a wild life sanctuary, but so far they have not been able to do it. But I would request the hon. Minister to kindly consider this suggestion to set up a wild life sanctuary in Ladhakh.

With these words, I support this Bill. Thak you very much.

[Translation]

SHRI C. JANGA REDDY (Hanamkonda) : Mr. Deputy Speaker, Sir, I would like to touch only two points. Firstly, there are wild boars in our district which are very dangerous for the villagers. They destroy crops and ground-nuts. That is why people kill them by planting country bombs and eat pork. Even in the absence

of any provision in the Act in this regard, people are arrested and un-necessarily harassed. I, therefore, want that "wild-boar" should be deleted from the schedule. Secondly, in summer season due to non-availability of water in the forest, lion enters the village for drinking water and kills cows and bulls of the villagers. Therefore, I would request you that forest department should provide water in some parts of the forests so that lion may not come near the villages. I once again would like to repeat that lion enters the villages for drinking water and kills and eat the cows, bulls, calves etc. Therefore, it is necessary to provide water in the forest itself.

One more thing I would like to say that nobody can hunt in the jungle without the permission of Forest Officer. Therefore, if any hunter is caught hunting in the forest, then the Forest Officer should also be made responsible. In Orangal district, hundreds of wild animals died of an epidemic and under such circumstances, some doctors were called from Delhi who gave some injections to control the epidemic. Due to the non-availability of veterinary doctors, thousands of animals have died there. If there is any difficulty in giving injections, provision of tablets should be made and if necessary research should be carried on over it. Therefore, the arrangement of doctors is necessary there.

With these words I conclude.

*SHRI G. S. BASAVARAJU (Tumkur): Mr. Deputy-Speaker, Sir, I rise to support the Amendment to Wild Life (Protection) Act, 1972. This is a very important and progressive Bill and I am sure that the whole House would wholeheartedly welcome it. In fact, this amendment should have been brought in the year 1972 when late Smt. Indiraji was the Prime Minister. There is a great need to protect the animals and birds all over the country.

In Karnataka, few years ago there were thousands of elephants. Now, there are only few hundred elephants. What has

*The speech was originally delivered in Kannada.

happened to these elephants? Many of them have been shot dead. Some of them have been victims of poisonous food by unscrupulous persons. If this tendency continues there would be no elephants for our next generation to see. If they ask about the elephant, tigers and other animals then we would be compelled use the pictures to show them. Some rare species of animals are on the verge of extinction. Some strict measures to stop this merciless butchering of animals are very essential.

The killing of elephants is mainly to extract ivory. Persons involved in stealing smuggling of ivory must be given severe punishment such that he should never do it again. In some cases the forest department officials are also involved. On account of this the number of animals is decreasing very fast. In the same way trees are cut in the forests. The trees are cut for the purposes of getting timber and fuel. Therefore there is an urgent need for stopping deforestation immediately.

Throughout the country there are bird sanctuaries. In Karnataka there are three famous bird sanctuaries. Unfortunately the birds in the sanctuaries are decreasing in number day by day. Peacock, the wonderful bird of Indian forest is also facing a great threat to its existence.

Therefore I commend the measures taken by our Govt. to protect birds and animals. Once again I welcome this bill which seeks to protect the wild life and with these words I conclude.

[English]

SHRI MOOL CHAND DAGA (Pali) :
What is the purpose of this Bill? Mahatma Gandhi had said :

"It is wrong assumption to say that human beings are lords and masters of the lower creation. On the contrary, being endowed with greater things in life, they are the trustees of the lower animal kingdom".

[Translation]

Every year, wild life week is observed and emphasis is laid on the theory of live and let live. But actually forests have been devastated and now even wild animals cannot move freely. Our late Prime Minister Shrimati Indira Gandhi had said :

[English]

"The tiger cannot be preserved in isolation. It is at the apex of a large and complex specie. Its habitat, threatened by human intrusion, commercial forestry and cattle grazing must first be made inviolate."

[Translation]

Mr. Deputy Speaker, Sir, all the speaker who have so far spoken on this Bill were non-vegetarian and you would like now a vegetarian speaking on this Bill. We people sacrifice our lives but protect the life of others. I would tell you that our women folk breast-feed the little deers who lose their mother deers. It may not happen in your Madras but it happens in our Rajasthan. I would like to ask the hon. Minister how many persons have been punished and jailed since the enforcement of this Act of 1972. How many licences have been cancelled. Nothing is done. Jungles are being cut continuously. Now the condition is this that wild animals cannot move in the jungles freely. All jungles have been cut and it has become difficult for the animals to move freely. There were so many streams and springs in the jungles but now dams have been constructed on them and as a result of it, water is not available to the animals. You should not play with the life of the animals.

There is a bird named 'Godawar' in Rajasthan. The King of Saudi Arabia had came here for hunting this bird. I want that this bird should also be protected.

I would like to ask as to what extent the Act of 1972 has been implemented. After the laws have been made, they decorate the

[Shri Mool Chand Daga]

shelves. One more statute book will decorate the shelf of Shri Ansari. Had the law been strictly implemented, the forest would have not been reduced to just 10 per cent in the country. At one time, forest area was 33 per cent in our country. Today neither there are forests nor animals. If you cannot protect the wild animals, at least you should have not played with their lives. Here your bell will ring and that will also ring the bell for the wild animals in the forests. (*Interruptions*). Meat eating spoils the teeth and causes heart trouble. We should protect the animals.

[*English*]

SHRI Z.R. ANSARI : This Bill has got a very limited scope. This is an Amendment Bill, Wild Life (protection) Amendment Bill, 1986. It has been brought only with a specific purpose of controlling the trade of these wild animals.

It is true that the Act of 1972 was misused and certain illegal and illicit trade was going on and certain provisions of that Act of 1972 were just acting as a cover to protect the illegal traders. So, far this particular purpose, this Bill has come. I understand that all the hon. Members have supported the very spirit of this Bill and they have also supported the provisions of this Bill, as far as controlling of that trade is concerned and prohibiting of that illicit and illegal trade is concerned.

In the debate, we had a wide ranging of questions. I do not propose to answer all those questions. Of course, this is a very welcome trend. I shall certainly make use of these suggestions which have been made in this august House by the hon. members. When we come with certain other specific legislations in other fields—it may be forest conservation ; it may be wild life protection and amendments, we shall certainly make use of these suggestions. Mr. Maga is not here. He has given sermons, as usual, I shall certainly make use of those sermons. I am very much enlightened by those sermons which Mr. Daga has given. Although in this world of blood and flesh

sometimes the sermons which are not practicable. Even then, the sermons are there and those people who want to make use of those sermons, they are most welcome to do so.

I just want to answer a few points. One point has been raised, which is a very relevant point, made by hon. Member, Shri Bhakta. He had asked “what happens to those people who tame an elephant and what will be the position of the ivory after the elephant dies ?” He wanted to know whether he would be in a position to sell or transfer the ivory.

Actually this amendment does not concern those individuals, provided they have a certificate of origin of that elephant from the Chief Wild Life Warden and it is covered under Section 43 of the Original Act, the Wild Life (Protection) Act, 1972 where it has been provided that any person who is having any wild animal if he has tamed it and if he has a valid certificate from the Chief Wild Life Warden then he can sell that elephant—not necessarily to any Government agency—to any other person. So, that point is very well protected. We have not touched this Section 43. This amendment is for Section 44 on wards. Therefore, that thing is not there.

The other point which has been made is about the extension of the Act to the State of Jammu & Kashmir. We have—the Government of India—already requested the Government of Jammu and Kashmir that the application of the Wild Life (Protection) Act may be got extended to the State of Jammu and Kashmir also. That step we have taken and we hope that they will certainly look to it favourably.

Then, Sir, there are certain suggestions regarding sanctuaries and one hon. Member from Ladakh had made a suggestion that there should be a sanctuary in Ladakh, and I think that the State of Jammu and Kashmir is setting up one sanctuary, one National Park in that area, which we will certainly support financially.

Then one hon. Member from Andhra Pradesh probably made a point regarding Kolar Lake in Andhra Pradesh, and about a bird sanctuary there.

PROF. N. G. RANGA (Guntur) : Kolar is in Karnataka, Mysore.

SHRI Z.R. ANSARI : May be, it is on the border. There is already a sanctuary there.

Now, that is all I think, Sir.

SHRI K.P. SINGH DEO (Dhenkonal): I had asked about Sunilpal Biosphere Reserve. Why the discrimination against Orissa ?

SHRI Z.R. ANSARI : That is not a point at issue. As I have already said,.....
(Interruptions)

SHRI K.P. SINGH DEO : Because, the hon. Minister replied to the other points, that is why, I have mentioned it. I shall be rather obliged to the hon. Members for giving valuable suggestions. I shall certainly look into these suggestion.

With these words, I commend that this Bill be passed.

SHRI SARAT DEB : As the hon. Minister was saying, according to the present Act, you have restricted all other trading concerns except the State Trading Corporation from dealing in ivory items. Now, those who are in possession of domestic animals, they cannot go to the open market to sell ivory.

SHRI Z.R. ANSARI : I think, under section 43 they can sell it.

SHRI SARAT DEB : Then it is contradictory, because this Act specifically prohibits ivory business to be conducted in the open market as there is not much scope inside the country. That is why, I want to ask you except the State Trading Corporation, how are you allowing any private dealer to deal in this item.

SHRI Z.R. ANSARI : Section 43 reads like this :

"Subject to the provisions of sub-sections 2, 3 and 4 person other than a dealer..."

If he is not a dealer, a private individual, then amendments are being brought through this amending Bill to section 44 on wards. Regarding those persons, who are private persons and are having elephants, they are being dealt with under section 43.

SHRI SARAT DEB : But when he sells the tusk, he can sell it to the State Trading Corporation and not to any private persons. Not only that. The elephant tusk keeps on growing. They keep on cutting and selling. That is why I wanted to know the provision.

SHRI Z.R. ANSARI : In that case, they will have to sell those things to the public sector undertakings which are authorised to deal with the indigenous ivory.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill further to amend the Wild Life (Protection) Act, 1972, be taken into consideration."

The motion was adopted

MR. DEPUTY-SPEAKER : Now, we take up clause by clause consideration. The question is :

"That clause 2 stand part of the Bill"

The motion was adopted

Clause 2 was added to the Bill

Clause-3 (Insertion of new chapter VA)

SHRI K. P. SINGH DEO : I beg to move :

Page 4, line 3,—

OMIT "for display" (1)

SHRI Z.R. ANSARI : I accept it.

MR. DEPUTY-SPEAKER: The question is :

Page 4, lines 3,—

OMIT “for display” (1)

The motion was adopted

MR. DEPUTY-SPEAKER : The question is :

“That clause 3, as amended, stand part of the Bill”

The motion was adopted
Clause 3, as amended was added to the Bill
Clauses 4 and 5 were added to the Bill
Clause 1, the Enacting Formula, and the
Title were added to the Bill

SHRI Z. R. ANSARI : I beg to move :

“That the Bill, as amended, be passed”.

MR. DEPUTY-SPEAKER: The question is :

“That the Bill, as amended, be passed”

The motion was adopted

18.45 hrs.

INCOME-TAX (AMENDMENT) BILL

[English]

MR. DEPUTY-SPEAKER : Now we shall take up item No. 8.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY): Sir, I beg to move :

“That the Bill further to amend the Income-tax Act, 1961, be taken into consideration.”

This short Bill has been introduced primarily in pursuance to the announcement made in the Budget Speech this year as also the Finance Minister's Speech in the Lok Sabha on 24th April, 1986 while moving Government amendments to the Finance Bill, 1986.

In the Budget speech, a proposal to provide relief to self-employed persons or salary earners in respect of medical expenses incurred by them had been announced. To implement this, it is proposed to insert a new section in the Income-tax Act, providing for a deduction up to Rs. 3,000 in a year, in the aggregate, in respect of any sum paid as premium by an individual for insurance of his own health or on the health of his or her spouse or dependent parents and children. In the case of a Hindu undivided family or an association of persons or body of individuals consisting of only husband and wife governed by the system of community of property. In force in the Union territories of Dadra and Nagar Haveli and Goa, Daman and Diu, the deduction is to be allowed in respect of the premium paid for insurance on the health of any member of such family. It is also proposed to introduce a new section in the Income-tax Act so that deduction is allowed to an employer in respect of premia paid by cheque for insurance on the health of the employees in accordance with an approved scheme.

As per the provisions of the Income-tax Act, deduction is allowed to a scheduled or or non-scheduled bank to the extent of ten per cent of the pre-tax profit in respect of provision made by it for bad and doubtful debts or of an amount not exceeding two two per cent of the aggregate average advances made by the rural branches, whichever is higher. I propose to amend the relevant section so that a deduction is allowed to all banks of an amount not exceeding two per cent of the aggregate average advances made by their rural branches together with a deduction of provision for bad debts limited to five per cent of their total income, subject to the existing conditions.

An Indian company or a person (other than a company), resident in India, is entitled for a deduction equal to 25 per cent of the profits and gains from projects outside India. In order to encourage the activity of execution of projects outside India which is one of the sources of earning foreign exchange, it is proposed to increase the deduction from 25 per cent to 50 per cent of such profits by making a suitable amendment.

I trust, that this short and simple Bill will receive the unanimous support of the House.

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill further to amend the Income-tax Act, 1961, be taken into consideration."

SHRI AMAL DATTA (Diamond Harbour) : Thank you, Sir, for allowing me to initiate the debate. I think the first part, namely, the premium for medical insurance which is being made deductible is a welcome measure. This was announced earlier during the Budget speech and other speeches by the Finance Minister and it has come in the form of a Bill. The only thing now I would observe regarding this is that the premium which will be paid by the employer or by the person insured himself, will certainly generate a surplus in the General Insurance Corporation or its subsidiaries because usually in the insurance scheme we have found that whatever way the schemes are framed, they do generate lot of surpluses. This new provision in this Bill is obviously meant to amend the Income-tax Act and regarding what is to be done with this surplus. I think in view of the fact that this is for a particular purpose, namely, health insurance or medical insurance, the surplus should be committed for improvement of health and medical services of the community and also, to a certain extent, for the group of people, for that category of people which will be contributing by way of premium through generation of this surplus. I think this should be kept in mind by the hon. Finance Minister and his people so that this surplus can be used in this fashion. Otherwise there is nothing objectionable in this particular provision.

Regarding the statutory deduction which is not being provided so far as doubtful debts are concerned, I fail to understand the purpose of this at all. Sir, the Income-tax Act does provide for deduction of bad and doubtful debts. So, where is the scope or opportunity or the necessity for providing by statute deduction of 5 per cent of the total income of scheduled banks as doubtful debts? I think the intention is that advances of a doubtful nature will be made, which will ultimately result in debts becoming bad and therefore this statutory provision is being made for 5 per cent of the income to be deducted as doubtful debt. Now, in addition to all this 5 per cent, there is another 2 per cent of the total advances of the rural branches. They can also be provided as doubtful debt and it is deductible for income-tax purposes. This is again not necessary at all. Is it the purpose that the debts would be incurred by rural branches to be automatically written off to the extent of 2 per cent of that? Is that the idea? In that case, is it the idea that advances will be made in such a fashion, without scrutinising as to, whom advances are being made, for what purpose advances are being made, and so on? In other words, it comes to this, advances are being planned to be made only to become later on doubtful debts. That means also that advances will be made at the behest of some powerful political persons, those people having the control of the banking system. Sir, this a very objectionable provision and it should not be accepted by this august House. Already there are provisions in the Income-tax Act whereby, in any business (whether it is banking business or any other business) bad and doubtful debts can be written off provided they have been *proved to be* bad and doubtful debts. There cannot be any statutory provision for providing for such deductions. As I said, this is highly objectionable. Obviously, it smacks of political patronage playing a very important part in giving loans in the rural areas as well as urban areas for industries and all that. Therefore, I urge upon the hon. Minister kindly to withdraw this provision regarding statutory deduction of bad and doubtful debts of banks' incomes and advances, as they appear in this Clause 2 (b). This should not be pressed before this august House because this will only obviously mean—and the people

[Shri Amal Datta]

will conclude—that political patronage will be the basis of giving loans for the purpose of making them later on bad and doubtful debts and they will be given income-tax deduction.

My last point is this. I have always made this point while discussing or debating on the Banking System and Insurance. Parliament has no control over these institutions. But, Parliament has control, and through Parliament the Indian people have control,—over other Government undertakings, but not the financial undertakings like the Banks and the Insurance Companies. I remember that on one occasion the Speaker also agreed with me. Very openly he said in the House that he agrees that there should be Parliamentary control. Unfortunately the Finance Minister—obviously prompted by the Finance Department bureaucrats—is not agreeing to this Parliamentary control over these financial institutions. The sooner this control is instituted, the better for this country. Otherwise, what is taking place in the banking system today before our very eyes is intolerable in a democratic country. We have nationalised the Banking system for the purpose that loans will be given to those who are deserving, those who will be able to increase the national wealth, national income, including helping themselves in the process. That was the idea. But what is being done in the name of these loan melas and all these things? Banks are being given a period of 15 days or 3 weeks within which they must give loans to 40,000 or 50,000 people. They are choosing people at random. They are encouraging political patronage by such kinds of loan melas. Some M.Ps. or M.L.As. preferred by the Ministers or somebody in the Department are being given the application forms and the application forms signed by those M.Ps. and M.L.As. are the applications on the basis of which loans are to be given. This is happening. In my constituency also this is happening. In the district, in a very large place, we find the anti-social elements going from branch to branch and saying that 'if you do not honour the signature of this M.P. or M.L.A., then we will see that you will not be able to attend this bank branch. This is being done with the tacit

encouragement of the people in authority today. I think Mr. Poojary should know it. If he does not know it, he should enquire about it because things are being done in his name. They are threatening the bank officials saying that 'you must sanction loan on this application because this is signed by such and such M.P. and if you do not give the sanction, then you will not be able to attend this branch'. These threats are being held out. This is my personal knowledge. This is happening not only in my constituency or district, but everywhere in India this happening today that by threats and by certain political patronage these loans are being extracted from the banking system and the public are being defrauded. This should stop. And that is one of the reasons why this provision is here.

Sir, with these words, I oppose this Amendment.

[Translation]

SHRI MOOL CHAND DAGA (Pali): Mr. Deputy Speaker, Sir, I welcome this Bill. I am fortunate that I have nothing to add to this Bill. If you are providing that the employer shall also deposit his contribution towards the employee, it is a matter of pleasure. It is good that you are paying attention towards those employees who become victims of cancer. This is a commendable measure.

Sir, hon. Poojary ji has rich harvest of statistics. I would like ask him what are the figures of bad debts of the last four years and who has the powers to write them off. To what extent the bad debts are created in the rural banks. The Member who spoke before me is very expert in this subject. He said that loan 'melas' are held. These 'melas' are held for those who are to be given loans. This is done under I.R.D.P. to bring the person concerned above the poverty line. This step has been taken with enthusiasm for the welfare of the poor. On many occasions, we are not able to educate them properly in this regard. The employees of all the banks and the Pradhan and the Block Officers know how these loans are distributed. You

should view the matter in this way. If the loan 'mela' is held in Bengal, the hon. Minister is prepared to go there also.

19 00 hrs.

On many occasions, when the poor persons who are below the poverty line, go to the banks for loan, they are asked to bring security. Sometimes, when they have to buy commodities, they have to go to the intermediaries. This causes much harassment. On the other hand loan 'mela' is very simple service unto the people where the Minister has a chance to meet and talk to the people for eight to nine hours. This is a good job and I feel Poojary ji should do the work along with the Chief Minister of the concerned State. The poor suffers loss but the big industrialists bungle lakhs of rupees. The industrialists have bungled four thousand of crores of rupees but no action has been taken against them. I would like to ask what is the total number of bad debts during the last 4 years and who has the authority to write them off. May I know who bungled the money as also who are accountable therefor?

May I also know why 50 per cent exemption has been given in income-tax to those companies which are functioning abroad and are remitting money in foreign exchange? Why has such facility been extended to them? What crime has been committed by those companies which are functioning in the country itself and are contributing 50 per cent in foreign exchange? You are giving 50 per cent exemption to those companies which are functioning abroad and remitting money in foreign exchange to the country. This should be looked into. However, I support the Bill.

19.01 hrs.

[MR. SPEAKER *in the Chair*]

[*English*]

DR. CHINTA MOHAN (Tirupati): Mr. Speaker, Sir, I welcome this Bill. But this Bill should have come long back. I do not know what made the Government to

come in a hurried way to bring this Bill. But giving income-tax exemption to self-employed people is a very welcome thing and also giving exemption for the general insurance scheme and incurring medical expenses is a very good scheme. But the Government all the time is encouraging bad debt. This sort of attitude should be changed and if possible, the Government should come with national credit policy soon so that the industrialists who are misusing their political patronage and getting loans and making the industry sick could be checked. They are not at all repaying the loans taken. I have brought to the notice of the hon. House sometime back about this bad credit given to some of the industries in Bombay, Bangalore and Calcutta. I would like to quote it again. In Bombay, the Central Office of the State Bank of India had given Rs. 52.5 crores to some big industrialist. He had taken the loan 5 years back but not paid even 5 paise so far. I asked the hon. Minister to take necessary action. But so far nothing has been done in this direction. I also mentioned sometime back about the false cheque issued in Karnataka and some Excise contractor had taken Rs. 3 crores. Till today, he has not paid even 5 paise. In the Bank of Baroda, some bungling had taken place in Calcutta. So far, the Government has not taken any action at all. I do not know why the Government is negative in this direction. I would request the hon. Minister to come out soon with some policy, national credit policy and do something for the betterment of the nation.

With this I conclude my speech.

SHRI G.L. DOGRA (Udhampur): Mr. Speaker, Sir, I had no intention of speaking on this Bill but because it is a very good measure but something has been said about bad debt. Therefore, I am compelled to intervene.

This problem of bad debt was considered in the Public Accounts Committee and also in the Estimates Committee. There is no business of lending where bad debt will not occur. There should be a provision made for the bad debt also. They have laid down the maximum limit. Who exercises the power is a different thing. Why does

[Shri G.L. Dogra]

the bad debt occur? Mainly they occur in the case of self-employed schemes and in other types of loans which are given to the poor people. They are not given loan in sufficient quantity. Sometimes some officers get something out of the money advanced. Therefore, the proper purpose of the loan cannot be served. And it cannot be utilised for productive purposes. You Mr. State Minister are controlling it and the hon. Minister is also trying to control it, but you have to further strengthen the controlling machinery. If you give all the required money for productive purposes and people can produce and implement their schemes for which the money is given there will be no bad debts. There will be very rare bad debts. Therefore this has got to be seen.

Then there is another thing. On very small pretexts people should not be involved in litigation. Your officers should have a sympathetic attitude and try to rescue those people out of their problems and situations in which they are involved. But your officers whether there is a big party or a small party, do not believe in reconciliation or making arrangements and therefore helping them by compromising with the various parties.

Same thing is happening so far as taxation is concerned. If somebody is not able to pay up in lump sum, your people are not prepared to take it in instalments so that people can get out of it. Your approach should be constructive and productive so that people who produce and earn money and who give you money should be helped to produce more. I do not say that those who are unfair people should be helped or protected. But those people who are in genuine difficulties should be rescued. I should say that your Department though it has done very good work in certain respects but in this aspect you are lacking, you are behind the expectations of the people and you must realise that those people who are working are your partners. You are a sleeping partner in these businesses. Why don't you take that attitude? Therefore, you should look at the things from that point of view. If you

destroy the tax payers, you destroy the milk-yielding cow, and in this way how will you be able to improve this country?

In the agricultural sector rather in every sector people need your sympathy. They need your guidance. You should have experts to guide them wherever they falter at any stage and they should support guide and intervene whenever necessary. We are a backward and a developing country. Why do you forget it? Either you are not properly mentally equipped to weigh the situation or you are lethargic. Our bureaucrats as well as the politicians—if we are prepared to play our role properly, then we should have adequate machinery to guide the people at every stage. They are much more backward than we are. We ourselves are lacking in many things. But those people in the field who have sent us here, all of them are not as learned and experienced as we are. Therefore don't apply our own standard to them. Every bureaucrat and every politician wants to rule. We are there to serve and not to rule. This has to be kept in mind. If you keep these things in mind, there will be very small bad debts and very few difficulties. Then we should also not try to abuse by saying that all the people who are serving in the tank or in government departments are all thieves. Whenever we ask any question, we ask in that way. We try to expose them. Who are they? They are our people. I come from a backward area. I have none employed in these sectors. They are our people and they are young men. We must educate them properly. We must deal with them properly and with sympathy and their dignity must also be restored and we must confess that they are also good people. This country is as much theirs as it is ours. When we come and talk here, we talk as if we are angels. That approach is also bad. We must give them respect and get respect.

SHRI SRIBALLAV PANIGRAHI (Deogarh): I rise to support this Bill. This is a small Bill and it has come before us at the end of this long Budget session.

There is nothing to oppose in this amending Bill. It has a good clause. It is quite a welcome measure and some deduction is being allowed to employees and individual, assesseees for their investment on health scheme by way of insurance, by way of cheque etc. payment by way of cheque on health scheme. As you know, Sir, lots of employees and workers are working in different commercial and industrial firms—private firms—against very heavy odds, against vagaries of nature and there is no proper safeguard about their health, treatment etc. Therefore, it is quite welcome and about other aspects of providing some deductions on provisions for bad debts by banks upto 5 per cent, that has been opposed to by some friends sitting on the other side of the House—particularly our hon. friend Shri Amal Datta. I do not understand why for every such thing, some of the friends on the other side, see politics in it

In the year 1909, banks were nationalised with the realisation that banks were in fact prospering on peoples money, common people's money. They used to prosper without discharging any duty, responsibility towards the society, particularly to remove backwardness, to remove poverty. Our late Prime Minister Mrs. Indira Gandhi took the historic decision of nationalising the banks. Since then it has become very popular. As we all know, we are committed, the Government is committed to alleviate and eradicate poverty and the banks have a very definite role, meaningful role and effective role in this sphere. They are going ahead also. Of course, there are some loopholes here and there, pitfalls are there. Suggestions are always welcome. Our ultimate goal is to help the down-trodden people and the have-nots and we are trying to improve their whole lot. There are thousands of such people in free India. They have also to enjoy the fruits of freedom. But we forget about them. Some friends proclaim day in and day out they are the friends of the poor; they go on beating their own trumpets that they are the only saviours of the poor people of this country. I do not understand how they take objection to banks advancing loans to poor people on different schemes—like anti-poverty programmes, poverty-alleviation programmes

etc. Some section of the bank employees who have relationship with such people are against them. All over the country, we find a section of bank employees resisting them. I would like to know as to how under this Act bad-debt is increasing and also to what extent under this anti-poverty programme and to what extent from the bigger people, the more affluent people, whether they are failing to pay and to what extent. I think, there is failure on the part of the poor people to pay-off debts. There are several reasons for that.

Sir, these programme are good programmes—anti-poverty programme, bank finance etc. They should be properly monitored. There is illiteracy among the poor people of this country. We are giving loans to them. But there should be proper guidance. In many cases such guidance is not forthcoming. Follow-up action should be ensured. In some places there are corrupt officers who are preparing a list of wrong names. I would suggest that people's participation, in a meaningful way, should be ensured so that these schemes, laudable schemes, noble schemes which we had at the time of nationalisation of banks, can be properly achieved and fulfilled. I would request the hon. Minister to give his thought to this aspect.

With these words, I support this Bill.

SHRI JANARDHANA POOJARY : I thank the hon. Members for giving concrete and valuable suggestions.

If I remember correctly, the first Bill that was taken up at the beginning of this Session was from the Finance Ministry and we are closing the Session, if I am not mistaken, with a Bill from the Finance Ministry.....

MR. SPEAKER : You have proved that the Earth is round, geographically : where we started from, we have come back to the same point.

SHRI JANARDHANA POOJARY : Hon. Members from both sides welcomed the provisions of this Bill except one provision. So far as that provision is

[Shri Janardhana Poojary]

concerned, I may be permitted to say that under section 36(1) (viii), there was already an existing provision to the tune of ten per cent—for making provision for bad and doubtful debts. Now that has been reduced from 10 per cent to five per cent. About the provision for bad and doubtful debts, often it has been raised in Parliament and I have also given my reply. There is a statutory protection to banks from disclosing bad and doubtful debts. Even in the format that has been presented for the consumption of the public, under the Banking Regulation Act, we are not supposed to give the bad and doubtful debts figure. Only after deducting bad and doubtful debts figure, we have to publish it. Not only that, there is a customary law, and therefore even under the Banking Act itself, we are prevented from disclosing the bad and doubtful debts. I made this point clear earlier when, you remember, Sir, hon. Member Shri H.M. Patel—you were there on that day—made a point that I should disclose it; then you directed me that I should verify when I said that there was a protection. I have verified it, Sir. It is a statutory provision. I am barred from disclosing it.

Coming to the loan function, hon. Members from this side have given the correct reply. I went to one State. I am not complaining. When I went there, the Collector of that District said that out of 16,000 people, 12,000 beneficiaries were under IRDP and other Programmes which were pending disposal for a number of years and as I went there, they were disposed of. That was stated by the Collector of Jalpaiguri District in West Bengal. I may submit this. The IRDP and also the Educated Self-Employment schemes, the State Governments are implementing. They are the identifying authority and after identifying the beneficiaries, they have to submit the application to the Bank and the Bank will sanction the loan and disburse. Now it is asked whether the Banks are associating the State machinery. When they say that it is not properly implemented, it is not given, I feel that they are also equally responsible. Here to complain that they are not associated, I think, is not correct.

Coming to the point as to whom it could be given, you know to whom it is going in the present system. With regard to voting, I cannot say to whom these beneficiaries have voted—whether they have voted for the Congress, or for the Communists or for the Janata. It is a secret.

SHRI SAIFUDDIN CHOWDHARY (Katwa): The forms were distributed by a particular political party. The Minister knows that.

SHRI JANARDHANA POOJARY: Even I cannot say to which party my wife has voted, I cannot definitely say that. So, to say that we are giving to a particular party, my submission would be that any person can submit the application to the Bank. It is for the Bank people to process it and give the loan. I am just bringing it to the notice of the Hon. Members—whether it is CPI people or any citizen of the country—that even they can submit the application on behalf of the poor people, it is for the Bank people to process and sanction it.

Coming to the provision that was made for the rise from 25% to 50% so far as the profits of the projects that are executed in foreign countries, already for export there is a provision of deduction upto 50%. In order to encourage foreign exchange earning here also we have increased from 25% to 50%. It is a measure of encouragement for foreign projects executed by resident Indians.

With these I conclude and commend for the consideration of the Bill.

MR. SPEAKER: The question is:

“That the Bill further to amend the Income-tax Act, 1961, be taken into consideration”

The motion was adopted.

MR. SPEAKER: We shall now take up clause by clause consideration. The question is;

"That clauses 2 to 4 stand part of the Bill"

The motion was adopted

Clause 2 to 4 were added to the Bill

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

SHRI JANARDHANA POOJARY :

I beg to move :

"That the Bill be passed"

MR. SPEAKER : The question is :

"That the Bill be passed"

The motion was adopted

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI H.K.L. BHAGAT) : I want to take this opportunity to thank you, the Chair, for very ably and affectionately guiding the proceedings of this House with the result that the House did a lot of useful business with mutual cooperation and with mutual understanding. With great ability and dignity you have conducted the House. I want to thank you.

I want to thank all the leaders and Members of the opposition. At times we had differences. They are always there. Yet, the leaders and members of the opposition and leaders and members of the ruling party cooperated with each other. I have a feeling that the debates—whether people spoke from this side or from that side—were of high standard. People have put in a lot of hard work. I wish to thank all the Hon. Members of the House.

The whole business went on almost correctly to the dot—whether it was official business or other business. The whole thing went on well. This House spent a lot of time—the hours will be calculated—and did a lot of useful work.

I want to thank the staff of the Lok Sabha Secretariat for the job that they did very nicely. I want to thank the officers and staff of the Lok Sabha Secretariat, the Hon. Deputy Speaker who had at times to take a lot of burden and shared the burden with you. I also wish to thank the officers and staff of the Parliamentary Affairs Department as also the Press. I know that sometimes it was very hard. It was with the cooperation of everybody that it was done. I must thank you Sir, and through you all concerned.

Thank you.

SHRI C. MADHAV REDDI (Adilabad) : Mr. Speaker, Sir, we...

SHRI H.K.L. BHAGAT : Sir, before Shri Madhav Reddy ji says something I want to thank my colleague, Shri Ghulam Nabi Azad also.

MR. SPEAKER : Well deserved.

SHRI C. MADHAV REDDI : ...on behalf of the Opposition thank you heartily for the impartial way you have conducted the House. There were moments of excitement and stress. It was a great strain on you but still you maintained the balance and conducted the House very well.

We have got the fair share of the proceedings on the Floor of the House. We thank you on behalf of the Opposition parties for conducting the House so ably.

SHRI SAIFUDDIN CHOWDHARY (Katwa) : Sir, I also want to say a few words. With pain in my heart I have to remember this Session. In the past we have passed many legislations which had bearing for the progress of the society. Though there were politically reactionary legislations passed also yet never in the history of this Parliament we enacted such a kind of socially reactionary legislation, namely, Muslim women (Protection of Rights on Divorce) Bill, 1986. I do not know how history will erase that memory.

MR. SPEAKER : You could have said it then. This is not the time.

SHRI SAIFUDDIN CHOWDHARY : I thank everybody. I know there is pain in everybody's heart and I hope that it will get expression one day.

SOME HON. MEMBERS : Not so.

SHRI SAIFUDDIN CHOWDHARY : Sir, I thank you very much. We know that we troubled you very much but you bore it with an open heart.

[*Translation*]

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD) : There is saying that habits die hard.

[*English*]

MR. SPEAKER : Hon. Members, the fifth Session of Eighth Lok Sabha comes to a close today. Before the House adjourns 'sine die', I deem it my duty to thank hon. Members from all sections of the House on behalf of my self and on behalf of my Deputy Speaker and Members of the Panel of Chairman for the cooperation and courtesy extended to us in conducting the proceedings of this august House. This has made our task not only easy but pleasant. My special thanks are due to the party leaders who have played a very constructive role in the smooth transaction of the business of this House. There have been moment of stress, no doubt, but I am glad to say that all of you, without exception, have risen above party consideration while debating issues of national concern. This is also in the game that at certain times we had heated arguments amongst ourselves but that does not mar at any time our personal relations and understanding that we are doing it in the best interest. At certain times there might have been certain things but we have taken them in their with stride, with cooperation, dignity and affection all around. This is the best part and we have enjoyed every minute of it. This is indeed a very gratifying feature of our parliamentary life and we can take legitimate pride in the spirit of tolerance and give and take that has prevailed even

in the midst of heated discussions. The entire nation looks to us for the lead that we alone can provide in getting over the tasks that face the country. I have no doubt in my mind that we shall never fail the nation because the healthy discussions and the fullest possible utilisation of this august House must be for the nation and the society as a whole and that is what we have achieved. We should never forget that we are the protectors of the democratic way of life. It is a good tree which has to be nourished, fertilised and irrigated so that it may give very good nice shade, nice flowers and nice fruits so that all around us we will have that and cherish that we are the gardeners and we did not fail in that respect.

Hon'ble Members, our achievements in the Session have been quite considerable. The Session commenced with the President's address on 20th February, 1986. The debate on the President's address lasted over 13 hours spread over three days. We have had in all 49 sittings lasting over 357 hours approximately. As you are aware, the sitting on Monday, the 5th May 1986, continued until the early hours of Tuesday, the 6th May. I can recall only one occasion in the recent past when the House sat even longer—upto 3.58 AM—and that was on 15th/16th September 1981 when the Essential Services Maintenance Bill was under discussion.

At the very commencement of the Session, we had the pleasure of welcoming in our midst 14 newly elected members from Assam who took oath, signed the Roll of Members and took their seats in the House. It is indeed a matter of gratification for all of us that after several years, all the States of the Union are fully represented in the House today.

On 21st February, 1986, leave was granted by the House to the motion for adjournment given notice of by Prof Madhu Dandavate and others regarding the steep rise in the prices of fertilisers and petroleum products. The discussion on the motion lasted for 6 hours and 45 minutes.

Even though the Budget Session is devoted largely to the transaction of financial business, for example, passing of the Railway and General Budgets, the relevant Appropriation Bills and the Finance Bill, etc. the House considered and passed 16 other Bills during the Session, the most important of which was the hotly debated Muslim Women (Protection of Rights on Divorce) Bill, 1986. The debate on this Bill lasted nearly 13 hours. Apart from this, we have had discussions on 10 Calling Attention Notices, 8 short-duration discussions and 5 half-an-hour discussions.

The debate on Punjab was marked by remarkably restrained and constructive speeches from all sections of the House. I do believe that the views expressed in the House on this question did strengthen the hands of both the Central and State Government in dealing with the issue.

The House also had the occasion to debate upon the U.S. aggression against Libya. A resolution unanimously passed by the House 'inter alia' called for immediate cessation of hostilities and endorsed the collective stand taken by the non-aligned movement at the Emergency session of Foreign Ministers and Heads of Delegations at the Ministerial level meeting of the Coordinating Bureau in New Delhi on 15th April, 1987.

The discussions on the draft Education Policy, which ended only this afternoon, lasted nearly 12 hours and as many as 65 Members participated,

In short, it has been a very fruitful session and before I conclude, I must congratulate the Members for the painstaking efforts they put in and the constructive suggestions that they gave on various subjects that came up for discussion from time to time.

I am also very much thankful to my colleagues on this side, both of them. Specially I am grateful to my Deputy-speaker who bore the brunt of the discussions while I was sitting all along behind the scene and watching him and all my Chairmen dealing with various matters. This morning Mr. Zainul Basher said: "Sir, I am caught whenever I am sitting in the House." Wherever we can put our eyes on, we catch him. He was so willing and all the other Members who were there were so good. They are all very experienced people. I must congratulate my staff, all the Members here and the Watch and Ward and everybody. They have behaved well, acted so well and they need all your good wishes and kudos from my self that they have risen to the occasion. I also thank our friends in the upper galleries sitting over my head. They have also been very cooperative with us. In future we all will join hands in carrying out the good work entrusted to us by the people of India.

I again thank you very much and I wish to welcome you again after having good rains and good monsoons in the Monsoon Session. Is it all right?

SOME HON. MEMBERS : Yes, Sir.

MR. SPEAKER : Now, I have just to say that because I feel lonely when the House is not there. I don't like it. I like it when we are in Session. Otherwise I get bored. Anyhow, as the rules are, sometimes you don't like them, sometimes I don't like them! The House stands adjourned 'sine die' and take home with you my good wishes. Thank you very much.

19.35 hrs.

The Lok Sabha then adjourned sine die.