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Wednesday, January 09,1991

Pausa 19, 1912 (Saka)

LOK SABHA DEBATES

(English Version)

Sixth Session
(Ninth Lok Sabha)



(Vol. XIII contains No. 1 to 10)

LOK SABHA SECRETARIAT
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LOK SABHA DEBATES

LOK SABHA

Wednesday, January 9, 1991/Pausa 19, 1912 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ANNOUNCEMENT BY SPEAKER

Observation re. receipt of order passed by the High Court of Delhi

[English]

MR. SPEAKER: I had informed the House yesterday about the order passed by the High Court of Delhi on the stay application in Civil Writ Petition No. 3871 of 1990 directing that all the petitions presented before me under the 10th Schedule of the Constitution "shall not be proceeded with or pursued by the petitioners" before me.

I have discussed the matter with the leaders of parties and groups this morning and it was unanimously agreed upon that the orders of the High Court be ignored. Accordingly I am ignoring the order of Delhi High Court.

11.01 hrs.

MOTION UNDER RULE 388

Suspension of Question Hour

[English]

PROF. MADHU DANDAVATE (Rajapur): I have given a notice under rule

388 that rule 32 regarding Question Hour be suspended and the adjournment motion for which many hon. Members have given notice of should be taken up.

In addition, I feel that you having declared as to what should be the position I would suggest that we should take up the adjournment motion and also the view of the House that this House is of the considered opinion that in view of paragraphs 6 and 7 of the 10th Schedule of the Constitution regarding disqualification of ground of defection, the order of the Delhi High Court on 8th January, 1991 to maintain status quo in respect of 37 Janata Dal (S) MPs against whom anti-defection proceedings were pending with the Speaker, should be totally ignored to uphold the dignity of the Constitution. (*Interruptions*)

SHRI L.K. ADVANI (New Delhi): With your permission I move:

"That this House do suspend Rule 32 of the Rules of Procedure and Conduct of Business in Lok Sabha in so far as it provides for the first hour of the sitting being made available for the asking and answering of question, in its application to the Adjournment Motion regarding the failure of the Government to uphold the provisions of the Constitution in regard to disqualification of M.Ps contained in Schedule 10 of the Constitution which put the issue outside the jurisdiction of any court."

MR. SPEAKER: Shri Satya Prakash Malviya.

(*Interruptions*)

MR. SPEAKER: I have called upon Mr. Malviya to speak.

(*Interruptions*)

[*Translation*]

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): Mr. Speaker, Sir, I would like to draw the attention of the House to the fact that for today Question Hour was not stated, but only on the suggestion of Mr. Advani that since the House was not going to meet on 31 December and 1 January, the questions to be answered on those days may be replied to during the Question Hour on 9 January.

PROF. RAM GANESH KAPSE: We did not know at that time that such a situation will be created by the Government... (*Interruptions*)

SHRI MADAN LAL KHURANA: This Government does not want the House to function smoothly and the defector Ministers are themselves doing such things. (*Interruptions*)

[*English*]

PROF. RAMGANESH KAPSE: We want to censure the Government... (*Interruptions*)

[*Translation*]

MR. SPEAKER: All of you please take your seats, I am listening to the Minister of Parliamentary Affairs.

SHRI SATYA PRAKASH MALVIYA: My only submission is this that I have no objection to the motion for suspension of question hour. (*Interruptions*)

MR. SPEAKER: First please listen to him.

SHRI SATYA PRAKASH MALVIYA: I

once again request the whole House to reconsider my suggestion of having question hour and after that we can take up this matter at 12 O'clock. (*Interruptions*)

MR. SPEAKER: The Minister of Parliamentary Affairs is not opposing the motion. The whole House is unanimous that the question hour may be suspended.

[*English*]

So, the question is:

"That this House do suspend Rule 32 of the Rules of Procedure and Conduct of Business in Lok Sabha in so far as it provides for the first hour of the sitting being made available for the asking and answering of questions, in its application to the Adjournment Motion regarding failure of the Government to uphold the provisions of the Constitution in regard to disqualification of M.Ps. contained in Schedule 10 of the Constitution which put the issue outside the jurisdiction of any court."

The motion was adopted

MR. SPEAKER: Question Hour is suspended.

11.09 hrs.

WRITTEN ANSWERS TO QUESTIONS

[*English*]

Deployment of Para-Military Forces in U.P.

*41. SHRI PYARELAL KHANDELWAL:
SHRI SHANKERSINH VAGHELA:

Will the PRIME MINISTER be pleased to state:

(a) the number of battalions of C.R.P.F. and other para-military forces deployed in Ayodhya and other places in Uttar Pradesh during October, and November, 1990 and the overall expenditure incurred thereon;

(b) whether these forces strictly followed the general instructions of not shooting at the protestors above the knees in Ayodhya; and

(c) if not, the action proposed to be taken by the Union Government to avoid such occurrences?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) 198 Companies of para-military forces were placed at the disposal of the Government of Uttar Pradesh.

The State Govt. is required to pay at the rate of Rs. 1.50 crores per battalion per annum, plus the cost of transportation/movement of the Central Para-Military Forces.

(b) The para-military forces were placed at the disposal of the State Government and acted on their instructions.

(c) Does not arise.

Backlog of Reserved Vacancies in Punjab Government Offices

***42. BABA SUCHA SINGH:** Will the PRIME MINISTER be pleased to state:

(a) the backlog of vacancies of Scheduled Castes in Punjab Government Offices as on 1 April, 1989 in different groups, separately;

(b) the present position with details of

posts in different groups and the reasons for the backlog; and

(c) the steps taken to fill up the backlog of reserved vacancies and the time by which the backlog is likely to be cleared?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (c). The Groupwise details of backlog of vacancies reserved for Scheduled Castes as on 1.4.89 as intimated by Punjab Government is as follows:

Group/Class	Number
1	2
A/I	157
B/II	1252
C/III	9581
D/IV	29

The position as on 31.12.89 is as follows:

Group/Class	Number
1	2
A/I	91
B/II	1257
C/III	7422
D/IV	26

The main reason for the existing backlog are

- (1) Non availability of suitable Scheduled Caste candidates.
- (2) On account of some legal/judicial

pronouncements regarding the ceiling on reservation.

The Punjab Govt. have issued instructions on 6.12.90 to the effect that backlog of vacancies reserved for Scheduled Castes be filled up from amongst the Scheduled Castes upto 45% of the accruing vacancies being filled up in a recruitment year. 7% Scheduled Castes ex-servicemen, 1% Scheduled Caste handicapped persons, 1% Scheduled Caste children of Scheduled Caste freedom fighter and 1% Scheduled Caste sportsmen/women will be accommodated in this 45% in case of their availability. These instructions will remain applicable in 1991 and will be reviewed thereafter. No specific time limit for clearing the backlog can be specified as its clearance depends upon availability of vacancies and suitable Scheduled Caste candidates.

Appointment of SC/ST Liaison Officers for SC/ST Cells in Ministries/Departments

*43. SHRI BAGUN SUMBRUI: Will the PRIME MINISTER be pleased to state:

(a) whether it is the policy of the Government to appoint SC/ST persons as Liaison Officers for SC/ST Cells in the Ministries/Departments;

(b) if so, the Ministries/Departments where persons other than SCs/STs are working as Liaison Officers in SC/St Cells with reasons therefor; and

(c) the steps taken to appoint persons belonging to SC/ST category as Liaison Officers in SC/ST Cells in these Ministries/Departments?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) No, Sir.

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

[Translation]

Kar Sevaks Killed/Injured in Ayodhya

*44. SHRI GUMAN MAL LODHA: PROF. RAM GANESH KAPSE:

Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government have received information about the number of 'Kar Sevaks' killed, injured and missing in Ayodhya; and

(b) if so, State-wise details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). According to a report received from the State Government of Uttar Pradesh, 16, persons were killed in the incidents at Ayodhya on the 30th October and the 2nd November, 1990. Of them, eight persons were from U.P., two from West Bengal and one each from Rajasthan and Bihar. Four bodies could not be identified.

As regards the number of injured persons, the State Government has reported that a total number of 198 persons including 46 policemen were injured at Ayodhya on the two dates mentioned herein above.

The State Government has intimated that 4 reports relating to 6 missing persons have been lodged at P.S. Kotwali, Ayodhya. Investigation is in progress.

[English]

Talks with Punjab and J & K Extremists

***45. DR. ASIM BALA:
SHRI SUDHIR GIRI:**

Will the PRIME MINISTER be pleased to state:

(a) whether attention of the Government has been drawn to the news items appearing in the Statesman of 27 November, 1990 and the Indian Express of 30 November, 1990 under the caption "Shekhar invites extremists for talks" and "Militants" terms for talks with PM", respectively;

(b) if so, whether the Government are contemplating to hold talks with leaders of extremists of Punjab and J & K to resolve the problems;

(c) if so, the details thereof;

(d) the venue and date on which the talks are proposed to be held; and

(e) whether the Government are also contemplating to issue a White Paper in this regard; and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) to (d). The Govt. are ready to talk if someone approaches the Govt. with a view to find a solution without compromising integrity and unity of the country and basic principles of the Constitution. The details as also the venue and date of any such discussions can be settled when such an approach is made.

(e) No, Sir.

Recruitment in Central Government Offices and Public Undertakings

***46. SHRI VASANT SATHE:** Will the PRIME MINISTER be pleased to state:

(a) the extent of fresh recruitment made, under broad categories, in the Central Government offices and public sector undertakings during the last three years, year-wise and the additional employment likely to be generated, under broad categories, in the next three years in the Central Government offices and public sector undertakings, separately;

(b) the extent of employment provided to S.C./S.T. and other backward classes (if any) under specially reserved quota in the Central Government offices and public sector undertakings, separately during the last three years, year-wise and extent of vacancies likely to be available for these reserved categories during the next three years; and

(c) the special facilities envisaged to enable S.C./S.T. and other backward class youth to compete for technical and administrative positions where the backlog is mounting?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) The extent of recruitment made under broad categories for the last three years (groupwise) in the Central Government offices is given in Statement I. It also gives the break up according to the mode of recruitment. The information relating to Public Sector Undertakings for the last 3 years is given in Statement II. Since the growth rate of employment in the Central Government offices and Public Sector Undertakings during the next three years depends on a large number of factors, it is not possible to give the extent of additional

employment likely to be generated, under broad categories in the Central Government offices and Public Sector Undertakings, separately.

(b) The extent of employment provided to Scheduled Castes in Central Government office during the last 3 years groupwise and according to mode of recruitment are given in the Statement III. Statement IV gives corresponding figures for Scheduled Tribes in Central Government offices. The details of employment provided to Scheduled Castes and Scheduled Tribes in Public Sector Undertakings during the last three years are

given in Statement V. The extent of vacancies likely to be available to these classes would be in accordance with the existing reservation policy. It may not be possible to give the extent of vacancies for these classes during next three years for Central Government and Public Sector Undertakings separately.

(c) The special facilities envisaged for Scheduled Castes and Scheduled Tribes are given in Statement VI. For the backward classes no special facilities have been provided at present.

STATEMENT-I

13 **Written Answers**

The details of recruitment in the Central Government offices for the last three years, Group-wise and according to mode of recruitment

Year	Mode of Recruitment	PAUSA 19, 1912 (SAKA)					Written Answers	14
		Central Government Offices			Total			
		Group	A	B	C	D		
1	2	3	4	5	6	7		
1987	Direct	671	104	64054	23184	78013		
	Promotion	773	6519	117712	29186	154190		
	Total	1444	6623	171766	52370	232203		
1988	Direct	2284	1448	69228	11639	114599		
	Promotion	1275	6253	97148	25375	133046		
	Total	6559	7701	166371	67014	247645		
1989	Direct	2548	629	68402	33068	104647		
	Promotion	2069	4531	98847	22584	128081		
	Total	4617	5210	167249	55652	232728		

STATEMENT-II

Available information regarding recruitment in Public Sector Undertakings for the last three years

Public Sector Undertakings

Year	Mode of Recruitment	Total		Remarks
		1	2	
			3	4
1987	Direct & Promotion	143924		Break-up not available
1988	Direct & Promotion	115709		Break-up not available
1989	Direct	33476		
	Promotion	64588		
		102964		

STATEMENT-III

Extent of Employment provided to Scheduled Castes in Central Govt. Offices during Last three years, Group wise and According to mode of Recruitment

Year	Mode of Recruitment	Central Government Offices For Scheduled Caste Group				Total
		A	B	C	D	
1	2	3	4	5	6	7
1987	Direct	73	15	7516	4859	11963
	Promotion	96	759	16663	5186	22704
Total		169	774	24179	9545	84667
	Direct	817	149	10015	7113	17594
	Promotion	348	582	13548	3955	18433
1988		665	731	23563	11063	36027
	Total					

Year	Mode of Recruitment	Central Government Offices For Scheduled Caste Group				Total
		A	B	C	D	
1989	2	3	4	5	6	7
	Direct	250	97	13943	6842	21132
	Promotion	187	610	14033	3622	13452
	Total	487	707	27975	10464	39584

STATEMENT-IV

21 **Written Answers**

Extent of Employment provided to Scheduled Tribes in Central Govt. offices during Last three years, Group-wise and According to mode of recruitment

PAUSA 19, 1912 (SAKA)

Written Answers 22

Year	Mode of Recruitment	Central Government Offices For Scheduled Tribes Group				<i>Total</i>
		A	B	C	D	
1	1	3	4	5	6	7
	2					
1987	Direct	30	3	814	1418	2328
	Promotion	24	174	5453	1841	7492
	Total	54177	6267	3322	9820	
1988	Direct	210	57	6131	3779	10177
	Promotion	67	156	4941	1873	7037
	Total	277	213	11072	5662	17214

Year	Mode of Recruitment	Central Government Offices For Scheduled Tribes Group			Total/	
		A	B	C		
1	2	3	4	5	6	7
1989	Direct	243	45	7487	3792	11567
	Promotion	70	224	543	2035	7762
	Total	313	269	12920	5827	19329

STATEMENT-V

Extent of Employment provided to Scheduled Castes/Tribes in public sector undertakings during last three years

Public Sector Undertakings

Year	Mode of Recruitment	Scheduled Castes	Scheduled Tribes	Total	Remarks
					6
1987	Direct & Promotion	19776	8963	28789	Break-up not available
1988	Direct & Promotion	16892	7198	24090	Break-up not available
1989	Direct	7172	8690	10862	
	Promotion	8874	3344	12218	
		16046	7034	28080	

Note: Reservation do not exist for other backward classes in Central Govt. Offices* Public Sector undertakings.

STATEMENT-VI**Special facilities for Scheduled Castes and Scheduled Tribes**

A large number of concessions like age relaxation, full examination fee exemption, free pre-recruitment coaching facilities, relaxation in experience qualification in direct recruitment, no limit on number of chances for appearing in competitive tests, relaxation of standard of suitability, non-adjustment of meritorious SC/ST candidates against reserved vacancies in direct recruitment etc. have been given to SC/ST candidates with a view to ensure their adequate representation in the services.

'No Industry Districts' in Rajasthan

***47. SHRIMATI VASUNDHARA RAJE:** Will the PRIME MINISTER be pleased to state:

(a) the names and number of districts identified as 'No Industry Districts' in

Rajasthan;

(b) the schemes and proposals for setting up of industries in these districts received from the Government of Rajasthan which are still pending with the Union Government; and

(c) the steps taken to clear these proposals?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (c). Jaisalmer, Sirohi, Churu and Barmer are the four No Industry Districts identified in the State of Rajasthan.

Under the erstwhile Scheme of Central Assistance for development of infrastructural facilities in identified growth centres in 'No Industry Districts', the Central Government have approved the following growth centres on the recommendation of the State Government of Rajasthan. Central Assistance released by the Central Government in respect of each growth centre is as under:

<i>District</i>	<i>Growth Centre</i>	<i>Central Assistance</i> (Rs. in lakhs)
1	2	3
Sirohi	Abu Road Pindwara	150.00
Jaisalmer	Pokaran Sanu Ramgarh	20.75
Churu	Churu Ratangarh	35.25
Barmer	Balotra Barmer	35.41
Total		241.41

At present, there is no proposal of the State Government of Rajasthan pending with

the Central Government for setting up industries in these No Industry Districts.

Elections in Punjab, Jammu and Kashmir and Assam

***48. SHRI A.K. ROY:
PROF. P.J. KURIEN:**

Will the PRIME MINISTER be pleased to state:

(a) whether the Government are examining the prospect of fixing the date for holding elections in Punjab as promised by the Government;

(b) if so, the details thereof;

(c) whether the Government are also considering fixing the date for holding elections in Jammu and Kashmir and Assam;

(d) whether an attempt has been made to consult all parties to arrive at some consensus; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (e). So far as the question of holding of elections in Punjab, Jammu & Kashmir and Assam is concerned, the Government is seized of the matter and a decision regarding holding of elections in these States will be taken at the appropriate time keeping in view the law and order situation and the security environment in each State.

Bofors Contract

***49. SHRI RUPCHAND PAL:
DR. LAXMINARAYAN
PANDEY:**

Will the PRIME MINISTER be pleased to state:

(a) whether the Government have received all the papers relating to the Bofors Contract handed over by the Swiss authorities and have since examined them;

(b) whether these papers have thrown any new light on the matter; and

(c) if so, the details thereof and the follow-up action taken/proposed to be taken by the Government in the light thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) and (b). The documents relating to one of the six Swiss accounts frozen at the request of the CBI, handed over by the Swiss authorities, have been received by the CBI. The CBI is taking necessary follow up action on these documents.

(c) Further details in the matter cannot be disclosed at this stage as the investigations are in progress and the matter is *sub-judice* in India and abroad.

Communal Violence in various parts of the Country

***50. SHRI G.M. BANATWALLA:
SHRI YUVRAJ:**

Will the PRIME MINISTER be pleased to state:

(a) the number of incidents of communal violence in various parts of the country since September, 1990, State-wise/Union Territory-wise;

(b) the places where these incidents occurred and the causes thereof;

(c) the loss of life and property including the number of persons injured and rendered houseless in such incidents, State-wise Union/Territory-wise;

(d) the number of persons arrested in this regard so far, State-wise/Union Territory-wise;

(e) the extent of relief provided to victims and rehabilitation measures undertaken; and

(f) the details of guidelines issued to the States/Union Territories to control such violence and to promote communal harmony and amity?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). On the basis of the available information, a statement showing the particulars of incident of major communal violence in the country

since September, 1990 is attached.

No data regarding loss of property is available.

(e) and (f). Detailed guidelines circulated by the Central Government to the various State Governments/U.Ts lay particular stress on the streamlining of administrative machinery, non-official participation, check on antisocial forces and removal of irritants. These guidelines also envisage fixation of the amount of ex-gratia relief grants, for cases of death or permanent incapacitation as Rs. 50,000/- A Pension of Rs. 500/- per month may also be given to the widows of the riot victims belonging to the low income group. The State Governments have also been requested to devise a system for expeditious disbursement of relief to the affected persons.

STATEMENT

<i>Name of the place and date</i>	<i>Number of persons</i>			<i>Cause of riot</i>
	<i>Killed</i>	<i>Injured</i>	<i>Arrested</i>	
1	2	3	4	5

Andhra Pradesh:

Hyderabad City (6-9-7.90)	8	31	239	Class between anti-social elements belonging to different communities over land dispute.
Hyderabad (9.10.90)	8	33	N.A.	Death of a Muslim criminal in police firing.
Hyderabad (7-25.12.90)	130	312 —	2676	Land dispute between two anti-social elements belonging to different communities.
Rangareddy (7-25.12.90)	16	30 —		

Bihar:

Patna (27-28.11.90)	11	5	N.A.	Shooting to death of an anti-social element by a group of persons belonging to different community.
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Name of the place and date	Number of persons			Cause of riot
	Killed	Injured	Arrested	
	1	2	3	
Assam:				
Hailakandi (17.11.90)	17	19	N.A.	Looting and arson of shops and houses by anti-social elements belonging to tribals and minority community.
Delhi (14-16.11.90)	11	37	N.A.	Violence consequent to shouting of provocative slogans by AIMF proselytists.
Gujarat:				
Anand (4.8.90) (Distt. Kheda)	3	7	8	Stone pelting from house tops on Ganesh Chaturthi procession passing through an area pre-dominantly belonging to other community.
Ahmedabad (9-25.12.90)	31	247	1454	Altercation between policemen and children playing cricket under PS Dariapur.

Name of the place and date	Number of persons			Cause of riot
	Killed	Injured	Arrested	
1	2	3	4	5
				6

Baroda (4.9.90)

Karnataka:

Ramangaram (2.9.90)

Chennapatna (3.10.90)

(Bangalore rural)

Kolar (3.10.90)

21 54 7

NA 11 4

150 102 8

Stoning of Ganesh Chaturthi procession consequent to alleged shouting of provocative slogans.

Alleged shouting of provocative slogans by Ganesh Chaturthi processions.

Teasing of girl belonging to different community.

Pelting of stones by some miscreants belonging to different community on decorated Doddapet area on Id-Millad Festival.

Name of the place and date	Number of persons			Cause of riot
	Killed	Injured	Arrested	
	2	3	4	
	1			
				5

Tamil Nadu:

Degankota (10.10.90) (Distt. Dharmapuri)

Rajasthan:

Jaipur (24.10.90-2.11.90)

Jadhpur (25.10.90-2.11.90)

N.A. 148

Insistence of Ram Jyoti processionists to pass through a minority dominated locality.

Stone pelting by members of minority community on a procession which was being taken out in support of Bharat Bandh call given by BJP.

Stone pelting by members of minority community on a procession which was being taken out in support of Bharat Bandh call given by BJP.

Name of the place and date	Number of persons			Cause of riot
	Killed	Injured	Arrested	
1	2	3	4	5
Uttar Pradesh:				
Colonalganj (Distt. Gonda) (30.9.90-4.10.90)	41	230	712	Consequent to pelting of stone of Durga immersion procession.
Kanpur (9-20.12.90)	21	68	922	Forcible removal of footpath vendors belonging to a different community.
Bijnore (9-10.10.90)	46	404	N.A.	Hooliganism by members of BKU/ BJP who had given a call for boycott of 'Sadbhavana' rally to be addressed by C.M., U.P.
Etah (3-4.12.90)	12	11	NA	Brick-batting on a BJP entourage led by Uma Bharti.
Aligarh (7-20.12.90)	92	174	1100	Alleged assault by two anti-social on a woman belonging to a different community.

Name of the place and date	Number of persons			Cause of riot
	Killed	Injured	Arrested	
1	2	3	4	5
Meerut (12-13.12.90)	4	2	304	Following murder of a person belonging to a majority community by anti-social elements belonging to minority community.
Agra (15-18.12.90)	29	104	786	As a sequel to fall out of communal violence at Aligarh, Kanpur and Meerut.
Jhangirpur (Distt. Bulandshahar) (13.12.90)	13	9	42	
Khurja (Distt. Bulandshahar) (14-16.12.90)	11	7	262	

Law and Order Situation in Punjab

*51. SHRI KUSUMA KRISHNA MURTHY:
SHRI KIRPAL SINGH:

Will the PRIME MINISTER be pleased to state:

(a) whether the Government have received a proposal for deploying the military to conduct exercise in sensitive areas of Punjab; if so, the action taken thereon;

(b) whether the sensitive areas of the State have been identified and steps taken to protect life and property in these areas;

(c) the other suggestions made by the Punjab Government for tackling terrorism in the State and what steps have been taken to implement these suggestions; and

(d) whether the Government propose to revamp the Punjab Administration and the State Police to effectively control the law and order situation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c). No specific proposals were received in this regard. However, the Army has been deployed in the selected sensitive districts of Amritsar, Gurdaspur and Ferozepur for carrying out training. These Army units would, also assist in preventing infiltration/exfiltration from Pakistan in conjunction with the Border Security Force.

(d) Yes, Sir.

Loss of Life and Property During Anti Mandal Commission Agitations

*52. SHRI K.D. SULTANPURI:
SHRI RAJAMOHAN REDDY:

Will the PRIME MINISTER be pleased to state:

(a) the number of cases of self-immolations and suicides during the anti-Mandal agitations throughout the country so far, State-wise;

(b) the number of persons killed due to police firing on agitationists, State-wise;

(c) whether any cases of forced immolations were also reported if so, the details thereof;

(d) the details of the relief provided/proposed to be provided by the Government to the families whose wards had immolated themselves or were killed in police firing;

(e) the extent of loss of property reported during the anti-Mandal agitations in the country, State-wise; and

(f) whether the Government propose to review the reservation policy?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). A Statement indicating the information sought is attached.

(c) to (e). The information is being obtained from all State Governments/Union Territories and a statement will be laid on the Table of the House.

(f) The Government order regarding

reservation in jobs to socially and educationally backward classes has been challenged in the court of law. The matter is pending before the Supreme Court. The Court has

directed that no steps to implement the said Government Order shall be taken till the pendency of the hearing, excepting identification of the Castes, to be benefited.

STATEMENT

State	Number of cases of Self-Immolation/Suicides			
	Immolation	Suicides	Immolation	Suicides
1	2	3	4	
Delhi	20	3	5	
Haryana	22	32	6	
Uttar Pradesh	25	28	16	
M.P.	27	5	0	
Gujarat	10	3	0	
Bihar	8	12	12	
Chandigarh	7	8	1	
Rajasthan	12	8	0	
Punjab	6	30	1	

State	Number of cases of Self-Immolation/Suicides		No. of persons killed in police firing
	Immolation	Suicides	
1	2	3	4
H.P.	9	13	9
A.P.	3	6	0
Tamilnadu	2	0	0
J & K	1	1	1
Maharashtra	0	3	1
Orissa	0	0	7
Assam	0	1	0
Total	152	153	58

[*Translation*]

Implementation of Mandal Commission Report

*53. DR. BENGALI SINGH: Will the PRIME MINISTER be pleased to state:

(a) the names of States which have decided not to implement Mandal Commission Report and the names of those States which have implemented this Report so far;

(b) whether the State Governments which have decided to implement the Report have sent their proposals to the Union Government; and

(c) if so, the details thereof and action being taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) The Government of India's decision as contained in its order of 13.8.90, providing 27% reservation for Socially & Educationally Backward Classes (SEBCs) is only for services of the Union of India and their Public Sector Undertakings and this decision does not apply to the services under the State Governments. This decision has been stayed by the Supreme Court and as such it is sub-judice.

However, some States have a long history of providing reservation to Other Backward Classes/Socially & Educationally Backward Classes. Such States are, Tamil Nadu, Karnataka, Kerala, Andhra Pradesh, Maharashtra, Goa, Gujarat, Uttar Pradesh, Bihar, Haryana, Punjab, Himachal Pradesh and Assam. Madhya Pradesh had also provided for reservation but it has been stayed by the High Court.

(b) and (c). If any State Government decided to implement the recommendations

of the Mandal Commission, such a State is not required to send any proposal to the Union Government. As such, there is no question of any State Government sending any proposal to the Central Government.

[*English*]

Appeal in Syed Modi Murder Case

*54. DR. SUDHIR RAY: SHRI BASUDEB ACHARIA:

Will the PRIME MINISTER be pleased to state:

(a) whether the Central Bureau of Investigation has sought permission of the Union Government to prefer an appeal against the judgement of the Sessions Court of Lucknow in Syed Modi Murder Case; and

(b) if so, the reaction of the Government thereto?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). The CBI had proposed filing of a revision petition against the judgement of the Sessions Court in Syed Modi murder case. After due consideration, the Government have agreed with the proposal for filing of the proposed revision.

New Formula for Implementation of Mandal Commission Report

*55. SHRI MADHAVRAO SCINDIA: Will the PRIME MINISTER be pleased to state:

(a) whether the Government have since considered the formulation which is popularly known as "the Rajiv Gandhi Formula" for implementing the Mandal Commission Report; and

(b) if so, the decision taken by the

Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJILAL SUMAN): (a) and (b). The Government have not received any proposal called the "Rajiv Gandhi Formula" for implementation of the Mandal Commission Report. However, after contacting the office of the A.I.C.C. a Resolution passed by the Congress Working Committee at its meeting held on 26/30th August, 1990 has been informally obtained from the office of A.I.C.C., containing a formulation about reservation of jobs for backward Classes.

In view of the fact that the decision of the Government as contained in its order dated 13.8.90 has been stayed by the Supreme Court, matters relating to Government's decision are subjudice and now Government is awaiting the verdict of the Supreme Court. Since the matter is subjudice, the question of taking decision on the suggestions as contained in the said Resolution at this stage does not arise.

[Translation]

Implementation of Mandal Commission Recommendations

***56. PROF. YADU NATH PANDEY:
SHRI RAJENDRA AGNIHOTRI:**

Will the PRIME MINISTER be pleased to state:

(a) the present policy of the Union Government for implementing the Mandal Commission's recommendations with regard

to reservation;

(b) whether all the recommendations of the Mandal Commission are being implemented; and if not, the reasons therefor; and

(c) whether the Government are considering to provide reservation on economic basis to poor people of different castes for their educational, economic and social upliftment and if so, the steps proposed to be taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) to (c). The decision taken by the previous Government on some of the recommendations made by the Mandal Commission concerning the reservation in services of Government of India is contained in the order of 13th August, 1990, a copy of which is attached as a statement.

The above decision of the Government have been challenged through several writ petitions in the Supreme Court which are being heard by a Constitution Bench of the Supreme Court.

The Supreme Court in its order dated 1st October, 1990, clarifying its earlier order, dated 21st September, 1990, has inter-alia, directed that no steps to implement the order of 13th August, 1990, excepting identification of castes to be benefited shall be taken. The Court had also directed earlier that the Government shall not, without leave of the Court extend the scope of the order of 13.8.90.

In the circumstances, Government would await the verdict of the Supreme Court in this regard.

STATEMENT

No. 36012/31/90-Estt (SCT)

Government of India

Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 13th August, 1990

OFFICE MEMORANDUM

Subject:— Recommendations of the Second Backward Classes Commission (Mandal Report)—Reservation for Socially and Educationally Backward Classes in services under the Government of India.

In a multiple undulating society like ours, early achievement of the objective of social justice as enshrined in the Constitution is a must. The Second Backward Classes Commission called the **Mandal Commission** was established by the then Government with this purpose in view, which submitted its report to the Government of India on 31.12.1980.

2. Government have carefully considered the report and the recommendations of the Commission in the present context regarding the benefits to be extended to the socially and educationally backward classes as opined by the Commission and are of the clear view that at the outset certain weightage has to be provided to such classes in the services of the Union and their Public Undertakings. Accordingly orders are issued as follows:—

- (i) 27% of the vacancies in civil posts and services under the Government of India shall be reserved for SEBC.
- (ii) The aforesaid reservation shall apply to vacancies to be filled by direct recruitment. Detailed instructions relating to the procedure to be followed for enforcing reservation will be issued separately.
- (iii) Candidates belonging to SEBC recruited on the basis of merit in an open competition on the same standards prescribed for the general candidates shall not be adjusted against the reservation quota of 27%.
- (iv) The SEBC would comprise in the first phase the castes and communities which are common to both the list in the report of the Mandal Commission and the State Government's lists. A list of such castes/communities is being issued separately.
- (v) The aforesaid reservation shall take effect from 7.8.1990. However, this will not apply to vacancies where the recruitment process has already been initiated prior to the issue of these orders.

3. Similar instructions in respect of public sector undertakings and financial institutions including public sector banks will be issued by the Department of Public Enterprises and Ministry of Finance respectively.

Sd/-

(Smt. Krishna Singh)

Joint Secretary to the Govt. of India

To

All Ministries/Departments of Govt. of India

Copy to

1. Department of Public Enterprises, New Delhi
2. Ministry of Finance (Banking & Insurance Divisions) New Delhi.

It is requested that similar instructions may be issued in respect of public sector undertakings, public sector banks and insurance corporations.

[*English*]

(e) whether any reports from the States have been received; and

(f) if so, the details thereof?

Development of Growth Centres

*57. SHRI SURYA NARAYAN SINGH:
SHRI G.M. THAKORE:

Will the PRIME MINISTER be pleased to state:

(a) whether there was a proposal to develop large industrial areas as growth centres during the Eighth Five Year Plan;

(b) if so, the number of centres selected and other details thereof;

(c) whether guidelines have already been issued to the States to prepare detailed project reports;

(d) if so, the details thereof;

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (f). Government have announced a scheme of setting up growth centres through out the country with a view to promoting industrialisation of backward areas. It is proposed to develop 70 growth centres in various States/Union Territories in the first phase. Out of these, location of 60 growth centres have been identified. The Growth Centre Scheme is proposed to be taken up for implementation during the VIII Five Year Plan. Government have also issued guidelines for the preparation of Project Reports for the growth centres. These guidelines have been framed to enable formulation of detailed projects for each growth centre keeping in view the area planning approach so that surrounding areas and

hinterland are also benefitted from the industrial growth process. So far, project reports have been received from the State Governments of Madhya Pradesh and Tripura.

Meeting of Inter-State Council

***58. SHRI G.S. BASAVARAJ:
SHRI KALP NATH RAI:**

Will the PRIME MINISTER be pleased to state:

(a) whether the recommendations of the Sarkaria Commission on Centre-State relations were discussed at the Inter-State Council which met on 10 October, 1990;

(b) if so, the issues discussed at the meeting; and

(c) the main decisions arrived at?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) The report of the Sarkaria Commission on Centre-State relations as such was taken up for discussion and the members were requested to give their views on various recommendations in the report.

(c) It was decided that a Sub-Committee of the Inter-State Council may be constituted to consider the recommendations of the Sarkaria Commission on Centre-State relations and give concrete suggestions thereon. It was also decided that this Committee would consider wider aspects relating the Centre-State relations and submit their views to the Council.

Functioning of National Commission for Scheduled Castes and Scheduled Tribes

***59. SHRI Y.S. RAJA SEKHAR REDDY:** Will the PRIME MINISTER be pleased to state:

(a) whether the Government have received any complaint from the Chairman, National Commission for Scheduled Castes and Scheduled Tribes regarding the functioning of the Commission;

(b) if so, the details thereof; and

(c) the reaction of the Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) to (c). The Chairman, National Commission for Scheduled Castes and Scheduled Tribes had written that due to non-finalisation of rules, the reconstitution of the National Commission was held up and consequently it had not been possible for the Commission to function in accordance with the amended Article 338 of the Constitution.

Constitution of the Commission by way of appointment of incumbents could be done only after the Rules providing for their conditions of service and tenure of office are notified. For various reasons the rules as required could be notified only on 3.11.1990. The Government are now actively considering constitution of the National Commission for Scheduled Castes and Scheduled Tribes.

Production of Films on Communal Harmony

***60. SHRI DHARMANNA MONDAYYA SADUL:** Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government have recently advised the film industry to produce films on communal harmony in the country;

(b) if so, whether the Government propose to give awards to such films and encourage the industry to produce such films; and

(c) the response of the film industry?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir. An appeal has been made recently to the film industry to produce films for promoting communal harmony and national integration.

(b) No specific awards are proposed to be instituted by the Government for films on communal harmony.

(c) The appeal has been made recently and as such this Ministry has not so far received any response from the film industry.

[Translation]

Schemes for the Welfare of Women and Children in Rural Areas

462. SHRI SHEO SHARAN VERMA: Will the PRIME MINISTER be pleased to state:

(a) the names of on-going special schemes for the welfare of women and children in rural areas;

(b) whether these schemes are evaluated from time to time to gauge the benefits being provided under these schemes;

(c) if so, the details thereof and the

number of such evaluations made during the last year; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) There are a number of Special Schemes for the Welfare of Women and Children in rural areas. The major programmes are Integrated Child Development Services (ICDS); Development of Women and Children in Rural Areas (DWCR); Integrated Rural Development Programme (IRDP); Early Childhood Education (ECE); Crches/Day Care Centres for Children of Working & Ailing Mothers; Balwadi Nutrition Programme; Awareness Generation Projects for Rural Poor Women; Mahila Mandals; Border Areas Projects; Welfare Extension Projects Demonstration Projects (Balwadis) and Mahila Samakhya.

(b) and (c). The Schemes are evaluated from time to time. During the last year many major programmes were evaluated in a number of States and Union Territories. These programmes included Integrated Child Development Services Projects, Creche Scheme and Awareness Generation Projects.

(d) Question does not arise.

[English]

Extra Work Allowance

463. DR. A.K. PATEL:
SHRI SHANKERSINH VAGHELA:

Will the PRIME MINISTER be pleased to state:

(a) when was the recommendation of the Fourth Pay Commission to discontinue

the system of payment of Over time Allowance in Government offices accepted;

(b) whether modalities for grant of extra work allowance in lieu of overtime allowance have been worked out;

(c) if so, the details thereof; and

(d) if not, the reasons therefor and the time by which these are likely to be worked out?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (d). Central Government accepted the recommendations of the Fourth Pay Commission to discontinue the system of Over-time Allowance in Government offices and to allow Extra Work Allowance to specific categories of employees under prescribed conditions, in September, 1986. The modalities for implementing this decision could not be finalised so far because of the process of consultation with the Staff Side of the National Council, major Ministries/Departments employing operational staff and Ministry of Finance. Every effort is being made to finalise the modalities at the earliest.

Microwave Linkage to Ahmedabad and Rajkot

464. SHRI KASHIRAM RANA: Will the PRIME MINISTER be pleased to state:

(a) whether the Government of Gujarat has made a proposal to establish a Microwave linkage to Ahmedabad and Rajkot with other Kendras of the State for Regional Net work; and

(b) if so, whether provision has been made for such linkage with INSAT-II Programme?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MIN-

ISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Yes, Sir. However, considering the development of wide-band microwave circuits in the country, it has been decided to distribute Regional TV Service in Gujarat via satellite on availability of suitable capacity.

Rehabilitation of Children

465. SHRI NARSINGRAO SURYAWANSHI: Will the PRIME MINISTER be pleased to state:

(a) whether the attention of Government has been drawn to the news-item published in the "Deccan Herald" dated 3 November 1990 captioned "Child traffickers held", and

(b) if so, the steps taken for the rehabilitation of the rescued children and prevention of such activities in future?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Government have seen the news-item.

(b) The registration, detection, investigation and prevention of crime is the responsibility of the State Governments/Union Territory Administrations. They have to take steps for the prevention of trafficking in children and also for their rehabilitation.

Under the Juvenile Justice Act, 1986, rescued children have to be produced before the Juvenile Welfare Boards by the concerned State Police and restored to parents or sent to appropriate homes.

Conference on Fire Safety

466. SHRI V. SREENIVASA PRASAD: Will the PRIME MINISTER be pleased to state:

(a) whether Defence Fire Research Institute had organised an International Conference on Fire Safety in New Delhi from 19 to 23 November, 1990;

(b) if so, the details of the experts from all over the World who participated in the conference; and

(c) the outcome of discussions held at the conference?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) No, Sir. International Conference on Fire Safety Management held at New Delhi during November 19-21, 1990 was organised by International Institute of Fire Safety Management, New Delhi.

(b) The conference was attended by 76 participants which included 64 participants from UK and USA.

(c) The conference made number of useful observations on various aspects of fire safety management. It emerged that there was urgent need to impart mass training at all levels of organisations so that fire protection becomes part of institutionised involvement. There was considerable scope for development of fire extinguishing chemicals, fire retardant & fire resistant materials, equipments for efficient and effective delivery of extinguishant and fire detection & alarm systems.

Production Target of H.A.L.

467. SHRI M.V. CHANDRASHEKARA MURHTY: Will the PRIME MINISTER be pleased to state:

(a) whether Hindustan Aeronautics Limited, Bangalore, has failed to achieve the production target during the last one year; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) and (b). The Value of Production at H.A.L. exceeded the target for the year 1989-90.

Study Material for C.A. Examinations

468. PROF. VIJAY KUMAR MALHOTRA:
SHRI GANGA CHARAN LODHI:

Will the PRIME MINISTER be pleased to refer to the replies given on 17 April, 1990 to Unstarred Question No. 5027 and on 24 April, 1990 to Unstarred Question No. 6152 and state:

(a) the efforts made so far to prepare and publish the study material for Chartered Accountants examinations in Hindi medium and also to provide question papers for intermediate and final examinations in Hindi;

(b) the outcome thereof;

(c) whether the qualified and experienced persons are available in the Institute for this purpose; and

(d) if so, the reasons for not entrusting the translation work to them?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) and (b). The Institute of Chartered Accountants of India which conducts the Chartered Accountants Examinations has approached several organisations including private publishers to get the study material for its examinations translated into Hindi. However, because of the technical nature of the work, these efforts have not been fruitful as yet. As regards the question papers, the Institute presently provides

question papers in Hindi in respect of (i) Cost Accounting, (ii) Auditing (iii) Mercantile Law, Company Law and Industrial Law and (iv) Organisations Management and Economics papers of Intermediate Examination only.

- (c) No Sir.
- (d) Does not arise.

Criteria for Defining Poverty Line

469. SHRI ASHOK ANANDRAO DESHMUKH: Will the PRIME MINISTER be pleased to state:

- (a) the various changes made in the criteria for defining poverty line during the last ten years;
- (b) whether there is any move to change the criteria for defining poverty line during the Eighth Five Year Plan; and
- (c) the number of people who crossed

the poverty line with rural-urban break-up at the end of the Seventh Five Year Plan, State-wise?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) There has been no change in the criteria for defining poverty line during the last 10 years.

(b) Planning Commission has constituted an "Expert Group on Estimation of Proportion and Number of Poor" to review the methodology of poverty estimation. The group has yet to finalise its recommendations in this regard.

(c) Poverty estimates for the end year of the 7th Five Year Plan i.e. 1989-90 are not available. The number of people below poverty line State-wise, with rural-urban break-up, are available for the years 1983-84 and 1987-88 for which years the household consumption expenditure data from NSSO are available. These are given in statements I & II respectively.

STATEMENT-I

Number and percentage of population below the poverty line by States Separately for rural and urban areas: 1983-84 (Provisional)

S.No.	State	Rural		Urban		Combined	
		Number (lakhs)	% age	Number (lakhs)	% age	Number (lakhs)	% age
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	164.4	38.7	40.7	29.5	205.1	36.4
2.	Assam	44.9	23.8	4.9	21.6	49.8	23.5
3.	Bihar	329.4	51.4	36.1	37.0	365.5	49.5
4.	Gujarat	67.7	27.6	19.9	17.3	87.6	24.3
5.	Haryana	16.2	15.2	5.5	16.9	21.7	15.6
6.	Himachal Pradesh	5.8	14.0	0.3	8.0	6.1	13.5
7.	Jammu & Kashmir	8.1	16.4	2.2	15.8	10.3	16.3
8.	Karnataka	102.9	37.5	34.7	29.2	137.6	35.0
9.	Kerala	55.9	26.1	15.6	30.1	71.5	26.8

S.No.	State	Rural			Urban			Combined	
		Number (lakhs)	% age						
1	2	3	4	5	6	7	8		
10.	Madhya Pradesh	218.0	50.3	36.9	31.1	254.9	46.2		
11.	Maharashtra	176.1	41.5	5.9	23.3	232.0	34.0		
12.	Manipur	1.3	11.7	0.6	13.8	1.9	12.3		
13.	Meghalaya	3.9	33.7	0.1	4.0	4.0	28.0		
14.	Orissa	107.7	44.8	10.4	29.3	118.1	42.8		
15.	Punjab	13.7	10.9	10.7	21.0	24.4	13.8		
16.	Rajasthan	105.0	36.6	21.2	26.1	126.2	34.3		
17.	Tamil Nadu	147.6	44.1	52.6	30.9	200.2	39.6		
18.	Tripura	4.6	23.5	0.5	19.6	5.1	23.0		

S.No.	State	Rural		Urban		Combined	
		Number (lakhs)	% age	Number (lakhs)	% age	Number (lakhs)	% age
1	2	3	4	5	6	7	8
19.	Uttar Pradesh	110.0	46.5	90.6	40.3	530.6	45.3
20.	West Bengal	183.9	43.8	41.2	26.5	225.1	39.2
21.	Nagaland, Sikkim & All Union Territories	17.9	47.4	14.4	17.7	32.3	27.1
	All India	2215.0	40.4	495.0	28.1	2710.0	37.4

Note:

1. The above estimates are derived by using the poverty line of Rs. 49.09 per capita per month at 1973-74 prices corresponding to daily calorie requirement of 2400 per persons in rural areas and the poverty line of Rs. 56.64 per capita per month corresponding to calorie requirement of 2100 in urban areas.
2. For up-dating the poverty line for 1983-84, C.S.O. Poverty consumption deflator has been used.
3. These results are based on the provisional and quick tabulation of the NSS on household consumer exper. of 38th Round (Jan. 1983 to Dec. 1983)
4. The difference between the aggregate all India private consumption expenditure estimated by Central Statistical Organisation in their National Accounts Statistics and that derived from the NSSO data has been prorata adjusted among the different States and Union Territories in the absence of any information to allocate this difference among the States and Union Territories.
5. The number of people below poverty line relates to the population as on 1st March, 1984.

STATEMENT-II

Number and percentage of population below the poverty line by States separately for rural, urban & combined areas 1987-88 (Provisional)

S.No.	State & UTs	Rural			Urban			Combined
		No. of Persons (lakhs)	% of Persons	No. of Persons (lakhs)	% of Persons	No. of Persons (lakhs)	% of Persons	
1	2	3	4	5	6	7	8	
1.	Andhra Pradesh	153.1	33.3	42.6	26.1	195.70	31.7	
2.	Assam	50.4	24.5	2.5	9.4	52.89	22.8	
3.	Bihar	300.3	42.7	36.1	30.0	336.54	40.8	
4.	Gujarat	56.2	21.2	17.1	12.9	73.25	18.4	
5.	Haryana	13.5	11.7	4.7	11.7	18.15	11.6	
6.	Himachal Pradesh	4.4	9.7	0.1	2.4	4.52	9.2	
7.	Jammu & Kashmir	8.4	15.5	1.4	8.4	9.79	13.9	
8.	Karnataka	102.8	35.9	33.7	24.2	136.46	32.1	

S.No.	State & UT's	Rural		Urban		Combined	
		No. of Persons (lakhs)	% of Persons	No. of Persons (lakhs)	% of Persons	No. of Persons (lakhs)	% of Persons
1	2	3	4	5	6	7	8
9.	Kerala	37.4	16.4	11.6	19.3	48.98	17.0
10.	Madhya Pradesh	194.0	41.5	30.9	21.3	224.97	36.7
11.	Maharashtra	166.9	36.7	47.2	17.0	214.10	29.2
12.	Orissa	124.2	48.3	10.9	24.1	135.12	44.7
13.	Punjab	9.6	7.2	4.3	7.2	13.38	7.2
14.	Rajasthan	80.6	26.0	19.0	19.4	99.54	24.4
15.	Tamil Nadu	138.4	39.5	38.5	20.5	176.85	32.8
16.	Uttar Pradesh	373.1	37.2	75.2	27.2	448.34	35.1
17.	West Bengal	137.2	30.3	36.3	20.7	173.45	27.6

S.No.	State & UTs	Rural		Urban		Combined	
		No. of Persons (lakhs)	% of Persons	No. of Persons (lakhs)	% of Persons	No. of Persons (lakhs)	% of Persons
1	2	3	4	5	6	7	8
18.	Small States & UTs.	✓	9.3	11.8	4.9	4.7	14.2
19.	All India		1959.7	33.4	417.0	20.1	2376.7
							29.9

Note:

1. The above estimates are derived by using the poverty line of Rs. 49.09 per capita per month at 1973-74 prices corresponding to daily calorie requirement of 2400 per person in rural areas and the poverty line of Rs. 56.64 per capita per month corresponding to calorie requirement of 2100 in urban areas.
2. For up-dating the poverty line for 1987-88 C.S.O. Private Consumption deflator has been used.
3. These calculations are based on the draft report of 43rd Round of National Sample Survey data on house-hold consumer expenditure (Report No. 372, "Report on the Fourth Quinquennial Survey on Consumer Expenditure, N.S.S.O, June 1990").
4. The number of people below poverty line relates to the population as on 1st March, 1988.
5. State-wise poverty ratios have been estimated using the same methodology as was used at the time of formulation of Seventh Five Year Plan. Since then a number of issues have been raised about the methodology of poverty estimation and these issues are being considered by an expert group headed by Dr. D.T. Lakdawala.
6. The estimates presented here are likely to get revised in the light of the recommendations of the Expert Group.

Programmes for Ocean Development

470. SHRI GOPI NATH GAJAPATHI: Will the PRIME MINISTER be pleased to state:

- (a) the programmes chalked out in the field of ocean development for the current financial year;
- (b) the amount earmarked for implementing each programme; and
- (c) the steps taken for implementing these programmes so far?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (c). The details of the programmes chalked out in the field of Ocean Development together with the amounts earmarked for each of them during the year 1990-91 and the steps taken to implement them are indicated below:—

1. *Ocean Information System-Primary Data Base (Rs. 0.10 crore)*

A satellite based ocean information system has been established, to provide management support to navigation, coastal zone management and design strategies for exploration and exploitation of marine living and non-living resources, in the country.

2. *Polymetallic Nodules Programme (Rs. 10.00 crores)*

Following the registration as a pioneer investor and allotment of marine site in the Central Indian Ocean, a programme has been generated to design and develop a test sea bed mining system, at the Central Mechanical Engineering Research Institute Durgapur.

Research & Development for the extraction of copper, nickel, cobalt and Man-

ganese from deep sea bed nodules and for establishing a pilot plant capable of processing 250 kg. of nodules per day has been taken up for implementation.

3. *Survey & Exploration of Living and Non-Living Resources in the Exclusive Economic Zone (Rs. 6.5 crores)*

Survey and exploration of living and non-living resources in the Exclusive Economic Zone, study of various oceanographic parameters, and of biomass distribution in different parts of the Arabian Sea, Bay of Bengal and the Central Indian Ocean are carried out through carefully designed cruises of research vessels Sagar Kanya and Sagar Sampada.

4. *Antarctica Research Programmes (Rs. 13.2 crores)*

The Scientific Research Programmes in Antarctica have been designed to carry out sophisticated scientific experiments and investigations in the fields of geosciences, biology, meteorology, upper atmosphere etc. These are designed to provide clues to the structure of the Antarctic landmass, its ice sheets and ecosystems and in particular to the processes of global change as well as insights for making environmental impact assessment of various ongoing and proposed activities. The Tenth Indian Scientific Expedition to Antarctica planned this year, sailed from Goa on 27.11.1990 and landed on Antarctica on 20.12.1990.

5. *Research and training in modelling oceanic Circulation and Air-Sea processes (Rs. 0.065 crore)*

A project was especially generated to develop high level expertise in modelling and experiment design to study oceanic circulation and Air-Sea interface processes. This is being implemented through the establishment of a Cell in the Centre for At-

mospheric Sciences at Indian Institute of Science, Bangalore.

6. *Monitoring and modelling of Pollution in the sea (Rs. 0.50 crore)*

Systematic monitoring of pollution regimes along the entire coast of India and Islands has been established, to keep a surveillance on the health of our coastal seas and to develop an understanding of the dynamics of the ecosystem on which our near-shore living resources depend.

7. *Sea level variations(Rs. 0.25 crore)*

A programme for establishing a net work of 9 state-of-the art tide-gauge stations along our coast and Islands is now underway towards documenting sea level variations, if any, with high precision.

8. *Acquaculture: Action Plan for alleviating poverty (Rs. 0.60 crore)*

A projectized Action Plan on aquaculture, aimed at developing special assets of the coastal wetlands, is being implemented towards improving the quality of life in rural areas. A project on setting up of R & D cum Demonstration farm on culture of prawn in A & N Islands is being undertaken in this direction.

9. *An integrated Wave Energy generator-breakwater system to produce 2 MW of power (Rs. 1.00 crore)*

Utilizing the experience gained during the construction of a 150 KW wave generating unit to be installed shortly at Vizhijinjam (Trivandrum) the design of an integrated wave generating breakwater system consisting of a battery of 20 caissons (260m long) and capable of producing peak power of 2 MW has been completed for the proposed fishing harbour project at Thangassery, Kerala and sent to the Kerala Government

for their consideration.

Conference on Quality of Worklife and productivity

471. SHRI JANAK RAJ GUPTA: Will the PRIME MINISTER be pleased to state:

(a) whether a National Conference on Quality of Worklife and Productivity was inaugurated on 27 November, 1990;

(b) if so, the observations made in the conference; and

(c) the details of action taken for implementation of its observations?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Yes, Sir.

(b) and (c). The Conference deliberated on a wide number of issues such as creation of a competitive environment, adoption of a holistic strategy, evolving appropriate schemes for workers, promotion of awareness of management etc. which impinge on the quality of worklife and productivity. The Seminar was attended by representatives of industry. In addition, the proceedings of such conferences are generally brought out in the form of publications by NPC for the use of benefit of concerned organisations/industries.

Pricing of Tyres

472. SHRISHANTARAM POTDUKHE: Will the PRIME MINISTER be pleased to state:

(a) whether acting as a cartel, tyre manufacturing companies have thrust a whopping price hike on consumers in anticipation of an increase in input costs;

(b) whether such a pricing policy is in

violation of all norms of pricing; and

(c) if so, the steps proposed to be taken or have been taken to hold the price hike of tyres?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) According to the information supplied by the Automotive Tyre Manufacturers' Association, tyre companies have increased the prices of various categories of tyres in November—December, 1990 between 3 to 7.5% to absorb the increase in production cost of tyres due to increase in the prices of various raw materials.

(b) and (c). There is no statutory control over the prices of automotive tyres. However, the Govt. have placed specified categories of truck and bus tyres under O.G.L. at a reduced rate of duty for import by bulk consumers to keep a check on prices of these tyres. To encourage creation of fresh capacity for the manufacture of automotive tyres and tubes, the industry has been exempted from licensing under the Industries (Development & Regulation) Act, and the application of Sections 21 & 22 of the MRTP Act. Govt. have also ensured maximisation of tyre production through continuous monitoring and regular interaction with the Industry.

[Translation]

Development of Small Scale Industries

473. SHRI SANTOSH KUMAR GANGWAR: Will the PRIME MINISTER be pleased to state:

(a) whether any proposal is under consideration for the development of small scale industries;

(b) if so, the details thereof; and

(c) the steps being taken to check the

exploitation of small scale industries by large and multinational companies?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) and (b). One of the major aspects of the Government's industrial policy is towards the development of small scale industries with a view, inter alia, to maximise employment opportunities. The support measures include provision of institutional support, and a package of incentives and concessions like concessional finance, excise benefits, marketing support through reservation of items for exclusive production and reservation of items for purchase from small scale sector under Central Government's Store Purchase Programme, machinery on hire-purchase, technical consultancy services, testing facilities, common facility services, provision of industrial accommodation and other infrastructural facilities. These measures are reviewed from time to time.

(c) To check the exploitation of small scale industries by large and multinational companies, a proviso exists in the definition of Small Scale Industrial Undertaking that no such undertaking shall be a subsidiary of, or owned or controlled by any other undertaking. State/UT Govts. have been instructed to de-register any registered SSI unit found to be not in conformity with the above mentioned proviso in the definition.

In so far as items reserved for exclusive production in small scale sector are concerned, violation of the policy is punishable under Section 24 of the Industries (Development & Regulation) Act, 1951 vide Section 4 of the Amending Act of 1984.

Broadcasting capacity Expansion of Mithila (Dharbhanga) Station

474. SHRI BHOGENDRA JHA: Will the PRIME MINISTER be pleased to state:

(a) whether there has been continuous demand to increase the broadcasting capacity of Mithila (Darbhanga) Station of AIR and to increase broadcasting time in Maithili and broadcasting of news in Maithili; and

(b) if so, Government's response thereto and the steps contemplated to fulfil this long standing demand?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) There is no proposal at present to augment the power of the transmitter at Darbhanga or to increase the broadcast time for Maithili programmes.

[English]

Creation of Additional Jobs

475. SHRI PARASRAM BHARDWAJ:
SHRI HARISH PAL:

Will the PRIME MINISTER be pleased to state:

(a) whether Government have recently announced a major programme to facilitate generation of additional three million jobs for educated unemployed in the private sector by 1994-95; if so, the details thereof;

(b) whether Government have also set up a high level committee to formulate the action plan; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (c). In September, 1990, Government announced a proposed plan of

action to create employment opportunities for the educated unemployed with the objective of creating three million additional jobs by 1994-95 through training; apprenticeship training and promotion of entrepreneurship and self-employment. Details are being finalised. A High Level Committee of Secretaries on Employment is also a part of this process of finalisation.

Bomb-Blast at Sitamarhi

476. SHRI PRAKASH KOKO BRAHMBHATT: Will the PRIME MINISTER be pleased to state:

(a) whether any incident of bomb blast occurred on 25th November, 1990 at the public meeting of the former Prime Minister, Shri V.P. Singh at Sitamarhi in Bihar; and

(b) if so, whether any inquiry has been conducted into the incident and the action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) A crude country made bomb was thrown from the west corner of the ground approximately 150 feet from the Rostrum when the cascade of Shri V.P. Singh, former Prime Minister was moving out after a meeting at the Laxmi Krishna High School Maidan at Sitamarhi, Bihar on 25.11.90. One person was killed and 28 persons sustained injuries.

(b) DG(P) Bihar has asked a senior officer to make a detailed enquiry. Nine persons were taken into custody in connection with the incident.

Growth Centres in Karnataka

477. SHRI SRIKANTHA DATTA NARASIMHA RAJA WADIYAR: Will the PRIME MINISTER be pleased to state:

(a) the number of Industrial Growth Centres set up in the State of Karnataka so far;

(b) whether Government propose to set up some more Industrial Growth Centres in that State;

(c) if so, the details thereof; and

(d) the details of proposals received in

that regard from the State Government of Karnataka and action taken thereon?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (d). Under the new growth centre scheme, Karnataka has been allocated three growth Centres. Based on the proposals received from the State Government, the Central Government have identified the following locations for growth centres in the State:—

<i>Sl. No.</i>	<i>Name of Growth Centre</i>	<i>District</i>
1	2	3
1.	Dharwad	Dharwad
2.	Hassan	Hassan
3.	Gillesugar	Raichur

Income from 'Sword of Tipu Sultan'

478. SHRI P.M. SAYEED: Will the PRIME MINISTER be pleased to state the total income to Doordarshan from the serial of the Sword of Tipu Sultan till now?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): The total revenue accrued to Doordarshan from sponsorship fee and spot advertisements in connection with telecast of the TV serial 'The Sword of Tipu Sultan' upto November 1990 (28 episodes) was Rs. 7,71,65,000.00

(a) the total number of civilians working in Defence establishments in Kanpur;

(b) whether Government accommodation provided to these civilians is adequate;

(c) if not, whether Government propose to construct more quarters for them;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) Forty thousand three hundred and twenty eight.

(b) No, Sir.

(c) Yes, Sir.

(d) and (e). One thousand and thirty six quarters are under construction.

[*Translation*]

Defence Establishments in Kanpur

479. SHRI KESHARI LAL: Will the PRIME MINISTER be pleased to state:

[*English*]**Allocation for 20-Point Programme in Karnataka**

480. SHRI JANARDHANA POOJARY: Will the PRIME MINISTER be pleased to state:

(a) the funds allocated to Karnataka for 20-Point Programme during the current financial year;

(b) whether any review of the 20-Point Programme in Karnataka has been undertaken; and

(c) if so, the findings thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) The details of funds allocated to Karnataka for 20-Point Programme in the State Plan Sector during the current financial year are given in Statement-I.

(b) and (c). Yes Sir, As per the latest review, Karnataka has secured 5th position amongst the States in the implementation of the 20-Point programme during April' 1990. The details of physical progress achieved by Karnataka in the implementation of 26 selected items which are monitored on a monthly basis are in Statement-II.

STATEMENT — I

Allocation of Funds to Karnataka During 1990-91 for the 20-Point Programme under the State Plan Sector.

S. No.	Items	(Rs. Lakhs) 1990-91
1.	Attack on Rural Poverty	
	IRDP	2255
	JRY	2661
	CD & Panchayats	3307
	V & SI	4840
2.	Rainfed Agriculture	687
3.	Better use of Irrigation	21190
4.	Bigger Harvests	5308
5.	Land Reforms	153
6.	Safe Drinking Water	2191
7.	Health for All	2200

S. No.	Items	(Rs. Lakhs) 1990-91
8.	Two child Norms-Nutrition	400
9.	Education	6090
10.	Justice to SC/STs	2175
11.	Opportunities for Youth	175
12.	Housing for People	1500
13.	Improvement of Slums	726
14.	Forestry	1878
15.	Protection of Environment	33
16.	Concern for Consumer	—
17.	Energy for Villages	72
Total		57841

STATEMENT-II*Implementation of 20-Point Programme in Karnataka during April-October '90*

Point No.	Item Description	Unit	Annual Target 1990-91	Target Apr-Oct '90	Achievement Apr-Oct '90	% age of Col. 6 to 5
1	2	3	4	5	6	7
01A	I.R.D.P. (Beneficiary families)	Nos.	109482	56566	38021	67
01B	Jawahar Rozgar Yajana	No. of Mandays	57087000	25118280	10972200	43
01C	SSI Units	Nos.	8500	4958	4553	91
05A	Distribution of Surplus land	Acres	1000	533	928	174
06	Bonded Labour Rehabilitation	Nos.	1307	483	567	117
07A	Drinking Water problem solved (Vlg) Nos.		4518	2109	1570	74
08A	Community Health Centres	Nos.	10	1	0	0
08B	Primary Health Centres (PHC)	Nos.	50	15	0	0
08D	Immun. of Children (Dpt. Polio&BOG)	Nos.	1201700	540765	492854	91
09A	FP Sterilisation	Nos.	360000	162000	154211	95

Point No.	Item Description	Unit	Annual Target 1990-91	Target Apr-Oct '90	Achievement Apr-Oct '90	% age of Col. 6 to 5
1	2	3	4	5	6	7
09B	Equivalence Sterilisation-Jud. CC & OP	Nos.	110691	49811	49660	100
09C	ICDS Blocks	Nos.	115	110	107	97
09D	Anganwadies	Nos.	18751	17779	16300	92
11A	SC Families Assisted	Nos.	100000	46000	30455	66
11B	ST Families Assisted	Nos.	9500	4275	21+92	51
14A	House sites Allotted (Families)	Nos.	40000	21600	17287	80
14B	Construction Assistance Provided (Families)	Nos.	40000	21600	12941	60
14C	Indira Awaas Yojana for SC/ST (Dwelling Units)	Nos.	4000	2160	902	42
14D	EWS House Provided					

Point No.	Item Description	Unit	Annual Target		Target Apr-Oct '90	Achievement Apr-Oct '90	% age of Col. 6 to 5
			1990-91	3			
1	2			4	5	6	7
14E	LIG House	Nos.	2000		1080	690	64
15	Slum Improvement (Population)	Nos.	60000		32400	33349	103
16.	Tree Plantation	Nos.	180000000		148333333	137915500	93
18	Fair Price Shops	Nos.	150		86	136	158
19B	Pumpsets Energised	Nos.	30000		11833	18371	155
19C	Improved Chullahs	Nos.	100000		26000	43086	166
19D	Bio-Gas Plants (States)	Nos.	5000		1500	1216	81

Clearance of Industrial Projects in Kerala

481. SHRI A. VIJAYARAGHAVAN: Will the PRIME MINISTER be pleased to state:

(a) the details of industrial projects cleared in the State of Kerala during the months of October, November and December, 1990;

(b) whether any of the cleared projects is being reviewed again; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) One industrial Licence No CIL:292 (90) dated 13.11.90 has been issued to M/s. Kerala State Electronics Development Corporation Limited, Trivendrum for the manufacture of Electronic Central Systems for ships and other seagoing vessels and off-shore installations, for a capacity worth Rs. 15,00,00,000 per annum by conversion of letter of intent No. 355 dated 6.6.1989.

(b) No, Sir.

(c) Does not arise.

Bilingual Terms Deposit Forms

482. KUMARI UMABHARATI: Will the PRIME MINISTER be pleased to state:

(a) the number of Government undertakings which accept loans from public in the form of term deposits at present;

(b) whether relevant forms are printed in English only;

(c) whether these forms are not allowed to be filled up in Hindi, if so, the reasons therefor; and

(d) the time by which these forms are likely to be printed bilingually and accepted in Hindi?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) As per the available information, 18 Central Public Sector Enterprises are accepting loans from the Public in the form of term deposits.

(b) to (d). Informations is being collected and will be laid on the Table of the House.

Reservation in Government Jobs on the Basis of Percentage of Population

483. SHRI BALGOPAL MISHRA: Will the PRIME MINISTER be pleased to state:

(a) whether the Shoshit Samaj Dal has submitted a Memorandum to Government demanding reservation in Government jobs on the basis of percentage of population; and

(b) if so, the details thereof and the reaction of Government thereto?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) and (b). In the absence of completed details regarding year, date and the name of the Ministry to which such a memorandum was presented it is not possible to specifically say as to whether such a Memorandum was ever received. However, except in the case of Scheduled Castes/ Scheduled Tribes, the reservation has not been given on the basis of population.

Expenditure on Bofors Investigations

484. SHRI K. S. RAO: Will the PRIME MINISTER be pleased to state the amount so far spent on the investigations regarding beneficiaries/recipients of the Bofors pay-offs on foreign travel, boarding and lodging

of officers in foreign countries, incidental expenses, etc.?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): The total expenditure incurred so far on account of TA/DA of officers who visited foreign countries in connection with the investigations regarding beneficiaries/recipients of Bofors pay offs is given below:

<i>Indian Rupees</i>	<i>Foreign Exchange</i>
Rs. 6,43,719.24	USS 7212.50
	SFR 951.20
	SEK 2009.20

Rates of Paper Manufactured by Hindustan Paper Corporation Ltd., Calcutta

485. SHRI MAHENDRA SINGH MEWAR: Will the PRIME MINISTER be pleased to state:

(a) whether there is a dispute between the Union Government and the Hindustan Paper Corporation Ltd., Calcutta on the disagreement over PMT rates communication by the Union Government and its non-acceptance by HPC; and

(b) if so, the action proposed to be taken by Government to resolve the dispute which is affecting education due to non-supply of paper by HPC?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). Hindustan Paper Corporation (HPC) was supplying Subsidised white printing paper to the education sector under a scheme approved by the Department of Education, Ministry of Human Resources

Which lapsed on 31.3.1990. A revised scheme for subsequent implementation is under consideration of the Department of Education, Ministry of Human Resources. As soon as the Scheme is finalised, supply of subsidised paper would resume. Meanwhile HPC is supplying paper at concessional rates to the education sector but without any subsidy.

[*Translation*]

Investment by Multinational Companies

486. SHRI HARSH VARDHAN: Will the PRIME MINISTER be pleased to state:

(a) the policy of Government regarding the investment by multinational companies in India;

(b) whether Government propose to issue a list of such industries in which the multinational companies will not be permitted to invest with immediate effect; and

(c) if so, when?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Government's foreign investment policy is selective and is designed to channelise such investments into areas which require sophisticated technology, or where critical production gaps exist or which would help increase the country's export potential. While Government's basic policy is aimed at reducing unnecessary dependence on external resources, it is recognised by Government that it is equally necessary to update production technology continuously to keep pace with rapid technological advances taking place in developed countries. The import of technology is, therefore, selective and is ordinarily permitted in high technology areas, in export-oriented or import substitution manufacture, or for enabling indigenous industry to upgrade its existing

technology to attain efficiency and competitive strength.

(b) and (c). No such proposal is under consideration of Government at present. However, there is already an illustrative list of industries where no foreign collaboration, financial or technical, is normally considered necessary. Requests for collaboration in these industries are generally not allowed unless these are justified with reference to the technology involved, availability of indigenous technology, potential for export earnings and the like.

[English]

Recognition to Computer Centres

487. SHRIHARISHPAL: Will the PRIME MINISTER be pleased to state:

(a) the State-wise number of Computer Centres recognised by the Union Government which are functioning at present;

(b) the number of such recognised centres in Delhi;

(c) whether Government propose to recognise various private sector computer training and educational institutions; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (d). A Scheme for recognition of private sector institutes conducting computer courses is being implemented through Computer Society of India (CSI) and Institution of Electronics & Telecommunications Engineers (IETE). The institutes will be evaluated and only those meeting the defined quality and service standards would be approved to run the prescribed courses. As the Scheme is very recent no institutions have as yet been approved.

Branch Recruiting Office of Armed Forces in Charkhi Dadri and Gurgaon

488. SHRI BANSI LAL: Will the PRIME MINISTER be pleased to state:

(a) the date on which the Branch Recruiting Office of Armed Forces at Charkhi Dadri in Bhiwani district of Haryana was opened;

(b) the date on which the Branch Recruiting Office at Gurgaon was opened;

(c) whether the same has since been closed and if so, on which date; and

(d) the reasons for closing down the Gurgaon Branch Recruiting Office and the place to which it has been shifted?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) The Branch Recruiting Office at Charkhi Dadri was opened in 1967.

(b) The Branch Recruiting Office at Gurgaon was initially opened in 1948.

(c) The Branch Recruiting Office at Gurgaon was closed in 1953, reopened in 1963 and closed again in 1977.

(d) Prior to 1977, jurisdiction of Zonal Recruiting Office, Ambala, extended upto Delhi, Faridabad and Gurgaon. In 1977, an Independent Recruiting Office (IRO) was opened at Delhi, and Faridabad and Gurgaon were brought under the jurisdiction of IRO, Delhi. The BRO at Gurgaon was then shifted to Hissar to provide more effective cover to other areas of Haryana.

Chakma Refugee-Problem

489. SHRI SANAT KUMAR MANDAL: Will the PRIME MINISTER be pleased to state:

(a) whether a team of the Human Rights Commission recently completed compilation of data on Refugee camps in South Tripura sheltering tribal refugees from the trouble stricken Chittagong Hill tracts of Bangladesh;

(b) whether the Government propose to seek an early solution to the Chakma refugee problem and their safe return; and

(c) if so, the steps taken so far in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) The Chittagong Hill Tracts Commission was permitted by the Government to examine the plight of the refugees and to know their problems before their visit to Bangladesh. They were not to compile any data on the refugee camps.

(b) and (c). The Bangladesh Government has been urged to create the necessary conditions in the Chittagong Hill Tracts which would give the Chakmas the confidence to return to their homes.

T.V. Serials Approved under Commissioned Category

490. SHRI BALVANT MANVAR: Will the PRIME MINISTER be pleased to state:

(a) the names of TV serials approved under the commissioned category during the last two years with dates of approval;

(b) whether many TV serials under commissioned category have not been paid financial assistance so far; and

(c) if so, the reasons therefor and by when all these producers are likely to get financial assistance?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) The information is given in the attached statement.

(b) No, Sir.

(c) All programmes approved under the commissioned category are paid the approved amount in different stages as per the contract entered between Doordarshan and the producer. The first instalment is paid after the approval of the programme and on signing of the contract.

STATEMENT

Names of TV Serials approved under the commissioned scheme during the last two years with the date of approval

<i>S. No.</i>	<i>Title</i>	<i>Date of approval</i>
1	2	3
1.	Phulwanti	7.1.1989
2.	Mamaji	25.1.1989

<i>S. No.</i>	<i>Title</i>	<i>Date of approval</i>
1	2	3
3.	The Big Top Circus	-do-
4.	Byomkesh Bakshi	-do-
5.	Mashal	-do-
6.	Shrikant	-do-
7.	Bhoothnath	18.2.1989
8.	Chartirahin	-do-
9.	Ahmaq	-do-
10.	Neev	-do-
11.	Mullah Nasurddin	-do-
12.	No Hota Mai To Kya Hota	-do-
13.	Dr. B. R. Ambedkar	30.8.1989
14.	Maryada Ramanna	23.5.1989

TV Serials for Morning Transmission

<i>S. No.</i>	<i>Name of the Serial</i>	<i>Date of approval</i>
1.	Musibat Hi Musibat	14.12.88
2.	Chavanni	-do-
3.	Aap Ki Ahalat Mein	-do-
4.	Uthal Puthal	-do-
5.	Apni Apni Bansi Apna Apna Raag	-do-
6.	Tak Dhina Din	-do-
7.	Kya Bangoe Munna	-do-
8.	India Alive	-do-

<i>S. No.</i>	<i>Name of the Serial</i>	<i>Date of approval</i>
9.	Waqt Gujarta Hai	-do-
10.	Smt. & Sh. Pyare Lal	2.1.89
11.	Char Lachar	-do-
12.	Silbil	-do-
13.	Hathi Ghora Palki	16.1.89
14.	Bostan Ki Kahaniyan	-do-
15.	Dhoop Ki Lakeeren	-do-
16.	Jahan Chah Wahan Raah	25.3.89
17.	Ghane Jangle Hein	-do-
18.	Sonu Monu	-do-
19.	Masoom	-do-
20.	Tapo Bhumi Bundelkhand	-do-
21.	Hamare Manager	24.5.89
22.	Ghar Ghar Ke Tamashe	-do-
23.	Kya Hukum Hai Mere Aaka	-do-
24.	Chacha Chowdhary	-do-
25.	Khamosh Detective Agency	-do-
26.	Natak Natak	-do-
27.	Chup Chaal	-do-
28.	Chacha Bandukchi	22.6.89
29.	Alarm Ghari	27.7.89
30.	Savere Savera	-do-

<i>S. No.</i>	<i>Name of the Serial</i>	<i>Date of approval</i>
31.	Nawabi Masnad	-do-
32.	Shahar Chala Kasbe Ko	-do-
33.	Aasman Se Gira	26.9.89
34.	Shriman Ji	-do-
35.	Late Latif	26.9.89
36.	Char Chatur	-do-
37.	Sunehare Sapne	-do-
38.	Mere Tumhare	-do-
39.	Prerna	-do-
40.	Ajab Gajab	-do-
41.	Meri Duniya	-do-
42.	Sunder Balak	-do-
43.	Teen Sawal	-do-
44.	Beeswan Unth	-do-
45.	Ramte Roma	-do-
46.	Ghat Ghat Main Suraj	29.9.89
47.	Rani Nagphani Ki Kahani	19.3.90
48.	Pyale Main Toopan	-do-
49.	Afat Pe Afat	-do-
50.	Jesngur Pehlwan	-do-
51.	Choti Si Baat	-do-
52.	Sache Moti	5.7.90

TV Serials for Afternoon Transmission

<i>S. No.</i>	<i>Name of Serial</i>	<i>Date of approval</i>
1	2	3
1.	Baiganraja	17.9.88
2.	Sukanya	19.2.88
3.	Tane Bane	19.12.88
4.	Aapaar	19.12.88
5.	Suz Buz	19.1.2.88
6.	Apane Sapne	19.12.88
7.	Ek Sapna	19.12.88
8.	Sumhare Line	19.12.88
9.	Rahane Do Jee	19.12.88
10.	Arman	19.12.88
11.	Aao Khele Khel	19.12.88
12.	Sk Tara Bole	19.1.2.88
13.	Mausee	18.1.89
14.	Doosari Zindagi	18.1.89
15.	Bhavna	18.1.89
16.	Bechara Gupta Jee	18.1.89
17.	Pyar Ka Bandhan	18.1.89
18.	Sandhya Deep	18.1.89
19.	Badli Hui Ibarat	18.1.89
20.	Deviji	18.1.89
21.	Lalsa	7.3.89

<i>S. No.</i>	<i>Name of Serial</i>	<i>Date of approval</i>
1	2	3
22.	Snehadaharaa	7.3.89
23.	Bal Bhujhakr	19.4.89
24.	Prerana	19.4.89
25.	Dadi Amma	19.4.89
26.	Bulbul	20.6.89
27.	Dadi	20.6.89
28.	Dhoop Chaon	20.6.89
29.	Shradha	20.6.89
30.	Shradha	20.6.89
31.	Trishana (Kayaklp)	2.8.89
32.	Uljhan	2.8.89
33.	Kinare Kinare	2.8.89
34.	Sansar	2.8.89
35.	Jeevan Sandhya (Sano Ki Bela)	2.8.89
36.	Parivartan	2.8.89
37.	Aurat	2.8.89
38.	Choo Mantar	22.9.89
39.	Chat Paani	22.9.89
40.	Jeevan Jyoti	22.9.89
41.	Parinay	22.9.89
42.	Grahan	22.9.89
43.	Anthoo-O-Anthoo	22.9.89

<i>S. No.</i>	<i>Name of Serial</i>	<i>Date of approval</i>
1	2	3
44.	Arsee	16.3.90
45.	Naya Faisla	16.3.90
46.	Hum Bhi Kissise Kan Nahin	16.3.90
47.	Sanjeevani	16.3.90
48.	Apahij	16.3.90
49.	Maqsad	16.3.90
50.	Aadhar	16.3.90
51.	Chacha Chhakkan	5.7.90
52.	Durga Mausi	5.7.90
53.	Yeh Teri Manzil Nahin	5.7.90

Setting up of Agro-Based/Wood-based Industries

491. SHRI PALAI K. M. MATHEW: Will the PRIME MINISTER be pleased to state:

(a) the details of licences issued for setting up of large agro-based/wood-based industry in Idukki, Kerala during the last one year;

(b) the number of applications still pending in this regard; and

(c) the likely date when these will be cleared?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) No Industrial licence has

been issued for setting up of Agro-based/Wood-based industry in Idukki, Kerala during the years 1989 and 1990 (As on 26.12.1990).

(b) No such application is pending.

(c) Does not arise.

Campaign for Fuel Conservation by DAVP

492. SHRI YASHWANTRAO PATIL: Will the PRIME MINISTER be pleased to state:

(a) whether the Directorate of Advertising & Visual Publicity propose to campaign for fuel conservation;

(b) if so, the details thereof; and
 (c) the details of other campaign programmes proposed to be undertaken now?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) DAVP have launched a multi-media Campaign through TV/Radio/Press/Print/ Outdoor publicity to focus attention on the consequences of increased oil prices and on the steps which oil consumers can take to save fuel. DAVP has already done publicity in this regard as given in enclosed statement-I.

(c) As given in statement - II.

STATEMENT — I

Publicity Work done by DAVP

(i) *for Ministry of Petroleum & Chemicals:-*

1. Five press advertisements in four separate designs in 13 languages, including English & Hindi
2. Three video quickies of one min. each in 12 languages
3. One 3 min. video quickie with 4 master versions
4. Four radio spots in 12 languages
5. One poster in all regional

languages with a print order of 2.06 lakh

6. One booklet in all languages with print order 3 lakh
7. 1027 cinema slides in all languages
8. Ten bus panels
9. Eight hoardings

(ii) *for Ministry of Energy:-*

Four press advertisements issued in 13 languages once a fortnight throughout the year

An energy conservation campaign Plan developed on behalf of the Energy Management Centre, Ministry of Energy.

STATEMENT — II

Other Programmes Proposed to be Undertaken by DAVP

1. An attempt would be made to include a well written article on the energy scenario in school text books.
2. Success stories relating to Energy Conservation. The projection of the high costs being incurred by using particular fuels/technology.
3. An Essay Competition for Secondary-level school students on the Energy scenario.
4. Another competition for technical students to create awareness among them.

[Translation]**Castes Given Priority in Employment by Employment Exchanges**

493. SHRI GOVINDA CHANDRA MUNDA: Will the PRIME MINISTER be pleased to state the names of the castes which have been included in the reserved category and are given priority by the Employment Exchanges while offering employment?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) The role of Employment Exchanges is restricted only to sponsoring of the candidates against notified vacancies, within the limitations prescribed by the employers. In the requisition made to Employment Exchanges, the Government employers are required to indicate the details regarding reservations/priorities etc. of the vacancies as are applicable in accordance with the instructions laid down by Central/ State Government. In the Central Government, reservations are available to Scheduled Castes, Scheduled Tribes, Ex-servicemen and handicapped persons.

Bifurcation of Punjab Wakf Board

494. SHRI A. K. A. ABDUL SAMAD: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to bifurcate or trifurcate the Punjab Wakf Board;

(b) if so, whether opinion of the Central Wakf Council has been obtained in this regard and if so, the details thereof;

(c) whether Government propose to bring forward a legislation for the same; and

(d) when the Punjab Wakf Board is likely to be duly constituted?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) A proposal to reconstitute the Punjab Wakf Board so as to have separate Wakf boards for Himachal Pradesh, Haryana and Punjab was received in 1984, which was referred to the States of Punjab and Haryana and the Union Territory of Chandigarh for their comments. In the light of the comments received, a proposal for reconstitution of the Punjab Wakf Board is under examination.

(b) No, Sir, However, Government had, in July, 1972 advised the Central Wakf Council to convene a special meeting of some prominent people of the region and some Members of the Council who had been taking particular interest in the matter to consider the future set up of Punjab Wakf Board. The meeting recommended that the matter may be referred to the Wakf Enquiry Committee. Since this item was not included in the terms of reference of Wakf Enquiry committee and a specific addition to its terms of reference was not considered necessary, Government decided to take a decision on its own in the matter.

(c) Fresh legislation is not considered necessary because the existing law makes provision for reconstitution and reorganisation of inter-State bodies corporate including Punjab Wakf Board.

(d) The present extended period of supersession of the Punjab Wakf board will expire on 30.4.1991.

Norms for Telecasting Regional Films of Sunday on National Network

495. SHRI J. CHOKKA RAO: Will the PRIME MINISTER be pleased to state:

(a) the norms prescribed for telecasting the regional films on Sundays on the National Network;

(b) the names of the such regional feature films telecast during Sundays in the months of May & June, 1990;

(c) whether they have fulfilled the prescribed conditions; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) The information is given in the attached statement.

(b) The following are the titles of regional language feature films telecast on the national network of Doordarshan on Sunday during May and June, 1990:-

1. Sadhana (Oriya)
2. Mounaragam (Tamil)
3. Ashani Sanket (Bengali)
4. Daana Veera Soora Karna (Telugu)
5. Chandavalia Thota (Kannada)
6. Pokkuveyil (Malayalam)
7. Malaikkallan (Tamil)

(c) Yes, Sir.

(d) Does not arise.

STATEMENT

Regional feature films which fulfil any of the following criteria or have won any of the

following national/state awards, as the case may be, only are considered for telecast on the national network of Doordarshan on Sunday:-

- 1. National award for the Best or second Best feature film of the year (in all languages combined).
- 2. Indira Gandhi Award for Best first film of a Director.
- 3. Award for best film providing popular and wholesome entertainment.
- 4. Nargis Dutt Award for Best Feature Film on National Integration.
- 5. Best film on Family Welfare.
- 6. Best film on Other Social issues such as prohibition, women and child welfare, anti dowry, drug abuse etc.
- 7. President's Award of 'Rajat Kamal' for the Best Feature Film in an Indian language.
- 8. Films which have won the 'Certificate of Merit' in the National film Festivals.
- 9. Entry in the Indian Panorama and mainstream Sections of any International Films Festival of India/Filmotsav.
- 10. State Government Award for the Best Feature Film.
- 11. State Government Award for Best Direction.
- 12. Films which have won any two state Government awards (other than those mentioned above.)

13. Films which have celebrated Silver Jubilee (having run continuously for 25 weeks) and carry a 'U' Certificate.

Modernisation of Central Public Undertakings in Orissa

496. SHRI MANGARAJ MALLIK: Will the PRIME MINISTER be pleased to state:

(a) whether any proposal for the modernisation of the Central Public Sector undertakings/setting up of new undertakings in Orissa is pending before the Union Government;

(b) if so, the details thereof; and

(c) the steps being taken to clear them?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) No proposal for the modernisation of the Central Public Sector Undertakings/setting up of new undertakings with registered offices in the state of Orissa is pending before the Union Govt.

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

Uranium Reserves in A. P. and Meghalaya

497. SHRI M. M. PALLAM RAJU: Will the PRIME MINISTER be pleased to state:

(a) whether reserves of Uranium had been located this year in Andhra Pradesh and Meghalaya;

(b) if so, the estimated Uranium reserves in both these States; and

(c) the country's annual Uranium production during the last three years?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir.

(b) An economically viable sandstone type uranium deposit has been identified in Killung block of Meghalaya having 4800 TE of uranium oxide with an average grade of 0.1% U308. In the Cuddapah basin in Andhra Pradesh exploration drilling carried out so far has resulted in identification of 3554 TE of U308 in inferred and indicated category.

(c) The County's annual uranium production during the last three years is around two hundred metric ton a year satisfying the requirements.

Irradiation of Onions at BARC

498. SHRI EDUARDO FALEIRO: Will the PRIME MINISTER be pleased to state:

(a) whether BARC have achieved remarkable success with irradiation of onions both at commercial and pre-commercial levels to prevent sprouting;

(b) if so, total quantity actually irradiated during last three years, year-wise indicating the corresponding annual production;

(c) the annual capacity of irradiation commercial and pre-commercial, developed so far for onion and any other products;

(d) whether Government have developed expertise and facilities for irradiation of some 40 food items which have been approved by some 32 countries;

(e) whether Government are aware of the reasons due to which various countries have not so far adopted food irradiation; and

(f) if so, the steps taken in light of these decisions?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir.

(b) During the year 1989, 10 tons of onions were irradiated for the precommercial scale storage experiment. The annual estimated production of onions during the last two years 1988 and 1989 has been 2.5 and 3 million tons respectively based on agricultural production statistics.

(c) A Pilot Plant Food Irradiator Facility at BARC is utilised for R&D activities and pre-commercial scale irradiation of onions and other food items. This Pilot Plant Irradiator can process about 0.5 ton onion/HR, 0.3 ton potatoes/HR and 240 Kg. spices/HR. A portable Demonstration Onion Irradiator with a capacity of 1.5 ton/HR is under fabrication.

(d) Yes, Sir. BARC has standardised Irradiation technology for preservation of perishable agricultural commodities, economically important to this country such as potatoes, onions, wheat and other cereal products, pulses, tropical fruits, fish and spices, and not for all the 40 food items cleared in 32 countries.

(e) Yes, Sir.

(f) Government have taken steps in the right direction by clearing items like onions, spices and frozen sea foods for export which will increase our export earning.

[*Translation*]

Industrially Backward Distt. in Madhya Pradesh

499. SHRI KANKAR MUNJARE: Will the PRIME MINISTER be pleased to state:

(a) whether Government have declared Balaghat district in Madhya Pradesh as an

industrially backward district; and

(b) if so, the financial assistance provided by the Government to the entrepreneurs of this district during 1989-90?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir.

(b) District wise information on the financial assistance provided under various schemes is not maintained centrally.

[*English*]

Foreign Nationals in the Country

500. SHRI RAM NAIK: Will the PRIME MINISTER be pleased to refer to the reply given to Unstarred Question No. 3684 on 30 August, 1990 and state:

(a) the number of foreigners, country-wise found overstaying or in possession of false papers;

(b) How many foreigners out of 63 to whom leave India notices were issued have actually left India;

(c) the final result of the 13 cases registered under the Indian Penal Code and the Foreigners Act; and

(d) the latest position of the action taken against these 13 persons?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). Information is being collected and will be laid on the Table of the House.

[*Translation*]

Judges of Industrial Courts of Delhi

501. SHRI RAMASHRAY PRASAD SINGH Will the PRIME MINISTER be pleased to state:

(a) the number of sitting judges in the Industrial Courts of Delhi whose tenure expired in December, 1990; and

(b) the number of those sitting judges who have been given/proposed to be given extension from January 1991 onwards?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) and (b). As per information received from the Delhi Administration, the tenure of a Presiding Officer of an Industrial Tribunal expired on 19.11.90 and the tenure of two Presiding Officers of Labour Courts expired on 20.12.1990. The Administration has proposed to extend the term of all the three Presiding Officers.

[*English*]

**Charges Against Officers of C.S.D.
Bombay**

502. SHRI V. KRISHNA RAO:
SHRI C. P. MUDALAGIRI
YAPPA:

Will the PRIME MINISTER be pleased to state:

(a) the number of officials of the Canteen Stores Department, Bombay, facing various charges;

(b) the steps taken to ensure better

management of the department;

(c) whether any complaints were recently received about non-availability of essential items of goods and at reasonable prices; and

(d) if so, the steps taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) Out of a total of approximately 3700 employees of the Canteen Stores Department six are facing charges for unauthorised absence, another six are involved in certain acts of misconduct and twelve are facing charges for stock discrepancies.

(b) The Department carries out its day to day management in accordance with the policies, systems and procedures laid down by the Government. Improvements in management systems and procedures in a continuing exercise. A number of steps have been taken in the recent past to streamline accounting procedures, inventory management systems and purchase procedures.

(c) and (d). complaints are sometimes received by the C.S.D. about the non-availability of certain items supplied by the Department. As the Department deals in a large number of consumer goods, certain delays in supply of particular items/brands sometimes occur due to a number of reasons, such as non-availability of raw-materials with the manufacturer, non-availability of transport due to various reasons, disturbed law and order conditions, etc. Most delays in supplies occur as a result of 'force majeure' conditions which are beyond the control of the management. As regards reasonableness of prices charged by the Department, complaints are very rare. When these are received, they are looked into promptly and immediate action taken.

[*Translation*]

Setting up of Relay Stations in U.P.

503. SHRI M. S. PAL: Will the PRIME MINISTER be pleased to state:

(a) whether the Government propose to set up low power relay stations in the hilly areas of Uttar Pradesh; and

(b) if so, the details thereof with time schedule?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Yes, Sir. Whereas one high power; five low power and eight very low power TV transmitters and two TV transposers are already functioning in the hill area of Uttar Pradesh, one more very low power TV transmitter at Muniari and a TV transposers at Mussoorie under implementation in the area as spill-overs schemes from the VII Plan are expected to be commissioned into service during the current financial year (1990-91) itself.

[*English*]

Freedom Fighter Applications from Kerala

504. SHRI MULLAPPALLY RAMACHANDRAN: Will the PRIME MINISTER be pleased to state:

(a) the number of applications for Freedom Fighters Pensions from Kerala pending with the Government;

(b) how many such applications from Kerala were disposed of by the Government during 1990;

(c) the total number of recipients of

Freedom Fighters Pension in Kerala at present; and

(d) the steps taken by Government to expedite the clearance of pending applications?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) As on date no application from the freedom fighters of the State of Kerala that was received before the last date i.e. 31st March, 1982 is pending; Applications received after 31.3.82 are treated as delayed applications and are considered for condonation of delay. There are 54 such applications in different stages of examination. Besides there are review cases coming from the State Government which is a continuous process.

(b) 18 new cases have been disposed of.

(b) Freedom fighters Pension has been sanctioned in 4223 cases from the State of Kerala including Ex-I.N.A. cases.

(d) A special drive had been launched to expedite disposal of all pending applications.

Opening of T.V. Relay Station at Jaleswar, Orissa

505. SHRI SAMARENDRA KUNDU: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to open a new T. V. relay station at jaleswar, district Balasore, Orissa; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRISUBODH KANT SAHAY): (a) and (b). No, sir. There is no such proposal under the consideration of Government at present.

Agricultural Labourers

506. SHRI HANNAN MOLLAH: Will the PRIME MINISTER be pleased to state:

(a) the number of agricultural labourers in the country in the year of 1951, 1961, 1971, 1981 and 1990, State-wise;

(b) the reasons for growth of agricultural labour in the country over these years; and

(c) the steps Government propose to take to improve their living conditions?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER

OF STATE IN THE MINISTRY OF WEL-FARE (SHRI RAMJI LAL SUMAN): (a) The State-wise number of agricultural labourers in the country for the years 1951, 1961, 1971 and 1981 as per census records, is given in the enclosed statement. As the next Census will be conducted in February, 1991, the figures for 1990 are not available.

(b) Increase in population as against limited availability of land, lack of avenues of employment in other sectors has resulted in growth of agricultural labour.

(c) Various Labour Laws like ?Minimum Wages Act, 1948, payment of Wages Act, 1938, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 etc. have been enacted to protect among others the interests of agricultural labour also. Besides, various schemes such as IRDP and Jawahar Rozgar Yojna are aimed at ameliorating the lot of the poorest sections of the community which include the bulk of agricultural labour.

STATEMENT

Statewise Agricultural Labourers as per Jurisdiction Prevailing in 1951 Census

S.No.	India/State/U.T.	Agricultural Labourers, 1951 Census
1	2	3
1.	Uttar Pradesh	1,837,876
2.	Bihar	3,169,374
3.	Orissa	809,603
4.	West Bengal	1,178,000
5.	Chandernagore	5
6.	Assam	82,585
7.	Manipur	836
8.	Tripura	17,700

<i>S.No.</i>	<i>India/State/U.T.</i>	<i>Agricultural Labourers, 1951 Census</i>
1	2	3
9.	Sikkim	120
10.	Madras	3,810,665
11.	Mysore	240,491
12.	Travancore-Cochin	812,635
13.	Coorg	12,598
14.	Bombay	1,695,007
15.	Saurashtra	89,136
16.	Kutch	9,713
17.	Madhya Pradesh	2,919,749
18.	Madhya Bharat	453,240
19.	Hyderabad	1,779,755
20.	Vindhya Pradesh	336,340
21.	Bhopal	79,877
22.	Rajasthan	269,852
23.	Punjab	398,462
24.	Himachal Pradesh & Bilaspur	7,236
25.	Patiala & East Punjab	137,613
26.	Delhi	10,561
27.	Ajmer	13,297
28.	Andaman & Nicobar Islands	81
INDIA		20,172,407

STATEMENT*State-wise agricultural labourers for 1961, 1971 and 1981 censuses*

India/States/U.T.	Agricultural Labourers		
	1961	1971	1981
1	2	3	4
INDIA	31,521,641	47,493,590	55,499,704 **
STATES			
1. Andhra Pradesh	5,336,494	6,828,685	8,325,017
2. Assam	170,243	405,440	—
3. Bihar	4,418,475	6,806,103	7,366,973
4. Gujarat	1,252,000	1,887,680	2,488,300
5. Haryana	198,664	430,312	590,324
6. Himachal Pradesh	21,443	53,344	40,072
7. Jammu & Kashmir	18,417	41,933	63,540

India/States/U.T.

Agricultural Labourers

	1961	1971	1981
	1	2	3
			4
8. Karnataka	1,761,110	2,717,537	3,655,197
9. Kerala	978,396	1,908,114	1,917,362
10. Madhya Pradesh	2,815,200	4,062,338	4,857,829
11. Maharashtra	4,510,002	5,393,138	6,470,8553
12. Manipur	2,184	13,525	28,613
13. Meghalaya	17,140	44,131	57,899
14. Nagaland	2,501	3,797	2,979
15. Orissa	1,303,511	1,937,574	2,396,974
16. Punjab	334,610	786,705	1092,225
17. Rajasthan	393,631	749,116	764,625

India/States/U.T.

Agricultural Labourers

	1961	1971	1981
	1	2	3
			4
18. Sikkim	2,230		4,207
19. Tamil Nadu	2,828,374		4,490,065
20. Tripura	32,912		86,340
21. Uttar Pradesh	3,261,178		5,453,829
22. West Bengal	1,771,708		3,272,198
U.Ts.			
23. Andaman & Nicobar Islands	348		2,137
24. Arunachal Pradesh	10*		5,292
25. Chandigarh	420		1,266
26. Dadra & Nagar Haveli	4,949		5,934
			4,592
			2,337
			7,796
			856

India/States/U.T.

Agricultural Labourers

1	1961		1971		1981	
	2	3	4	5	6	7
27. Delhi	7,325		5,269		16,131	
28. Goa, Daman & Diu	39,336		40,768		32,394	
29. Lakshadweep	—		—		—	
30. Mizoram	33		558		5,118	
31. Pondicherry	38,807		46,275		54,514	

Notes: ** The figures for India excludes Assam where Census could not be held owing to disturbed conditions prevailing there at the time of 1981 Census.

* Excludes population and its distribution between workers and non-workers of that area of N.E.F.A. where simplified schedule was canvassed. The population for that area is 297,853 persons, 147,100 Males and 150,753 females.

Source: 1. Part II-A (ii) Union Primary Census Abstracts for India, 1961 Census.

2. Part II-B (i) General Economic Tables for India, 1971 Census.

3. Part II-B (i), Primary Census Abstract General Population for India 1981 Census.

Sneaking of Pak Trained Terrorists Into India

507. SHRI B. DEVARAJAN: Will the PRIME MINISTER be pleased to state:

(a) whether attention of Government has been drawn to the news-item in the Hindustan Times dated 4 December, 1990 under the caption "Pak Judge admits terrorists' training";

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

(c) the steps taken to prevent the entry of Pak trained terrorists into India and to seal the border?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) and (c). To meet the situation a number of administrative measures have been taken which include strengthening of the vigil on the borders, beefing up of the intelligence and better co-ordination between the Army, Para-military forces and the State Police.

Self Employment Scheme in Andhra Pradesh

508. SHRIMATI T. MANEMMA: Will the PRIME MINISTER be pleased to state:

(a) whether self-employment schemes are being implemented in Andhra Pradesh; and

(b) if so, the details thereof and the employment potential generated through such schemes during the last three years, year-wise?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Yes, Sir.

(b) Self-employment schemes being implemented in Andhra Pradesh include the following:

1. Integrated Rural Development Programme, a Centrally Sponsored Scheme under which identified rural families are assisted with subsidy and credit for taking up self-employment ventures.
2. Yuvashakthi Scheme started by the State Government in 1984-85 which a view to training the rural youth to enable them to start self-employment ventures.
3. Special Self-employment Schemes of the State Government meant to help the educated unemployed belonging to weaker sections.
4. Training of Rural Youth in Self-Employment (TRYSEM), which is a Centrally Sponsored Scheme.
5. Scheme called 'Self-employment for Educated Unemployed Youth' (SEEUY) started in the Central Sector in 1983 to encourage the educated unemployed youth to undertake self-employment ventures in industry.
6. A Centrally sponsored Scheme for Self-employment of the unemployed/under-employed urban poor titled Nehru Rozgar Yojna introduced in October 1989.

The number of families assisted in

Andhra Pradesh under the IRDP in 1988-89, 1989-90 AND 1990-91 (till October 1990) were 2.98 lakhs, 2.55 lakhs and 1.61 lakhs, respectively.

The State Government trained 1542 candidates under the Yuvashakti Scheme till the end of the Seventh Plan.

The number of persons benefitting from the Special Employment Schemes of the State Govt. in the year 1987-88, 1988-89 and 1989-90 were 10165, 10655 and 8477, respectively.

The number of applications sanctioned by banks under the SEEUY Scheme in 1987-88, 1988-89 and 1989-90 were 7421, 14291 and 7387 respectively.

[Translation]

Filling up of Reserved Vacancies for SCs/STs

509. SHRI TEJ NARAYAN SINGH: SHRI D. AMAT:

Will the PRIME MINISTER be pleased to state:

<i>Backlog of reserved vacancies on 31.3.90</i>	<i>Selection completed</i>	<i>Lying Vacant</i>
SC 16659	7789	8870
ST 15269	6560	8709
TOTAL 31928	14349	17579

(d) The Special Recruitment Drive is still in progress.

Setting up of Wage Board

510. SHRI GIRDHARI LAL BHARGAVA: Will the PRIME MINISTER be pleased to state:

(a) whether Government directives with regard to filling up of reserved posts for SCs/STs are being followed by the Ministries/Departments of Union Government;

(b) if so, whether the backlog of reserved vacancies for SCs/STs as on 31 March, 1990 has been filled up by the various Ministries/Departments under the special recruitment drive launched for the purpose;

(c) if so, the details of the vacancies, group-wise, filled up and those which are lying still vacant, separately; and

(d) the steps taken to fill up the remaining reserved vacancies for SCs/STs?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) No violation has been reported by any Ministry/Department to the Department of Personnel and Training.

(b) and (c). The details of vacancies filled under the Special Recruitment Drive and the posts lying vacant are as follows:

(a) whether Government propose to set up a wage board for all the public sector undertakings and organisations; if so, the details thereof;

(b) whether this wage board proposed to cover all the undertakings of State Governments and Union Government and agen-

cies engaged in advance research work;

(iv) English

(c) if so, the time by which this board is likely to be set up; and

(v) Garhwali

(d) whether comments of concerned State Governments would be invited and examined before finalising the recommendations for implementation?

(vi) Konkani

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) No, Sir.

(vii) Maithali

(b) to (d). Does not arise.

(viii) Manipuri

[*English*]

(ix) Kumayuni

Inclusion of Languages in Eight Schedule of the Constitution

(x) Nepali

511. DR. DAULATRAO SONUJI AHER: Will the PRIME MINISTER be pleased to state:

(xi) Rajasthani and

(xii) Santhali

(c) No decision has been taken.

[*Translation*]

Fake Currency Notes Rocket

(a) whether Government have received requests/representations for inclusion of various languages in the Eight Schedule of the Constitution;

512. SHRI BALESHWAR YADAV: Will the PRIME MINISTER be pleased to state:

(b) if so, the languages about which these representations have received; and

(a) whether fake currency note racket and fake American dollars selling racket have been detected during the last three months in Delhi;

(c) the decision taken thereon.

(b) if so, the number of persons apprehended so far in the case and the value of fake currency notes/fake American Collars recovered from them; and

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(c) the action taken against them?

(b) (i) Bhojpuri

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(ii) Bodo

(b) and (c). Three persons have been arrested in two criminal cases and counterfeits

(iii) Dogri

currency to the extent of 4,000 fake U.S. dollars and 680 fake Indian rupees recovered from their possession.

[*English*]

Foreign Nationals in India

513. SHRI MOHANBHAI SANJIBHAI DELKAR: Will the PRIME MINISTER be pleased to state the number of foreign nationals held in custody in the country and the number of those released upto September, 1990?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY). Powers have been delegated to the State Government to proceed against foreigners for violation of various laws pertaining to Foreigners Act, Customs Act, NDPS Act, COFEPOSA ACT, etc. As and when the sentence awaited by the courts expires, foreigners are released and sent back to their respective countries. No statistics in respect of such persons is however, maintained at this end.

Expenditure in Public Sector Undertakings

514. SHRI K. C. TYAGI: Will the PRIME MINISTER be pleased to state:

(a) whether any scheme has been finalised to check the wasteful expenditure in the various Public Section Undertakings;

(b) if so, the salient features thereof; and

(c) the steps taken for its implementation?

THE MINISTER OF STATE IN THE

PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (c). No special scheme has been finalised recently to check wasteful expenditure in Public Sector Undertakings as instructions have been issued from time to time to them for effecting economy in expenditure. There refer *inter alia* to stationery, entertainment, travel, telephones, furniture, petrol consumption etc.

[*Translation*]

Assault on Former P.M. Shri V. P. Singh

515. SHRI YAMUNA PRASAD SHASTRI: Will the PRIME MINISTER be pleased to state:

(a) whether on 2 December 1990 the former Prime Minister Shri V. P. Singh and other leaders accompanying him were attacked by a stone-throwing mob when he got down at the Bhopal Railway Station as per his scheduled programme; and

(b) if so, whether any inquiry has been conducted in this regard;

(c) if so, the outcome thereof and the action taken thereon; and

(d) the steps taken by the Union Government for providing effective security to the former Prime Minister?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) When Shri V. P. Singh arrived at Bhopal at 8 A.M. on 2nd December, 1990 by Tamil Nadu Express, there was a clash between a group of Bhartiya Janta Yuva Morcha (BJYM) and antireservation elements, who were shouting anti V.P. Singh and anti Mandal Com-

mission slogans, and Janta Dal and Yuva Janta Dal workers. In the clash, stones were pelted by BJYM and other anti-reservationists during which the car of Shri V.P. Singh was hit. However, he was not injured.

(b) and (c). Information from the State Govt. is awaited.

(d) Govt. of India have already issued comprehensive instructions to all the States/UT Govts. for the security of Shri V. P. Singh and his family.

[*English*]

Alleged Weak Arguments in Bofors Case

516. PROF. MADHU DANDAVATE: Will the PRIME MINISTER be pleased to state:

(a) whether the attention of the Government has been drawn to a report appearing in the Indian Express (Delhi Edition) of 7 December, 1990 that the Joint Director of the CBI has expressed his pleasure over the action of the Additional Solicitor General and the Government Counsel, appearing in the Bofors case in the Delhi High Court for the Union of India is making weak arguments in this case in violation of the instructions of the CBI; and

(b) if so, whether it is proposed to instruct the Additional Solicitor General to take a firm stand consistent with the advice and approach of the CBI in the Bofors case?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) and (b). Government have seen the press report.

The CBI have reported that their Joint Director did not express any displeasure over the action of the Additional Solicitor

General in the Delhi High Court on 6th December, 1990. The Solicitor General is now appearing on behalf of the Union of India; in place of the Additional Solicitor General.

Swatantrata Sainik Samman Pension Cases

517. SHRI ANADI CHARAN DAS: Will the PRIME MINISTER be pleased to state:

(a) the number of applications received during the current calender year upto 30 November, 1990 for the grant of Swatantrata Sainik Samman Pension and number out of them received from Orissa;

(b) the reasons for delay in finalising the cases;

(c) the Step taken/proposed to be taken to finalise the cases;

(d) whether pension of some of the freedom fighters has been stopped without any notice to them; and

(e) if so, the reasons and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Total number of applications received upto 30.11.1990 are 2,806 out of which 156 are from Orissa.

(b) The main reason for delay in finalising the cases is insufficient official documentary evidence in support of suffering claimed and delay in the receipt of recommendations from the State Government concerned.

(c) A Special Drive has been launched to clear all the cases.

(d) No pension has been stopped without notice to pensioners in the recent past.

(e) Does not arise.

Baliapal National Test Range

518. SHRI LOKANATH CHOWDHURY:
SHRIYASHWANTRAOPATIL:

Will the PRIME MINISTER be pleased to state:

(a) whether the Government's attention has been drawn to the news report that appeared in Telegraph dated 4 December 1990 regarding shifting of the Baliapal National Test Range from Orissa to Sagar Island;

(b) if so, whether the proposal has evoked positive response from the Government of West Bengal; and

(c) the reaction of the Union Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJAY SINGH): (a) Yes, Sir.

(b) and (c). In the subsequent news report on 05 Dec. 1990 Chief Minister West Bengal was reported to have stated that he had made no promise to Chief Minister Orissa regarding setting up National Range at Sagar Islands. However, suitability of Sagar Island had been earlier considered by an Expert Team constituted by the Union Government. This site was not found suitable as it does not meet the essential technical and operational requirements.

Action Against ULFA

519. SHRI P. C. THOMAS:
SHRI CHITTA BASU:

SHRIYASHWANTRAOPATIL:
SHRI JANARDAN TIWARI:
SHRI JANAK RAJ GUPTA:
SHRI JANAK RAJ GUPTA:
SHRI MULLAPPALLY RAMACHANDRAN:

Will the PRIME MINISTER be pleased to state:

(a) whether Government are aware of the increasing terrorist activities of ULFA in Assam;

(b) if so, the number of persons murdered and value of property looted/money extorted by ULFA activists during last one year;

(c) the number of persons, if any, evacuated from Assam due to the threat of ULFA;

(d) whether ULFA activities are a part of the co-ordinated insurgency activities in the North East;

(e) if so, the steps taken by the government to meet the situation and to restore normalcy in the State;

(f) number of persons rendered homeless in Assam as a result of operation 'Bajrang'; and

(g) the number of ULFA activists killed/arrested and arms seized through operation Bajrang so far and the details of the area cleared and the areas yet to be cleared of the militants?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) The Government are aware of the activities of ULFA terrorists in Assam.

(b) During 1990, 144 violent incidents involving 54 killings were attributed to ULFA. The reported amount of extorted money is about Rs. 2.5 crores.

(c) The Government did not evacuate any person from Assam. However, 20 officials and members of families of M/s. Doomdooma Tea Co., and 23 executives and family members of M/s. Brook Bond and Lipton had left Assam because of the fear of ULFA, according to the information sent on behalf of tea companies.

(d) ULFA had developed nexus with other insurgent groups of the North East such as National socialist Council of Nagaland (NSCN) and Peoples' Liberation Army (PLA) of Manipur. In May, 1990, some insurgent groups of North East floated the

so-called Indo-Burma Revolutionary Front (BIRF).

(e) and (f). The entire State of Assam was declared as a 'disturbed area' under the Armed Forces (Special Powers) Act, 1958. The ULFA and the NSCN were declared as 'unlawful associations' under the Unlawful Activities (Prevention) Act, 1967. A coordinated action involving the Army, the paramilitary forces and the police was launched. Some persons had temporarily left their homes and accommodated in the temporary camps. They have since returned to their homes.

(g) In operation Bajrang'3 ULFA activists have been killed. As on 28th December, 1990 the army apprehended 534 persons and made recovery of weapons/explosives as below:-

Non-standard pattern weapons	
Weapons (NSP)	253
Pistols	5
Revolvers	2
Anti personnel mine	1
Hand grenades	8
Explosives (in Kg.)	120
IEDs	4

It is not possible to identify specific areas that can be classified as having been cleared of the militants.

[*Translation*]

Expansion of Ranibagh Unit of HMT Limited

520. SHRI HARISH RAWAT: Will the PRIME MINISTER be pleased to state:

(a) whether there is any proposal for the expansion of Ranibagh unit of H.M.T. Limited;

(b) if so, the details thereof and whether it has since been approved; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (c). HMT plans to increase its watch manufacturing capacity at Ranibagh by 5 lakhs quartz watches during the 8th Plan at an approximate cost of Rs. 5 Crores. The 8th Plan is still to be finalised.

Number of Persons Killed in Punjab

521. SHRI HARI KEWAL PRASAD:
 SHRI K. D. SULTANPURI:
 SHRI RAJMOHAN REDDY:
 SHRI R. GUNDU RAO:
 SHRI A. K. A. ABDUL SAMAD:
 SHRI PHOOL CHAND VERMA:
 PROF. VIJAY KUMAR
 MALHOTRA:
 SHRI TEJ NARAYAN SINGH:
 DR. CHINTA MOHAN:
 PROF. MAHADEO
 SHIWANKAR:
 SHRI YASHWANTRAO PATIL:
 SHRI PYARELAL
 KHANDELWAL:
 SHRI CHIRANJILAL SHARMA:
 SHRI KAMAL CHAUDHARY:
 SHRI ASHOK ANANDRAO
 DESHMUKH:
 SHRI A. K. ROY:
 SHRI KESHARI LAL:

Will the PRIME MINISTER be pleased to state:

(a) the month-wise break-up of the

civilians, security forces and terrorists killed/injured and property damaged by terrorists in Punjab during the last six months;

(b) whether the extent of killing has increased as compared to the previous six months and the corresponding year 1989.

(c) if so, the reasons therefor;

(d) the number of terrorists/infiltrators arrested by the security forces during the above period; and

(e) the details of the compensation paid by the Government to the next of kin of the victims of terrorists during 1990 so far?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a), (b) and (d). A statement is attached.

(c). There has been no uniform pattern in the incidents of terrorist related killings.

(e). The Government of Punjab have framed a scheme under which an ex-gratia payment of Rs. 50,000/- is made to the family of the victims. Besides, subsistence allowance at the rate of Rs. 1000/- per month is paid to the widows of the victims. Educational and employment assistance and lump-sum grant for the marriage of depended daughter of the victim are also extended.

STATEMENT

Year	No. of civilians killed by terrorists	No. of policemen/security forces killed	No. of terrorists killed	No. of terrorists arrested
1	2	3	4	5
1990				
June	152	23	101	182
July	205	47	121	182
August	182	44	158	212
September	133	40	116	143
October	229	77	161	110
November	297	66	171	140
Total	1198	297	828	969
1989-90				
December, 89	93	28	24	53
January, 90	103	23	57	53

Year	No. of civilians killed by terrorists	No. of policemen/security forces killed	No. of terrorists killed	No. of terrorists arrested
1	2	3	4	5
February, 90	74	21	44	77
March, 90	152	26	83	120
April, 90	148	22	90	202
May, 90	182	13	93	216
Total:	752	133	391	721
1989				
June	84	9	61	250
July	78	7	68	189
August	93	13	83	137
September	59	16	94	166

Year	No. of civilians killed by terrorists	No of policemen/security forces killed	No. of terrorists killed	No. of terrorists arrested
1	2	3	4	5
October	80	17	57	187
November	106	14	37	111
Total:	450	76	400	1070

Estimated value of property damaged by terrorists has not been worked out and details of terrorists injured are not readily available.

[*English*]**Setting up of Discs in Maharashtra**

522. SHRI HARIBHAU SHANKAR MAHALE: Will the PRIME MINISTER be pleased to state:

(a) the number of villages, towns and cities in Maharashtra where Discs have been set up for reception of television programmes;

(b) Whether Government propose to provide this facility to maximum number of villages keeping in view the public demand; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c). TV transmitters are, at present, functioning at 43 places in Maharashtra. These transmitters provide service to about 68% population of the state. With the augmentation of power of the transmitters at Aurangabad from the present 1 KW to 10 KW and commissioning of the high power (10 KW) transmitter at Ambajogai, under implementation as part of continuing VII Plan schemes, TV service is expected to become available to about 81.3% population of Maharashtra. In addition, 289 direct Reception TV Sets for community viewing were provided in the villages of Maharashtra under a VI Plan scheme. There is no Central scheme now to provide additional sets for community viewing in Maharashtra.

The extension of TV service to the remaining uncovered parts of the state depends upon future availability of resources for the purpose.

[*English*]**Identification of Castes for Reservation**

523. SHRI MANDHATA SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether the task of identification of the castes common in the Mandal Commission Report and the lists of different States has been finalised by now; and

(b) if so, the number of castes identified State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) No, Sir.

(b) Question does not arise.

Seizure of Goods Unlawfully by Delhi Police

524. SHRI KAMAL CHAUDHRY: Will the PRIME MINISTER be pleased to refer to the reply given on 15 March, 90 to Unstarred Question No. 649 and state:

(a) whether the information regarding seizure of goods unlawfully by Delhi Police has been collected;

(b) if so, the details thereof; and

(c) if not, the reasons for the delay?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) No, Sir.

(b) Does not arise.

(c) The matter is being looked into.

Inquiry Into Meham Incident

525. **SHRI KAMAL NATH:**
SHRI POOL CHAND VERMA:
DR. CHINTA MOHAN;
SHRIMATI GEETA
MUKHERJEE:

Will the PRIME MINISTER be pleased to state:

(a) whether the attention of the Government has been drawn to the news item appearing in the 'Indian Express', New Delhi dated 24 November, 1990 regarding opinion expressed by the judge heading the Inquiry Commission on Meham episode;

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

(c) expenditure incurred so far on the inquiry Commission?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) Requisite facilities like office accommodation, staff funds, bungalow, transport

and other arrangements necessary to run an office were made available to the Commission. Besides, on the request of the Judge certain special facilities were also extended to him.

(c) The total expenditure incurred on the Meham Commission of inquiry from 1.8.1990 to 20.12.1990 is Rs. 6,72,871.75.P.

Performance of Public Sector Undertakings in Orissa

526. **SHRI D. AMAT:** Will the PRIME MINISTER be pleased to state:

(a) whether Government have identified the public sector units in Orissa showing poor performance during the last three years;

(b) if so, the reasons therefor and the steps taken to improve their performances;

(c) whether some more public sector units in Orissa are likely to fall sick; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Performance of four out of the five Central Public Sector Enterprises with registered Offices in the State of Orissa is as follows:

(Rs. in lakhs)

S. No.	Name of PSU	Net Profit (+)/Net Loss (-) during		
		1986-87	1987-88	1988-89
1.	National Aluminium Co.	(-) 320	(-) 5092	1892
2.	Orissa Drugs & Chemicals Ltd.	(-) 14	1	(-) 27
3.	Paradeep Phosphates Ltd.	(-) 826	(-) 2034	1361
4.	Utkal Ashok Hotel Corp.	-	-	(-) 10

(commissioned in November, 1968)

Thus the performance in the last three years cannot be taken as poor.

(b) to (d). Do not arise.

Cycle Corporation of India Limited and Bharat Ophthalmic Glass Limited, West Bengal

527. SHRIMATI GEETA MUKHERJEE: Will the PRIME MINISTER be pleased to state:

(a) whether Government are considering a proposal to sell two sick public sector units the Cycle Corporation of India and the Bharat Ophthalmic Glass Limited in West Bengal to private sector; and

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

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Government have not taken any decision to sell these units to the private sector.

(b) Does not arise.

[Translation]

CBI Raids on Government and Public Undertaking Officials

528. SHRI RAJVEER SINGH; SHRI KODIKKUNNIL SURESH; SHRI BALVANT MANVAR:

Will the PRIME MINISTER be pleased to state:

(a) the details of raids conducted by Central Bureau of Investigation and other intelligence agencies in the country on Government official and public undertaking official under anti-corruption campaign during the last three years and during 1990; year-wise;

(b) the details of cased filecs against the official found guilty; and

(c) the steps being taken to eradicate corruption from Government Offices and Public Undertakings?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Raids under anti-corruption campaign are conducted only by Central Bureau of Investigation. Details of such raids conducted during the period from 1987 to November 1990 are as under:-

Year	No. of searches conducted
1987	393
1988	302
1989	190
1990	286

During the course of above serves, following movable/immovable assets were discovered:-

	1987	1988	1989	1990
(Figures Rupees in lakhs)				
Movable:	209	130	133	317
Immovable:	330	185	78	233

Besides, several incriminating documents were also seized.

(b) Details of cases filed are given in the statement below.

(c) Eradication of corruption is a continuous process. Effective administrative and legislative measures as are considered necessary are adopted in the fight against corruption. A comprehensive Prevention of Corruption Act, 1988 had been enacted to make the provisions of the existing Anti. Corruption Laws more effective. A three pronged strategy i.e. Preventive, Surveillance and detection and Deterrent Punitive Action is continued to fight corruption at all administrative levels.

STATEMENT

Cases Registered on Special Drives During the year 1987

1. RC. 25/87-BBS	13. RC. 32/87-Cochin
2. RC. 24/87- Patna	14. RC. 23/87-Chandigarh
3. RC. 19/87-Dhanbad	15. RC. 64/87-Delhi
4. RC. 56/87-Lucknow	16. RC. 2/87-ACU. VI
5. RC. 36/87-Dehradun	17. RC. 15/87-Patna
6. RC. 42/87-Jabalpur	18. RC. 17/87-Patna
7. RC. 74/87-Calcutta	19. RC. 23/87-Patna
8. RC. 26/87-Visk	20. RC. 13/87- Patna
9. RC. 81/87-Bombay	21. RC. 16/87-Ranchi
10. Rc. 41/87-Ahmedabad	22. RC. 19/87-Ranchi
11. RC. 72/87- Madras	23. RC. 10/87-Dhanbad
12. RC. 73/87- Madras	24. RC. 13/87-Dhanbad
	25. RC. 29/87-BBS
	26. RC. 20/87-BBS
	27. RC. 39/87-BBS
	28. RC. 32/87-Lucknow
	29. RC. 38/87-Lucknow
	30. RC. 43/87- Lucknow
	31. RC. RC. 28/87-Dehradun
	32. RC. 32/87-Dehradun
	33. RC. 33/87-Dehradun
	34. RC. 25/87-Jalalpur
	35. RC. 37/87-Jabalpur
	36. RC. 19/87-Shillong

37.	RC. 23/87-Shillong	61.	RC. 42/87-Madras
38.	RC. 41/87-Calcutta	62.	RC. 43/87-Madras
39.	RC. 56/87-Calcutta	63.	RC. 51/87-Madras
40.	RC. 62/87-Calcutta	64.	RC. 60/87-Madras
41.	RC. 63/87-Calcutta	65.	RC.19/87-Cochin
42.	RC. 6/87-Silchar	66.	RC. 20/87-Cochin
43.	RC. 7/87-Silchar	67.	RC. 22/87-Cochin
44.	RC. 19/87-Visk	68.	RC. 29/87-Cochin
45.	RC.23/87-Visk	69.	RC. 14/87-Chandigarh
46.	RC. 28/87-Visk	70.	RC. 15/87-Chandigarh
47.	RC. 25/87-Bangalore	71.	RC. 17/87-Chandigarh
48.	RC. 23/87-Bangalore	72.	RC.30/87-Jaipur
49.	RC. 23/87-Hyd.	73.	RC. 34/87-Jaipur
50.	RC. 28/87-Hyd.	74.	RC. 37/87-Jaipur
51.	RC. 33/87-Hyd.	75.	RC.46/87-Delhi
52.	RC. 44/87-Bombay	76.	RC. 47/87-Delhi
53.	RC. 45/87-Bombay	77.	RC. 53/87-Delhi
54.	RC. 52/87-Bombay	78.	RC.1/87-ACU. I
55.	RC.54/87-Bombay	79.	RC. 1/87-ACU. VI
56.	RC. 58/87-Bombay	80.	RC. 5/87-Patna
57.	RC. 60/87-Bombay	81.	RC. 6/87-Patna
58.	RC. 26/87-ABD	82.	RC.11/87-Patna
59.	RC. 30/87-ABD	83.	RC. 8/87-Patna
60.	RC. 41/87-Madras	84.	RC. 3/87-Dhanbad

85.	RC.8/87-Dhanbad	109.	RC. 31/87-Cal.
86.	RC. 3/87-Ranchi	110.	RC. 2/87-Shillong
87.	RC. 6/87-Ranchi	111.	RC. 4/87-Shillong
88.	RC.7/87-Ranchi	112.	RC.10/87-Shillong
89.	RC. 5/87-BBS	113.	RC. 4/87-Hyd.
90.	RC. 6/87-BBS	114.	RC. 11/87-Hyd.
91.	RC. 12/87-BBS	115.	RC. 4/87-Visk.
92.	RC.18/87-BBS	116.	RC.13/87-Visk.
93.	RC. 3/87-LKO	117.	RC. 6/87-Bangalore
94.	RC. 5/87-LKO	118.	RC.11/87-Bangalore
95.	RC.21/87-LKO	119.	RC. 16/87-Bangalore
96.	RC. 7/87-DAD	120.	RC. 9/87-Bombay
97.	RC. 8/87-DAD	121.	RC. 10/87-Bombay
98.	RC.9/87-DAD	122.	RC.11/87-Bombay
99.	RC. 15/87-DAD	123.	RC. 12/87-Bombay
100.	RC. 6/87-Jabalpur	124.	RC. 22/87-Bombay
101.	RC. 7/87-Jabalpur	125.	RC.23/87-Bombay
102.	RC.13/87-Jabalpur	126.	RC.32/87-Bombay
103.	RC. RC. 17/87-Jabalpur	127.	RC. 8/87-ABD
104.	RC. 10/87-Cal.	128.	RC.10/87-ABD
105.	RC.11/87-Cal.	129.	RC. 16/87-ABD
106.	RC.12/87-Cal.	130.	RC. 14/87-Madras
107.	RC. 20/87-Cal.	131.	RC. 23/87-Madras
108.	RC.21/87-Cal.	132.	RC. 32/87-Madras

133.	RC. 7/87-Cochin	13.	RC. 28/88-Jabalpur
134.	RC. 10/87-Cochin	14.	RC. 32/88-Jabalpur
135.	RC.13/87-Cochin	15.	RC. 51/88-Calcutta
136.	RC. 2/87-Chandigarh	16.	RC. 57/88-Calcutta
137.	RC. 6/87-Chandigarh	17.	RC. 9/E/88-Calcutta (SCB)
138.	RC.19/87-Delhi	18.	RC. 10/E/88-Calcutta (SCB)
139.	RC. 25/87-Delhi	19.	RC. 27/88-Shillong
140.	RC. 32/87-Delhi	20.	RC. 31/88-Hyd.
141.	RC. 10/87-Jaipur	21.	RC. 37/88-Hyd.
142.	RC.17/87-Jaipur	22.	RC. 20/88-Blr.
143.	RC. 20/87-Jaipur	23.	RC. 30/88-Blr.

*Cases Registered on Special Drives
During the Year 1988*

1.	RC. 41/88-BBS	24.	RC. 18/88-Visk.
2.	RC. 42/88-BBS	25.	RC. 21/88-Visk.
3.	RC. 33/88 BBS	26.	RC. 60/88-Bombay
4.	RC. 35/88-Patna	27.	RC. 66/88-Bombay
5.	RC. 30/88Patna	28.	RC. 33/88-ABD
6.	RC. 21/88-Dhanbad	29.	RC. 40/88-ABD
7.	RC. 19/88 Dhanbad	30.	RC 40/88-Madras
8.	RC. 16/88-Ranchi	31.	RC. 41/88-Madras
9.	RC. 45/88-Lucknow	32.	RC. 44/88-Madras
10.	RC 46/88-Lucknow	33.	RC. 45/88-Madras
11.	RC. 47/88-Lucknow	34.	RC. 23/88-Kerala
12.	RC. 37/88-DAD	35.	RC. 24/88-Kerala
		36.	RC. 25/88-Kerala

37.	RC. 20/88-Chandigarh	61.	RC. 4/88-Ranchi
38.	RC. 11/88-Srinagar	62.	RC. 6/88-Patna
39.	RC. 54/88-Delhi	63.	RC. 11/88-BBS
40.	RC 37/88-Jaipur	64.	RC. 10/88-Lucknow
41.	RC. 1/88-ACU. II	65.	RC. 11/88-Lucknow
42.	RC. 24/88-BBS	66.	RC. 12/88-Jabalpur
43.	RC. 8/88-Ranchi	67.	RC. 2/88-Dehradun
44.	RC. 10/88-Dhanbad	68.	RC. 3/88-Dehradun
45.	RC. 19/88-Patna	69.	RC. 3/88-Silchar
46.	RC. 20/88-Jabalpur	70.	RC. 4/88-Silchar
47.	RC. 23/88-Lucknow	71.	RC. 14/88-Cuttack
48.	RC. 23/88-DAD	72.	RC. 5/88-Shillong
49.	RC. 24/88-DAD	73.	RC. 11/88-Hyd.
50.	RC 32/88-Cuttack	74.	RC. 7/88-Visk.
51.	RC. 17/88-Hyd.	75.	RC. 9/88-Bangalore
52.	RC. 16/88-Bangalore	76.	RC. 10/88-ABD
53.	RC. 11/88-ABD	77.	RC. 18/88-Bombay
54.	RC. 43/88-Bombay	78.	RC. 19/88-Bombay
55.	RC. 24/88-Madras	79.	RC. 8/88-Cochin
56.	RC. 28/88-Madras	80.	RC. 9/88-Cochin
57.	RC. 15/88-Cochin	81.	RC. 15/88-Madras
58.	RC. 15/88-Chandigarh	82.	RC. 16/88-Madras
59.	RC. 29/88-Delhi	83.	RC. 14/88-Jaipur
60.	RC. 30/88-Delhi	84.	RC. 15/88-Jaipur

85. RC. 10/88-Delhi

22. RC. 12/89-Ranchi

86. RC. 11/88-Delhi

23. RC. 3/89-SIU. VIII.

**Cases Registered on Special Drives
During the Year 1989**

1. RC. 28/89-ABD

24. RC. 4/89-SIU. VIII.

2. RC. 57/89-Bombay

25. RC. 11/89-Shillong

3. RC. 35/89-BBS

26. RC. 21/89-Shillong

4. RC. 27/89-Bangalore

27. RC. 2/89-ACU. II

5. RC. 29/89-Bangalore

28. RC. 15/89-ABD

6. RC. 39/89-Calcutta

29. RC. 39/89-Bombay

7. RC. 40/89-Calcutta

30. RC. 20/89-BBS

8. RC. 18/89-Chandigarh

31. RC. 13/89-Bangalore

9. RC. 20/89-Chochin

32. RC. 24/89-Calcutta

10. RC. 12/89-Calcutta (SCB)

33. RC. 25/89-Calcutta

11. RC. 40/89-Delhi

34. RC. 11/89-Cochin

12. RC. 41/89-Delhi

35. RC. 12/89-Cochin

13. RC. 15/89-Dhanbad

36. RC. 25/89-Delhi

14. RC. 21/89-DAD

37. RC. 13/89-Jabalpur

15. RC. 24/89-Jabalpur

38. RC. 5/89-Srinagar

16. RC. 28/89-Jaipur

39. RC. 23/89-Madras

17. RC. 6/89-Jodhpur

40. RC. 24/89-Madras

18. RC. 7/89-Jodhpur

41. RC. 7/89-Ranchi

19. RC. 27/89-LKO

42. RC. 14/89-Shillong

20. RC. 36/89-Madras

43. RC. 40/89-Bombay

21. RC. 37/89-Madras

44. RC. 8/89-Chandigarh

45. RC. 6/89-Dhanbad

46. RC. 7/89-Dhanbad 20. RC. 21/90-DLI

47. RC. 11/89-Dehradun 21. RC. 16/90-CHG

48. RC. 5/89-Calcutta (SCB) 22. RC. 13/90-LKO

49. RC. 14/89-Patna 23. RC. 17/90-CHG

Cases registered on special drives during the year 1990

1. RC. 3(A)/90-VSP

24. RC. 18/90-DAD

2. RC. 4(A)/90-VSP

25. RC. 35/90-BBS

3. RC. 25/90-CAL (ACB)

26. RC. 54/90-BOM

4. RC. 31/90-CAL (ACB)

27. RC. 29/90-BLR

5. RC. 12(A)/90-CHG

28. CR. 24/90-ABD

6. RC. 25(A)/90-BBS

29. RC. 37/90-MADRAS

7. RC. 11/90-DHN

30. RC. 44/90-MAD

8. RC. 9/90-JBR

31. RC. 34/90-DLI

9. RC. 409(A)/90-BOM

32. RC. 35/90-DLI

10. RC. 41(A)/90-BOM

33. RC. 36/90-DLI

11. RC. 42(A)/90-BOM

34. RC. 13/90-Dhanbad

12. RC. 43(A)/90-BOM

35. RC. 24/90-Cochin

13. RC. 33(A)/90-MAD

36. RC. 13/90-HYD

14. RC. 19/90-KER

37. RC. 25/90-Patna

15. RC. 9(A)/90-HYD

38. RC. 26/90-Patna

16. RC. 7(A)/90-HYD

39. RC. 27/90-Patna

17. RC. 17/90-BLR

40. RC. 28/90-Patna

18. RC. 19/90-DLI

41. RC. 18/90-Shillong

19. RC. 20/90-DLI

42. RC. 17/90-Ranchi

43. RC. 36/90-CAL

44. RC. 43/90-CAL

68. RC. 30/90-ABD

45. RC. 44/90-CAL

[English]

46. RC. 29/90-JBR

**Welfare Schemes for Weaker Sections
in Andhra Pradesh**

47. RC. 9/90-VSP

529. SHRI B. N. REDDY: Will the PRIME
MINISTER be pleased to state:

49. RC. 67/90-BOM

(a) whether any welfare schemes for
the weaker sections in Andhra Pradesh are
proposed to be formulated with Central as-
sistance; and

50. RC. 25/90-LKO

(b) if so, the details thereof?

51. RC. 44/90-BBS

THE MINISTER OF STATE IN THE
MINISTRY OF LABOUR AND MINISTER
OF STATE IN THE MINISTRY OF WELFARE
(SHRI RAMJI LAL SUMAN): (a) and (b). A
list of Central/Centrally Sponsored Schemes
being implemented for the welfare of Weaker
Sections in the country including Andhra
Pradesh is given in the enclosed statement.

52. RC. 45/90-BBS

53. RC. 32/90-BLR

54. RC. 11/90-Silchar

55. RC. 59/90-DLI (ACB)

56. RC. 60/90-DLI (ACB)

57. RC. 61/90-DLI

STATEMENT

58. RC. 22/90-CHG

List of Central/Centrally sponsored
schemes for the welfare of weaker sections
including Scheduled Castes of Scheduled
Tribes.

59. RC. 23/90-CHG

60. RC. 27/90-KER

1. Special Central Assistance to
Special Component Plan for SCs
and Tribal Sub-Plan for STs.

61. RC. 33/90-Jaipur

62. RC. 34/90-Patna

2. Share Capital and Matching As-
sistance to State Scheduled
Caste Development Corpora-
tions.

63. RC. 5/90-ACU. III

64. RC. 38/90-JBR

3. Post-Matric Scholarships for
Scheduled Castes and Sched-
uled Tribes.

65. RC. 51/90-MAD (ACB)

66. RC. 16/90-VSP

4. Pre-Matric Scholarships for the

67. RC. 23/90-Ranchi

children of those engaged in Unclean Occupations.

5. Book Banks Scheme of SC/ST Students studying in Medical and Engineering Colleges.

6. Girls Hostels for Scheduled Castes and Scheduled Tribes.

7. Ashram Schools for ST children in Tribal Sub-Plan Areas.

8. Boys Hostels for SCs and STs.

9. Coaching and Allied Schemes.

10. Assistance to Voluntary Organisations.

11. Integrated Rural Development Programme (IRDP)

12. Training of Rural Youth for Self-Employment (TRYSEM)

13. Development of Women and Children in Rural Areas (DWCRA).

14. Jawahar Rozgar Yojana (JRY).

Intimation of Marks by Staff Selection Commission

530. SHRI NANDLAL MEENA: Will the PRIME MINISTER be pleased to state:

(a) whether Staff Selection Commission (S.S.C.) which hold examinations for class III posts in intimating the marks obtained in various papers to the candidates;

(b) if not, the reasons therefor; and

(c) the steps taken to supply mark-sheets to the candidates who appear in various examinations conducted by Staff

Selection Commission as is being done by Union Public Service Commission?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) No, Sir.

(b) and (c). Excepting the Union Public Service Commission, other examining bodies like the Railway Service Commission and the Banking Service Recruitment Boards do not follow this practice. In view of the large number of candidates appearing in the various examinations held by the Staff Selection Commission, the SSC also do not find it feasible to intimate marks to each candidate.

Transmission Equipments of AIR, Kohima

531. SHRI SHIKIHO SEMA: Will the PRIME MINISTER be pleased to state:

(a) whether the transmission equipments at AIR (Kohima) are out-dated resulting in irregularities and disruptions in transmission;

(b) if so, when the transmission equipments are likely to be replaced; and

(c) whether any budgetary provision has been made during the current financial year in this regard and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c). The 50 KW MW and 2 KW SW Transmitters installed at Kohima are functioning satisfactorily. However, the 2 KW SW transmitter is under replacement by a 50 KW SW transmitter for which a budgetary provision of Rs. 145.55 lakhs has been earmarked during

the current financial year. The project is envisaged to be completed during 1991-92.

Sainik School, Balachadi, Jamnagar.

532. SHRI K.S. CHAVDA: Will the PRIME MINISTER be pleased to state:

(a) whether Sainik School, Balachadi (Jamnagar) prepares students for their entry into the National Defence Academy in the officers cadre of armed forces;—

(b) the number of students belonging to Scheduled Castes and Scheduled Tribes admitted during each of the last three years in the Sainik School;

(c) whether freeships and scholarships are given to those SC & ST students whose parents' annual income is less than Rs. 25,000;

(d) if so, whether Government propose to give them freeships and scholarships by removing economic criteria; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) Yes, Sir.

(b)

	<i>No. of SC students admitted</i>	<i>No. of ST students admitted</i>
1	2	3
1988-89	11	6
1989-90	18	8
1990-91	15	6

(c) to (e). Full scholarship is given to those SC/ST students whose parents' income does not exceed Rs. 25,000/- per annum. There is no proposal at present to remove the economic criteria.

Kashmir Migrants

533. DR. DEBI PROSAD PAL:
SHRI BALESHWAR YADAV:
SHRI RAJENDRA AGNIHOTRI:
SHRICHIRANJILAL SHARMA:
SHRI RAMESHWAR PATIDAR:

Will the PRIME MINISTER be pleased to state:

(a) the number of persons who migrated from Kashmir to various places in the country from 1 December, 1989 till date and the details thereof;

(b) the details of relief camps organised;

(c) the number of persons rehabilitated so far, alongwith details of schemes if any, under consideration of Government to provide gainful employment to these migrants; and

(d) the number of migrants who returned to Kashmir so far?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MIN-

ISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). As advised by Government of Jammu & Kashmir and Delhi Administration over 54,800 families have been registered as migrants in Jammu region and over 14,500 in Delhi. Government of Jammu & Kashmir have organised 31 camps in Jammu region in the available Government buildings and tents where about 7000 families have been accommodated. The Delhi Admn. have organised 14 relief camps in different parts of Delhi where about 600 families have been accommodated. In Jammu basic ration is being given to all whereas free dry ration is being provided to such migrants who are living in relief camps organised by Delhi Admn. In addition cash assistance is also being provided to all the eligible migrants.

It is the endeavour of the Government to enable return of the migrants to their homes in the Valley as soon as the law and order situation there improves. Therefore, their permanent rehabilitation out-side the Valley has not been contemplated.

There are no reports of migrants re-turning to the Valley so far.

Schools Run by B.E.L. in Bangalore

534. SHRI JOSS FERNANDEZ: Will the PRIME MINISTER be pleased to state:

(a) whether the Bharat Electronics Ltd., Bangalore is running schools at Bangalore for the children of its employees;

(b) if so, the number of schools and the teaching and non-teaching staff working in the schools category-wise;

(c) whether some irregularities in the matter of appointments have come to the notice of Government; and

(d) if so, the details thereof and the action taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) Yes, Sir.

(b) Bharat Electronics, is running six schools which employ 183 persons for teaching and 53 persons for non-teaching work.

(c) No, Sir.

(d) Does not arise in view of the reply to (c) above.

[Translation]

Holding of Elections of Metropolitan Council and M.C.D.

535. SHRI MADAN LAL KHURANA: Will the PRIME MINISTER be pleased to state:

(a) when the last elections to Municipal Corporation of Delhi and the Metropolitan Council of Delhi were held and when the next elections to these bodies became due;

(b) whether Municipal Corporation of Delhi and Delhi Metropolitan Council had been dissolved some time back; and

(c) if so, the steps being taken to hold elections to these bodies?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Elections to the Metropolitan Council of Delhi and to the Municipal Corporation of Delhi were last held on 5.2.1983. The terms of the two bodies after extensions were due to expire on 17.3.90 and 6.2.90, respectively.

However, the Metropolitan Council was dissolved on 13.1.90 and the Municipal Corporation of Delhi was superseded on 6.1.1990.

(c) Under Section 9 of the Delhi Administration Act, 1966 read with Section 15 of the Representation of People Act, 1951 elections to the Metropolitan Council are to be called by the Lt. Governor of Delhi in consultation with the Election Commission. Elections to the Municipal Corporation of Delhi are to be called by the Director of Municipal Elections in accordance with the provisions of Section 11 of the Delhi Municipal Corporation Act, 1957. No decision regarding the date(s) of holding election to these bodies has so far been taken.

[English]

Movie on Veer Savarkar

536. **SHRIMATI JAYAWANTI NAVINCHANDRA MEHTA:** Will the PRIME MINISTER be pleased to state:

- (a) whether a movie on Veer Savarkar is being produced by a well-known Marathi singer;
- (b) whether the producer has requested Government for making the film tax-free;
- (c) if so, the details thereof; and
- (d) the Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Government is not aware about the project. Production of films is largely in private sector and no prior approval of Government for production of feature films or documentaries by private producers is required.

(b) No, Sir.

(c) and (d). Question does not arise.

Diploma Programmes in Computer Applications in Hindi

537. **SHRI PRAKASH V. PATIL:** Will the PRIME MINISTER be pleased to state:

- (a) whether Government have given support to a number of training centres for Diploma Programme in Computer Applications in Hindi medium since 1964 but some of these centres offer the training courses only in English;
- (b) if so, the reasons therefor;
- (c) the steps proposed to remedy the situation; and
- (d) the job prospects of pass-outs of Diploma Programme in Computer Applications in Hindi medium?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (d). Department of Electronics has so far supported 9 Centres for Diploma Programme in Computer Applications (DCA) in Hindi medium. However, 2 Centres are reported to be offering courses in English due to non-availability of adequately trained faculty. There is a general problem of shortage of books in Hindi medium. However, in these Centres, English and Hindi are mixed while teaching the subjects. Depending upon the response of the students and their preparedness, the switchover to teaching in Hindi becomes faster.

In order to overcome the above difficulties, Government has taken the following steps:—

- (i) One centre has been given additional responsibility for conducting DCA Teachers Programme in Hindi. One more centre is being developed for the same purpose.
- (ii) Financial assistance is being provided for writing articles and books on electronics in Hindi as well as for translation of books on electronics into Hindi. A National award has also been instituted for writing original technical books in Hindi.
- (iii) Commission for Scientific & Technical Terminology (CSTT) under the Ministry of Human Resource Development is engaged in the following activities:—
 - (a) Standardisation of technical terminology in Hindi.
 - (b) Preparation of a definitional dictionary in Hindi.
 - (c) Organisation of terminological workshop in Hindi.
- (iv) Special technology products such as GIST (Graphics & Intelligence based System Technology) and Character ROMs (Read only Memories) have already been developed to generate characters in several Indian Languages.

With increase in the use of Hindi in computer applications in different fields by various organisations etc., the job prospects for pass-outs of DCA in Hindi medium are bright.

Cuttack Doordarshan Kendra

538. SHRI SIVAJI PATNAIK: Will the PRIME MINISTER be pleased to state:

- (a) whether Government are aware that the T.V. programmes and particularly the programme shown by Cuttack Doordarshan Kendra are not clear in the rural areas of Orissa and more so in the Nayagarh and Khunda sub-divisions of Puri district;
- (b) if so, the reasons therefor; and
- (c) the steps proposed to be taken in order to rectify the defect?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c). All the TV Transmitters in the State of Orissa, including the high power (10KW) TV transmitter at Cuttack, are functioning normally and are providing satisfactory services within their respective coverage areas subject to the local terrain conditions. However, parts of Puri district including certain areas of Nayagarh and Khurda sub-divisions do not receive satisfactory service from the TV transmitter at Cuttack due to intervening terrain conditions. Further extension of TV service to the remaining uncovered parts of the state including therein Puri district depends upon the future availability of the resources for the purpose.

Spurt in Killing of Innocent Citizens in Punjab

539. SHRI INDRAJIT GUPTA: Will the PRIME MINISTER be pleased to state:

- (a) whether there has been a spurt in the killings of innocent persons of a particular community selectively in Punjab during the last two months;
- (b) whether this pattern is being master-minded by externally located agencies with the object of provoking communal clashes and migration from the State; and

(c) if so, what counter-action by the Government is being undertaken?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c).

While there has been no appreciable difference in the pattern of killings in Punjab during October 1990 some incidents of violence directed against a particular community had come to notice during November 1990. According to reports received, such actions compliment the designs of agencies across the border for creating a communal divide and whipping up fundamentalist feelings for widening the base of secessionism in Punjab. The security agencies are fully alive to the prevalent situation and are taking appropriate action. The Central Government is also extending all possible assistance to them as required.

Employment Generation In Private Sector

540. SHRI UTTAM RATHOD: Will the PRIME MINISTER be pleased to state:

(a) whether there has been a steep decline in recent years in employment generation in the private sector;

(b) if so, whether any study has been undertaken to ascertain the causes of such decline; and

(c) if so, the steps proposed to help the industry in generating more employment potential?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Estimates based on the results of the 38th Round (1983) and 43rd Round (1987-88) Surveys of NSSO show that employment in the private sector as a

whole has not registered a decline during this period. However, employment in the organised private sector showed a small decline during 1983-85 and a fluctuating trend thereafter.

(b) No specific study of the type has been undertaken.

(c) The Eighth Plan strategy, which places employment in the central focus, envisages emphasis on small scale and other high employment potential sectors, for accelerating the pace of employment generation in the economy as a whole.

Acquisition of Land for K.K. Range in Rahuri and Parner Tehsils of Ahmednagar District

541. SHRI BALASAHEB VIKHE PATIL: Will the PRIME MINISTER be pleased to state:

(a) whether about 18 thousand hectares of land in Rahuri and Parner Tehsils of District Ahmednagar in Maharashtra has been required by the Government for development of K.K. Range;

(b) if so, whether any alternative land for compensation has been given to farmers affected thereby; and

(c) if not, steps taken or proposed to be taken to rehabilitate/adequately compensate the farmers?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) Though sanction was issued in 1969 for acquisition of 18,470.455 hectares of land at Rahuri and Parner tehsils of Ahmednagar District, land acquisition could not actually take place because of high cost of land and rehabilitation cost demanded by the State Government.

(b) and (c). Since possession of land has not been taken-over by Defence, payment of compensation or rehabilitation assistance does not arise.

Manufacturing of Aero-Gas Turbines by HAL

542. SHRI H.C. SRIKANTIAH: Will the PRIME MINISTER be pleased to state:

(a) whether the Hindustan Aeronautics Limited propose to manufacture Aeroderivative Gas Turbines for mechanical drives, power generation and marine propulsion;

(b) if so, whether any collaboration agreement has been signed in this regard;

(c) if so, the details thereof;

(d) the estimated cost of the above project; and

(e) the number of turbines likely to be manufactured and the time by when the production is to start?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) and (b). Yes, Sir.

(c) HAL have signed collaboration agreements (i) with M/s Ingersoll Rand and with the Allison Gas Turbine Divn. of General Motors, USA, for manufacture of 3 mw to 5 mw gas turbines, and (ii) with General Electric, USA for manufacture of marine Gas Turbine engines.

(d) The estimated capital and Deferred

Revenue Expenditure for 3 to 5 mw programme (in three phases) and for the marine engine programme (in two phases) is Rs. 24 crores, and Rs. 16.76 crores respectively, at 1988 price level.

(e) The exact numbers to be produced and commencement of production will depend upon firm demands placed on HAL by the customers.

[*Translation*]

Educated Unemployed Youth State-wise

543. SHRI SHOPAT SINGH MAKKASAR: Will the PRIME MINISTER be pleased to state:

(a) the number of educated unemployed youth registered in Employment Exchanges, State-wise; and

(b) the number of unemployed youth to whom employment was provided through Employment Exchanges during the last three years, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) The number of educated (Matric & above) job-seekers, not all of whom are necessarily unemployed, on the live register of employment exchanges as at end of June 1989 is given State-wise in enclosed statement.

(b) The number of job-seekers placed through employment exchanges during 1988, 1989 and January-September, 1990 is also given State-wise in the enclosed Statement.

STATEMENT

Number of Educated job-seekers on Live register of Employment Exchanges as at and of June, 1989 and number placed in employment

(In thousands)

<i>States/Union Territories</i>	<i>No. of Education (matric & above) job-seekers on Live Register- June, 89</i>	<i>Total number (including educated) of Placements effected during</i>		
		<i>1988</i>	<i>1989</i>	<i>Jan-Sept., 1990</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
STATES:				
1. Andhra Pradesh	1549.2	19.5	27.4	14.6
2. Arunachal Pradesh	0.3	0.0	0.0	0.0
3. Assam	82.3	6.4	6.3	2.9
4. Bihar	1668.9	18.7	15.4	12.4
5. Goa	42.5	1.9	0.9	0.6
6. Gujarat	531.7	13.0	14.2	13.0

(In thousands)

States/Union Territories	No. of Education (matric & above) job-seekers on Live Register- June, 89	Total number (including educated) of Placements effected during		
		1988	1989	Jan-Sept, 1990
1	2	3	4	5
7. Haryana	303.0	12.1	6.9	5.4
8. Himachal Pradesh	248.8	7.1	6.9	4.6
9. Jammu & Kashmir	52.6	1.5	0.4	0.4
10. Karnataka	685.3	8.4	8.3	7.0
11. Kerala	1821.4	15.6	14.2	11.8
12. Madhya Pradesh	1122.3	25.3	27.8	18.0
13. Maharashtra	1692.9	29.7	23.9	18.7
14. Manipur	141.8	0.4	0.3	0.1
15. Meghalaya	9.5	0.3	0.3	0.4

(In thousands)

States/Union Territories	No. of Education (matric & above) job-seekers on Live Register- June, 89	Total number (including educated) of Placements effected during		
		1988	1989	Jan-Sept., 1990
1	2	3	4	5
16. Mizoram	12.6	1.5	0.9	0.5
17. Nagaland	12.6	0.5	0.2	0.3
18. Orissa	441.2	10.0	9.1	8.1
19. Punjab	305.7	9.0	6.5	3.0
20. Rajasthan	482.1	13.3	8.8	6.1
21. Sikkim*				
22. Tamil Nadu	1694.8	50.6	45.5	31.5
23. Tripura	46.7	1.7	1.1	0.8
24. Uttar Pradesh	1901.3	29.1	25.8	14.9

(In thousands)

States/Union Territories	No. of Education (matric & above) job-seekers on Live Register- June, 89	Total number (including educated) of Placements effected during		
		1988	1989	Jan-Sept., 1990
1	2	3	4	5
25. West Bengal	2297.1	12.1	10.7	6.3

UNION TERRITORIES

1. Andaman & Nicobar Islands	1.0	1.4	1.1	0.4
2. Chandigarh	81.7	1.4	1.6	0.9
3. Dadra & Nagar Haveli	1.2	0.1	0.1	N.A.
4. Delhi	531.2	36.0	23.0	18.6
5. Daman & Diu**				

(In thousands)

States/Union Territories	No. of Education (matric & above) job-seekers on Live Register- June, 89	Total number (including educated) of Placements effected during		
		1988	1989	Jan-Sept., 1990
1	2	3	4	5
6. Lakshadweep	1.7		@	0.1
7. Pondicherry	60.0		1.4	1.1
Total	18223.3	3285	289.2	201.6

Note: 1. *No Employment Exchange is functioning.

2. **Data are not maintained.

3. @Figures less than 50.

4. Figures may not add up to totals due to rounding off.

5. N.A.: Not available

[*English*]**Sugar Licensing Spree**

544. SHRIPHOOCHAND VERMA: DR. CHINTA MOHAN:

Will the PRIME MINISTER be pleased to state:

(a) whether attention of Government has been drawn to the newsitem captioned "Brakes Put on Ajit's Sugar Licensing spree" appearing in "financial Express" of November 3, 1990;

(b) if so, the number of licences issued to sugar mills during October, 1990; and

(c) the details of assessment made with regard to total raw material and capital required by the mills while issuing the above licences?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir.

(b) During October, 1990, 6 Letters of Intent for establishment of new sugar factories and 3 Letters of Intent for substantial expansion of existing sugar factories were issued.

(c) While issuing the Letters of Intent, the procedure and the guidelines formulated by Government for licensing of new and expansion of existing sugar factories during the Eighth Five Year Plan, as publicized through the Press Note No. 4 (1990 series) dated 23rd July, 1990, of the Department of Industrial Development, have been kept in view. These guidelines *inter alia* stipulate that in respect of new sugar factories there should be no sugar mill within a radial distance of 15 kms.

Manufacture of Fireworks

545. SHRI RAM SAGAR (Saidpur): Will the PRIME MINISTER be pleased to state:

(a) whether licences have been issued in and around Delhi to manufacture fireworks for marriages and festivals;

(b) if so, details thereof;

(c) whether such licences are manufacturing fireworks much in excess;

(d) if so, whether government have carried out any investigation into the matter; and

(e) if so, with what results and if not, the reasons therefor?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (e). Under the Explosives Rules, 1983 District Authorities are empowered to issue licences to manufacture upto 15 kgs at a time. The Chief Controller of Explosives has issued one licence in and around Delhi for manufacture of fireworks upto 100 Kgs at a time. Such licences are granted on a regular basis and not for a particular duration for marriages and festivals. The premises of the licences were inspected on 20.4.90 by the Office of CCE's organisation and no irregularities were detected.

[*Translation*]**Equal Pay for Equal Work**

546. SHRI RAM LAL RAHI: Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government have formulated any policy regarding equal pay for equal work;

- (b) if not, whether Government are considering it now;
- (c) if so, when the policy of equal pay for equal work is likely to be formulated; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) The Equal Remuneration Act, 1976 is already in force to provide for the payment of equal remuneration to men and women workers for performing the same work or work of a similar nature. The principle of equality is also kept in view while fixing the minimum wage levels under the Minimum Wages Act.

(b) to (d). Do not arise.

[English]

TV Reception in Rajapalayam, Kalaukumalai and Palani in Tamil Nadu

547. SHRI KADAMBUR M.R. JANARDHANAN: Will the PRIME MINISTER be pleased to state:

(a) whether Union Government are aware that Rajapalayam, Kalaukumalai and Palani in Tamil Nadu are not getting clear transmission because of the nearby hills;

(b) whether Union Government have received complaints from Rajapalayam Municipality, Tamil Nadu in this regard; and

(c) if so, whether Government propose to set up a similar TV relay station, as installed in Courtalam Hills in Tamil Nadu near Thenkasi, in the above mentioned cities also so that the TV programmes could be watched by the people of these areas?

THE MINISTER OF STATE IN THE

MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) Yes, Sir. A complaint about the poor TV reception at Rajapalayam has been received from the Chairman, Municipal Council, Rajapalayam.

(c) Whereas there is no approved scheme at present to set up TV transmitters at Rajapalayam, Kalaukumalai and Palani in Tamil Nadu, it is the constant endeavour of the Government to extend TV service to uncovered parts of the country, as expeditiously as possible, depending upon the availability of resources for the purpose.

Massacre of Bus Passengers in Punjab

548. SHRI VAMANRAO MAHADIK: Will the PRIME MINISTER be pleased to state:

(a) the number of cases of massacre of bus passengers by terrorist in Punjab during the last three years, year-wise; and

(b) the remedial measures taken to curb such incidents in future?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). The information is being collected and will be laid on the Table of the House.

Payment of Ex-Gratia Relief to Victims of Terrorists Activities in J&K

549. SHRI PIYARE LAL HANOO:
SHRI KESHARI LAL:
Will the PRIME MINISTER be pleased to state:

(a) the details of ex-gratia relief paid so far to the families of victims of terrorist violence in Jammu and Kashmir during the last six months, month-wise; and

(b) the number of persons who have not been paid the relief during this period?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). The month-wise details of disbursement of ex-gratia relief to the families of victims of terrorist violence has not been received. However, the Government of J&K has advised that so far payment has been made in 159 cases. In addition, 272 cases are under process. Besides disbursement in 100 cases of ex-gratia relief to the families of security force personnel killed by terrorists has also been made.

Search of Militants by Army in J&K

550. SHRI BANWARILAL PUROHIT: Will the PRIME MINISTER be pleased to state:

(a) whether military forces have conducted house to house searches in some areas of Srinagar for apprehending militants;

(b) if so, the number of subversives arrested in this search during the last two months;

(c) the details of arms and ammunition etc., seized from them; and

(d) further steps the Government propose to take to apprehend the subversives in

the valley?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) to (d). The relevant information is awaited from the Government of Jammu & Kashmir.

Utilisation of Pulping Facility by Paper Mills

551. SHRI BABUBHAI MEGHJI SHAH: Will the PRIME MINISTER be pleased to state:

(a) the details of installed capacity of pulping facility in paper mills;

(b) whether the pulping facility is not fully utilised by paper mills; and

(c) the details of imported pulp/waste papers used for manufacture of paper by the paper mills during the last three years?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). The installed capacity for paper and paper board industry is 30.49 lakh tonnes. The integrated large paper mills, based on forest raw materials, and some agro-based paper mills, have their own pulping facilities. The overall capacity utilisation of paper and paper board industry in the current year is around 64% and most of the pulp produced is utilised by the paper mills.

(c) The details of pulp/waste paper imported during the last three years are given below:—

Year	Quantity (Thousand tonnes)	Value (Rs. in crores)
1	2	3
1987-88	474	238.54
1988-89	394	252.18
1989-90	451	303.88

[Translation]

Construction of Akashvani Bhavan in Madhya Pradesh

552. SHRI RESHAM LAL JANGDE: Will the PRIME MINISTER be pleased to state:

(a) whether work pertaining to furnishing and installation of equipments etc. at Akashvani Bhavan in Madhya Pradesh has been completed;

(b) the time by which broadcasting of local and other programmes is likely to be started therefrom;

(c) the total amount spent on the construction of the said building; and

(d) the number of employees working there category-wise?

THE MINISTER OF STATE IN THE

MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) There is no scheme as such for establishment of an 'Akashvani Bhavan' in Madhya Pradesh. Akashvani's VII Plan, however, provided for establishment of 10 new Radio Stations in Madhya Pradesh, one each at Shahdol, Shivpuri, Khandwa, Chhindwara, Bilaspur, Guna, Balaghat, Raigarh, Betul and Sagar.

(b) While the Radio Station at Khandwa was commissioned into service on October 19, 1990, the Radio Stations at Shivpuri, Shahdol, Chhindwara, Bilaspur, Balaghat, Raigarh and Betul have been made technically ready. The establishment of the remaining two Radio Stations at Guna and Sagar is envisaged to be completed during 1991-92.

(c) The expenditure incurred on civil works and installation of equipment in these ten Radio Stations is as follows:—

Sl. No.	Name of the Station	Expenditure incurred as on 31.3.90 (Rs. in lakhs)
1	2	3
1.	Shahdol	200.00
2.	Khandwa	206.01

<i>Sl. No.</i>	<i>Name of the Station</i>	<i>Expenditure incurred as on 31.3.90 (Rs. in lakhs)</i>
<i>1</i>	<i>2</i>	<i>3</i>
3.	Shivpuri	196.58
4.	Chhindwara	216.55
5.	Bilaspur	192.78
6.	Guna	204.90
7.	Balaghat	182.25
8.	Raigarh	197.11
9.	Betul	214.66
10.	Sagar	187.46

(d) The details of staff sanctioned for the non-local Radio Stations at Shahdol and Shivpuri and for the local Radio Stations, separately, are given in Statements I and II.

STATEMENT-I

Details of the Staff Sanctioned for the Non-Local Radio Stations Separately at Shivpuri and Shahdol

<i>Sl. No.</i>	<i>Designation of the Post</i>	<i>No. of Posts</i>
<i>1</i>	<i>2</i>	<i>3</i>
1.	Station Director	1
2.	Station Engineer	1
3.	Assistant Station Director	1
4.	Assistant Station Engineer	1
5.	Programme Executive	5
6.	Transmission Executive	4

Sl. No.	Designation of the Post	No. of Posts
1	2	3
7.	Production Assistant (in the grade of TREX)	1
8.	Farm Radio Officer	1
9.	Farm Radio Reporter	1
10.	Assistant Editor (F&H) (in the grade of TREX)	1
11.	Assistant Editor (Script) (in the grade of TREX)	1
12.	Senior Engineering Assistant	4
13.	Engineering Assistant	6
14.	Senior Technician	1
15.	Technician	3
16.	Diesel Technician	1
17.	Helper	1
18.	Head Clerk/Accountant	1
19.	Clerk Grade I	3
20.	Clerk Grade II	4
21.	Hindi Translator	1
22.	Storekeeper (Jr.)	1
23.	Stenographer (Jr.)	2
24.	Librarian (Jr.)	1
25.	Programme Secretary (Clerk Jr. I)	2
26.	Motor Driver	2
27.	Studio Attendant	1

Sl. No.	Designation of the Post	No. of Posts
1	2	3
28.	Security Guard	4
29.	Daftary	1
30.	Peon	3
31.	Safaiwala	1
32.	Farash	1
33.	Mali	1
34.	Announcer	4
35.	Compere	2
36.	Music Composer	1
		70

STATEMENT-II

Details of the Staff Sanctioned for the Local Radio Stations Separately at Khandwa, Chhindwara, Bilaspur, Guna, Balaghat, Raigarh, Betul and Sagar

Sl. No.	Designation of the Post	No. of Posts
1	2	3
1.	Station Director	1
2.	Station Engineer	1
3.	Programme Executive	3
4.	Farm Radio officer	1
5.	Production Assistant (in the grade of TREX)	1
6.	Assistant Editor (F&H) (in the grade of TREX)	1
7.	Transmission Executive	3

<i>Sl. No.</i>	<i>Designation of the Post</i>	<i>No. of Posts</i>
1	2	3
8.	Assistant Engineer	1
9.	Senior Engineering Assistant	2
10.	Engineering Assistant	6
11.	Senior Technician	2
12.	Technician	3
13.	Diesel Technician	1
14.	Helper	1
15.	Head Clerk/Accountant	1
16.	Clerk Grade-II	4
17.	Programme Secretary (CG-I)	1
18.	Stenographer (Jr.)	1
19.	Librarian (Jr.)	1
20.	Storekeeper (Jr.)	1
21.	Motor Driver	2
22.	Security Guard	4
23.	Daftry	1
24.	Farash-cum-Safaiwala	2
25.	Peon	3
26.	Announcer/Compere	3

[*English*]

Expert Group on Estimation of Proportion and Number of Poors

553. SHRI PRATAP SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether the Expert Group on Estimation of Proportion and Number of Poors constituted by the Planning Commission has since finalised its recommendations;

(b) if so, the details thereof; and

(c) if not, when the Group is likely to submit its recommendations to Governments?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) and (b). The expert group on Estimation of Proportion and Number of poor has not yet finalised its recommendations.

(c) Two meetings of the Group were held. The members of the earlier Planning Commission resigned in November, 1990. Now that the Planning Commission has been reconstituted and new members have joined, the meeting of the Group will be convened shortly to deliberate in this regard.

Implementation of Mandal Commission Recommendations

554. PROF. K.V. THOMAS: Will the PRIME MINISTER be pleased to state:

(a) whether it has been brought to the notice of the Government that there are mistakes in classifying the communities in the OBC list by the Mandal Commission;

(b) if so, the steps taken to rectify them;

(c) whether the Muslim Community as

a whole is likely to be considered as OBC for getting benefits under Mandal Commission recommendation; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) to (d). The decision to provide 27% reservation for Socially and Educationally Backward Classes (SEBCs) in the first phase covers only those castes and communities which are common to both the lists in the Report of the Mandal Commission and the State Government lists.

The above decision was taken in order to avail of the benefits of the long experience of a number of States in preparing lists of Socially and Educationally Backward Classes (SEBCs) and also in order to ensure harmonious and quick implementation. Therefore, for the purposes of implementation of Government decision, such castes and communities which are not included in the Mandal List but are included in the State Lists and vice-versa would not be eligible for the benefits of reservation. This decision is a safeguard also against any mistakes that might have crept in the massive nation-wise exercise undertaken by the Mandal Commission to identify SEBCs. Wherever certain Muslim communities are common to both the lists, they would also be eligible for the benefits of the reservation policy. However, the decision of the Government has been stayed by the Supreme Court except the identification of castes and communities as SEBCs as per aforesaid decision.

Financial Assistance for Jails in Kerala

555. SHRI K. MURALEEDHARAN: Will the PRIME MINISTER be pleased to state:

(a) whether the Kerala Government has submitted any scheme to the Union Govern-

ment seeking financial assistance to reconstitute the present structure of Jails in Kerala; and

(b) if so, the details thereof and the action taken by the Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRISUBODH KANT SAHAY): (a) No, Sir.

(b) Question does not arise.

[*Translation*]

Doctors, Engineers Registered with Employment Exchanges In States

556. **SHRI GULAB CHAND KATARIA:**

Will the PRIME MINISTER be pleased to state the number of doctors, engineers, graduates and post graduates registered with employment exchanges in various States throughout the country at present?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): A Statement giving the latest available information on the number of doctors, engineers, graduates and post-graduates on the live register of employment exchanges, State-wise as at the end of June, 1989 is enclosed.

STATEMENT

Number of job-seekers on the Live register of Employment Exchanges as at end of June, 1989.

States/Union Territories	Graduates (including Post Graduates) in			Total (In thousands)
	Medicine	Engineering	Graduates	
	1	2	3	4
STATES:				
1. Andhra Pradesh	2.9	10.0	209.4	20.9
2. Arunachal Pradesh	@	0	0.1	@
3. Assam	0.1	0.5	54.7	3.9
4. Bihar	1.5	2.5	257.5	9.2
5. Goa	0.2	0.1	.7	0.3
6. Gujarat	0.6	4.2	55.1	5.4
7. Haryana	0.9	0.4	47.6	7.0

(In thousands)

States/Union Territories	Graduates (including Post Graduates) in				Total
	Medicine	Engineering	Graduates	Post Graduates	
1	2	3	4	5	
8. Himachal Pradesh	0.2	0.5	23.2	7.7	
9. Jammu & Kashmir	0	0.4	12.5	3.8	
10. Karnataka	0.8	11.4	99.5	11.7	
11. Kerala	1.6	7.3	112.5	22.5	
12. Madhya Pradesh	0.7	3.6	159.2	39.2	
13. Maharashtra	3.8	5.0	183.5	23.6	
14. Manipur	0.1	1.0	21.7	2.5	
15. Meghalaya	0.0	@	1.3	0.1	
16. Mizoram	@	@	1.4	0.2	
17. Nagaland	0.0	@	1.0	0.1	

States/Union Territories	Graduates (including Post Graduates) in					(In thousands)
	Medicine	Engineering		Graduates	Post Graduates	
		1	2	3	4	5
18. Orissa	1.1	1.4	98.2	98.2	5.6	5.6
19. Punjab	0.2	0.6	63.7	63.7	10.9	10.9

[English]

Setting up of T.V. Stations in Tamil Nadu

557. SHRI P.R.S. VENKATESAN: Will the PRIME MINISTER be pleased to state:

- (a) whether Government propose to set up more T.V. stations in Tamil Nadu;
- (b) if so, the names and locations of proposed T.V. stations;
- (c) the time by which these stations are likely to be set up; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) to (d). The establishment of additional studio facilities for second channel TV service at Madras and a high power (10KW) TV transmitter with a 300M high tower at Rameshwaram is under implementation in Tamil Nadu as spill-over schemes from the VII Plan. These projects are expected to be commissioned into service during 1992-93 and 1993-94 respectively. Besides, it is also

envisioned to establish a TV studio Centre at Madurai, the lead time for completion of which is about 4 years after commencement of civil works at the site.

[Translation]

Overstay of Pakistanis

558. SHRI RAGHAVJI: Will the PRIME MINISTER be pleased to state:

- (a) the state-wise number of visitors from Pakistan who are overstaying in India as on 15 December, 1990;
- (b) the action being taken by Government for their repatriation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) A statement, prepared on the basis of the information available, is attached.

(b) As and when any Pakistani national overstays and is detected, action under the Foreigners Act/Rules is taken by the State Governments/Union Territory Administrations to either prosecute him or deport him. The State authorities have been directed to take effective measures to locate and deport overstaying Pak. nationals.

STATEMENT

PAKISTANI NATIONALS

State-wise information in respect of Pak. nationals who have not gone back to their country after expiry of visa period as on 31.3.1990

Sl. No.	Name of States/UTs	Overstaying in India
1	2	3
1.	Andhra Pradesh	38

<i>Sl. No.</i>	<i>Name of States/UTs</i>	<i>Overstaying in India</i>
1	2	3
2.	Bihar	144
3.	Delhi	143
4.	Gujarat	340
5.	Haryana	31
6.	Karnataka	101
7.	Kerala	462
8.	Madhya Pradesh	1014
9.	Maharashtra	1801
10.	Orissa	47
11.	Punjab	253
12.	Rajasthan	1148
13.	Tamil Nadu	73
14.	Uttar Pradesh	1214
15.	West Bengal	533
16.	Jammu & Kashmir	97

Information in respect of the remaining States/UTs may be treated as NIL. The available figure in respect of West Bengal relates to 31.12.89

[*English*]

Marathi Programmes Over Goa Doordarshan

559. PROF. GOPALRAO MAYEKAR:

Will the PRIME MINISTER be pleased to state:

(a) whether Marathi language programmes are being telecast from Goa Doordarshan;

(b) if so, the time earmarked therefor by Goa Doordarshan;

(c) whether Government are aware that

Marathi language is not given its due share in TV programmes; and

(d) if so, the corrective steps being taken?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). Marathi language programmes telecast from Bombay are relayed by the High Power Transmitter at Panaji, Goa daily (from Monday to Friday) from 5.30 p.m. to 8.30/8.40 p.m. except for 30 minutes (from 7.00 p.m. to 7.30 p.m.) when programmes in Konkan language are telecast from Goa. Besides, regional music programmes in Marathi and award winning Marathi films are telecast in the Regional Language Chunk of National Network, in rotation with other regional languages.

Financial Assistance to KVI Board, Andhra Pradesh

560. SHRI BH. VIJAYA KUMAR RAJU: Will the PRIME MINISTER be pleased to state:

(a) whether financial grant is sanctioned by Khadi and Village Industries Commission to Khadi and Village and Industrial Boards; and

(b) if so, the details of grant sanctioned to Khadi and Village Industries Board Andhra Pradesh during 1990?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Yes, Sir.

(b) The amount sanctioned and allocated to State Khadi and Village Industries Board, Andhra Pradesh for the year 1990-91 is as under:—

(Rs. in lakhs)

	Grant	Loan	Total
1	2	3	4
Khadi	0.33	47.80	48.13
Village Industries	14.29	879.58	893.87
Total:	14.62	927.38	942.00

Training of Police Personnel on Scientific Lines

561. SHRI HAMENDRA SINGH BANERA: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to prepare a model training programme for

training of police personnel and circulate it among the State Governments to ensure investigations on scientific basis and not on the basis of torture and intimidation; and

(b) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MIN-

ISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Guidelines on Police training programmes covering among other items, use of scientific aids to investigation had been circulated by the Government of India to the State Governments in February, 1986.

[*Translation*]

Memo Submitted by All India Trade Union Federation

562. SHRI CHHEDI PASWAN: Will the PRIME MINISTER be pleased to state:

- (a) whether All India Trade Union Federation has submitted a memorandum to Government in support of the demands of the workers recently;
- (b) if so, the main demands of the federation; and
- (c) the steps being taken to meet their demands and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) Yes, Sir.

(b) The All India Trade Union Federation has raised the following demands:

- (i) To set up Lok Adalats to clear the labour disputes;
- (ii) Equal participation of Employers and Employees in Industries;
- (iii) 30% reservation in the Parliament/State Legislative Assemblies for representatives of workers;

- (iv) Equal payment of wages/Bonus and Gratuity to all the Industrial/Commercial Workers; and
-
- (v) Stringent action against organisations violating labour laws.

(c) The demands are being examined.

[*English*]

Labour Ministers Conference

563. SHRI CHANDRESH PATEL: Will the PRIME MINISTER be pleased to state:

- (a) whether Labour Ministers Conference was held on 20 December, 1990 at Delhi;
- (b) if so, the States which participated in the Conference;
- (c) the issues discussed and decisions taken;
- (d) the time by when these decisions are likely to be implemented; and
- (e) how many such Conferences of State Labour Ministers, Labour Secretaries, Chief Labour Commissioners were held from 15 December, 1989 to 30 November, 1990?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) Yes, Sir.

(b) A list of States and Union Territories which participated in the 39th Conference of Labour Ministers is attached as Statement-I.

(c) The items of agenda for the Conference and the major conclusions reached in

the Conference are given in the attached Statement.

(d) The matter is reviewed and appropriate action is taken on a continuing basis.

(e) A Conference of Labour Secretaries was held on 19th April, 1990, followed by a Conference of Labour Minister on 20.4.1990.

STATEMENT-I

List of States and Union Territories which participated in the 39th Conference of Labour Ministers held on 20th December, 1990

1. Andhra Pradesh
2. Arunachal Pradesh
3. Assam
4. Bihar
5. Chandigarh Administration
6. Delhi Administration
7. Gujarat
8. Goa
9. Haryana
10. Himachal Pradesh
11. Karnataka
12. Kerala
13. Maharashtra
14. Madhya Pradesh
15. Orissa
16. Punjab

17. Rajasthan

18. Sikkim

19. Tamil Nadu

20. Tripura

21. Uttar Pradesh

22. West Bengal

STATEMENT-II

Items of Agenda and major conclusions reached in the 39th Conference of Labour Ministers held on 20th December, 1990

I. Items of Agenda

1. Action taken on the main conclusions of the 38th Session of the Labour Ministers' Conference.
2. Minimum Wages
3. Bonded Labour
4. Pendency in Labour Courts and Industrial Tribunals
5. Issues relating to Employment Service and Vocational Training:
 - (a) Employment Service—role and functions
 - (b) Vocational Training—
 - (i) Review of World Bank Project
 - (ii) Review of apprenticeship Training Scheme
6. Child Labour

7. Implementation of the Bachawat Award.
8. Miscellaneous items raised by the participants.

II. The major conclusions reached in the Conference are as follows:—

1. *Minimum Wages*

It was agreed that the minimum rate of wages should be revised every two years. Further, this rate should include an element linked to the increase in the consumer price index. It was also agreed that such provision should be given statutory backing.

2. *Bonded Labour*

The State Governments should intensify their efforts for identification of bonded labour and take suitable measures for their rehabilitation.

3. *Pendency in Labour Courts and Industrial Tribunals*

The Conference took note of the large pendency of work in Industrial Tribunals, Labour Courts, etc. and felt that it adversely affected the interest of the workers and was not conducive to maintenance of industrial peace and harmony. It resolved that:

- (i) additional Tribunals and Labour Courts be set up keeping in view the work-load;
- (ii) the vacancies in the posts of Presiding Officers of Industrial Tribunals and Labour Courts should be filled promptly;
- (iii) a manual for Industrial Tribunals and Labour Courts

should be prepared in order to simplify the procedure followed by them in disposal of cases and bring about uniformity in their functioning;

- (iv) the Presiding Officers may hold Lok Adalats in order to dispose of cases expeditiously; and
- (v) the conditions of service of the Presiding Officers should be improved and made more attractive.

4. *Employment Service and Vocational Training*

The working of Employment Exchanges should be re-oriented to give more attention to vocational guidance and self-employment.

There should be a closer coordination and monitoring of the Vocational Training Projects, being executed with assistance from the World Bank. It was also agreed that the State Governments should consider increasing the number of seats under the Craftsman Training Scheme by introducing additional shifts in the existing Industrial Training Institutes and by encouraging the setting up of such Institutes in the Private Sector. The need for vigorous enforcement of the Apprenticeship Training Scheme was also emphasised.

5. *Child Labour*

In the context of the child labour, it was agreed that firm action should be taken where there is exploitation of children or where they are exposed to hazardous working. In addition, the supportive programmes providing for rehabilitation and education of such children should be further expanded.

6. Revision of Industrial Disputes Act

It was agreed that the States should furnish their comments by January 31, 1991 on the recommendations contained in the report of the Ramanujam Committee on formulating a new Industrial Relations Law.

7. Review of labour laws

Labour laws should be periodically reviewed to take account of the changing situation and to make such amendments, as are necessary.

8. Workers Participation in Management

The participants supported the concept of workers' participation in management and desired that the Bill on the subject should be finalised early.

9. Legislation for agricultural and landless workers

The proposal relating to Central legislation for agricultural and landless labourers should be finalised as early as possible.

10. Strengthening of Labour Administration Machinery

It was agreed that there was a need to provide adequate financial support for strengthening the labour administration machinery in the States. It was also agreed that the available labour administration machinery should be suitably re-oriented to give more consideration to the problems relating to the unorganised labour.

11. Rehabilitation of Gulf returnees

A programme should be formulated to provide for rehabilitation of Gulf returnees.

12. Welfare of Cinema Workers

Steps should be taken to augment the Welfare Fund for the Cinema Workers so that it may be possible to address the problems of this category of workers more effectively.

13. Pension for beneficiaries of Employees Provident Fund

Early action should be taken to provide pension for the beneficiaries of the Employees' Provident Fund.

President's Assent to State Bills

564. SHRI MADHAVRAO SCINDIA: Will the PRIME MINISTER be pleased to state:

(a) the details of the State Bills pending as on December, 1990 with the Union Government for the President's assent, State-wise; and

(b) the steps taken to expedite clearance of those bills?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) As on 27.12.90, 70 State Bills are pending. Out of these, 40 Bills are pending with the concerned State Governments for want of clarifications and the remaining 30 Bills are under examination in the concerned administrative Ministries/Departments of the Government of India. State-wise pendency is indicated in the enclosed statement.

(b) The State Governments concerned and the Central Ministries/Departments are being reminded constantly. Discussions are also being held to expedite the clearance of the Bills.

STATEMENT

*Enclosure to reply to Lok Sabha Unstarred
Question No. 564 for 9.1.91*

1.	Andhra Pradesh	-9
2.	Assam	-6
3.	Bihar	-3
4.	Goa	-2
5.	Haryana	-6
6.	Himachal Pradesh	-1
7.	Karnataka	-4
8.	Madhya Pradesh	-1
9.	Manipur	-6
10.	Meghalaya	-1
11.	Orissa	-3
12.	Rajasthan	-6
13.	Sikkim	-2
14.	Tamil Nadu	-6
15.	Tripura	-4
16.	Uttar Pradesh	-2
17.	West Bengal	-8

Conference of Inter-Continental Journalists

ember 1990; and

565. SHRI JANAK RAJ GUPTA: Will the PRIME MINISTER be pleased to state:

(b) if so, the outcome of the Conference and the decision taken to implement its observations?

(a) whether a Conference of Inter-Continental Journalists was held on 29 No-

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS AND MIN-

ISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir. A Conference of Inter-Continental Journalists was held from 28-30 November, 90.

(b) Decisions taken at Conferences organised by private organisations are treated as suggestions only.

Enquiries into Escape of Undertrials from Tihar Jail

566. SHRISHANTARAM POTDUKHE: Will the PRIME MINISTER be pleased to state:

(a) whether a large number of foreign undertrials lodged in the Tihar Central jail had gone on a hunger strike en masse during October last, as reported in the 'Indian Express', New Delhi dated 18 October, 1990;

(b) if so, the reasons therefor; and

(c) the steps taken to sort out matters and to prevent such incidents in future?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Some foreign undertrials went on hunger-strike from 15th October, 1990 to 16th October, 1990.

(b) Their main demands were:—

(i) expeditious trials;

(ii) grant of bail;

(iii) better medical and recreational facilities; and

(iv) separate cooking facilities.

(c) The Districts and Sessions Judge Delhi has impressed upon the Criminal Courts to decide cases of undertrials expeditiously. Grant of refusal of bail is wholly in the judicial discretion of the Courts. There is an OPD Dispensary and a 60-beded hospital with X-ray facilities and Pathology laboratory to cater to the sick prisoners. Various indoor and outdoor games as also newspapers and magazines are provided to the prisoners. Separate cooking facilities are being provided to the foreigners.

Recommendations of High Powered Committee on Property Tax Reforms

567. SHRISHANTARAM POTDUKHE: Will the PRIME MINISTER be pleased to state:

(a) whether the High Powered Committee on Property Tax Reforms has submitted its report;

(b) if so, the main recommendations of the Committee;

(c) the expenditure incurred on this Committee; and

(d) the time likely to be taken to implement the recommendations?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) The main recommendations of the Committee are contained in the Statement enclosed.

(c) So far an expenditure of Rs. 85,454.00 has been incurred.

(d) Certain legislative amendments may

be necessitated after the Delhi Administration examines and formulates its views on the report of the Committee.

STATEMENT

The Main Recommendations of High-Powered Committee on Property Tax Reforms

1. DATE OF EFFECT

Revisions in rateable values to be effective from 1.4.1989 instead of 1.12.1988.

2. DETERMINATION OF ANNUAL VALUE: METHOD REGARDING

a. SELF-OCCUPIED RESIDENTIAL PROPERTIES

Annual value of self-occupied residential property shall be 10 percent of cost paid towards land and that of construction. In case of ready made built up flat purchased, annual value shall be worked out @ 10 percent of cost thereof. It shall, however, be ensured that annual value worked out at 10 percent of the cost does not exceed prevalent rent of 1989-90.

b. SELF-OCCUPIED NON-RESIDENTIAL PROPERTIES

The same procedure, as in case of self-occupied residential properties.

c. RENTED PROPERTIES

Rented properties shall be assessed as per standard rent, if any fixed by the Controller or the actual rent, whichever is higher. However, in respect of a tenancy on or after 1.4.1989, annual value shall be actual rent and if such actual rent is lower than the prevalent rent for similar properties, then such prevalent rent.

3. ANNUAL VALUE OF LAND

Annual value of land shall be 5 percent of cost paid towards acquisition thereof. If atleast 25 percent of permissible FAR of building is not completed within 7 years from the date of taking over possession of plot in case of a residential property and 5 years in the case of a non-residential property, land shall be assessed on the basis of its market value and not on the basis of cost paid. This provision shall come into force from 1.4.1992.

4. SPECIAL CATEGORY OF PROPERTIES

Where Cinema Hall, Hotel, Guest House, Cold Storage, Godown etc. is actually let out, annual value shall be computed on the same pattern as a let out property. However, where a building is in self-occupation, retable value of self-occupied building or portion thereof shall be taken as 10 percent of the market price of land and depreciated cost of building in the year of assessment, or where prevalent rent for similar properties is available, on the basis of prevalent rent, whichever is higher.

5. FARM HOUSES

Annual value of a farm house let out shall be fixed like any other rented property. Where a farm house is in self use, its retable value shall be 10 percent of the market price of land and depreciated cost of construction in year of assessment or comparative rent, whichever is lower.

6. CHANGE IN OWNERSHIP

Wherever there is change in ownership of a building and it is self-occupied, rateable value shall be fixed at 10 percent of cost paid by new owner or prevalent rent of 1989-90, whichever is lower. In respect of a property constructed or purchased on or after 1.4.1989, annual value shall be 10 percent of

such cost of construction or prevalent rent of the year in which building was completed or purchased, whichever is lower.

7. DEDUCTION FOR MAINTENANCE

Statutory deduction for repairs and maintenance of properties shall be 15 percent of the annual value instead of 10 percent as at present.

8. RATE OF TAX

There shall be a consolidated rate of property tax ranging from 12.5 percent to 30 percent as against existing rate of tax varying from 14 percent to 57 percent. The rate of tax shall be as under:—

Residential	12.5 % to 20%
Non-residential	15% to 25%
Special category	20% to 30%

The above rates shall apply in NDMC areas as well.

9. PROCEDURE OF ASSESSMENT

A taxpayer shall file an annual return of rateable value and suo moto pay tax alongwith return. No assessment shall remain pending for over three years. For failure to pay tax alongwith return, suitable interest shall be charged for the period during which tax was not paid.

10. COLLECTION OF TAXES

Undisputed tax shall be collected on the basis of self assessment alongwith return. In respect of any disputed tax, a notice of demand shall be issued and recovery made as per law.

11. APPEALS

First appeal shall lie to an 'appellate authority' for which officers may be drawn from MCD or other Departments of Delhi Administration or Government of India. Second appeal shall lie to a two-member Tribunal. The first appeal shall be heard on suo moto payment of tax on the basis of self-assessment, while second appeal shall lie only on payment of 50% of the disputed tax and furnishing security for the remaining 50% to the satisfaction of the Chief Executive of the local body. Interest on the amount finally becoming payable after disposal of appeal by the Tribunal shall be payable at such percentage as the Chief Executive may decide and the same shall be payable from the date the demand had become due. If on disposal of appeal a refund works out, the same, alongwith interest, shall be payable by the MCD/NDMC.

12. MUTATION/SUB-DIVISIONS

The procedure for mutation and sub-division should be simplified. All physical sub-divisions should be accepted and mutations allowed on payment of arrears of property tax on pro rata basis.

13. PANEL OF ASSESSORS

A Panel of Assessors shall be set up to fix prevalent rents of different localities or different types of properties, which shall also be notified to the public.

14. EXEMPTIONS

100 percent exemption shall be granted to places of worship, homes for destitutes, orphans/poor children/old age/handicapped/blind/deaf and dumb and dharamshalas, not for any particular community, while 75 percent exemption shall be allowed for properties owned and occupied by charitable dis-

pensions and hospitals and aided schools getting grants-in-aid upto 95% from the Government.

15. UNION OF INDIA AND STATE GOVERNMENT PROPERTIES

The quantum of service charges on the Union of India's properties should be increased. The term "Properties of the Union" should be clarified, so that properties being controlled and managed by public sector undertakings, authorities set up under an Act of Parliament, Government companies and those set up under the Societies Act are not treated as the properties of the Union. State Government properties used for business or trade should be required to pay property taxes, while other properties should be subjected to levy of service charges.

16. PERIODICAL REVISION

Considering the fact that amended provisions of the DRC Act, 1958 permit a revision in the standard rent or agreed rent by 10 percent every three years, next revision in rateable values in Delhi shall be carried out in 1992-93. The revision shall depend on the facts of each case. Where there is no actual increase, upward revision shall be limited to 10 percent of RV.

National Centre for Software Development

568. SHRI G.S. BASAVARAJ: Will the PRIME MINISTER be pleased to state:

(a) whether a National Centre for Software Development has been set up in Bangalore to give a big boost to software industry;

(b) if so, the details thereof;

(c) whether Government have made efforts to provide adequate communications and transportation facilities to this centre;

(d) if so, the details thereof; and

(e) whether Government also propose to set up any resource centre at Bangalore for learning Japanese language; if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). Yes, Sir. The National Centre for Software Development (NCSD), has been set up at Bangalore with the following objectives:

- Carry out research and development at the front line of a carefully identified subset of the rapidly developing software technology.
- Make significant contributions to high quality continuing education of professionals in the software industry in India.
- Design and develop high technology software in selected sub-areas.

In addition to the above Research and Development activities, the Centre's activities also include:—

- Installation of selected Computer Aided System Engineering (CASE) tools for demonstrations, test and trial use by industry professionals.
- Establishing a comprehensive library of books and journals in software engineering.
- Software testing and validation service.

(c) and (d). The Centre has excellent communication and transportation facilities as it is located at a central place namely, Visveswaraya Centre, Dr. B.R. Ambedkar Veedhi, Bangalore-560001.

(e) A proposal for setting up a Japanese Language Training Centre has been received from M/s KEONICS which is under consideration.

Expansion Plan of Maruti Udyog Limited

569. SHRI KUSUMA KRISHNA MURTHY: Will the PRIME MINISTER be pleased to state:

(a) whether Government have approved the capacity expansion plan of the Maruti Udyog Ltd., to produce specially built 1000 cc cars against dollar payment; and

(b) if so, the details of vehicles to be produced, foreign exchange outgo for purchase of machinery, equipment and consultancy charge etc. and the benefits expected to accrue to the country from this venture?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). Government approved in July, 1988, a proposal from Maruti Udyog Ltd. (MUL) to manufacture 1000 cc cars with a total capacity of 30,000 cars per annum at an estimated cost of Rs. 97.90 crores including foreign exchange component of Rs. 45.30 crores. No allocation of foreign exchange by the Government was, however, visualised because MUL were to raise the required amount through additional equity subscription from Suzuki Motor Company and external borrowings. The benefits include satisfaction of domestic demand and earnings of foreign exchange through exports.

Increase in Rates for Advertisement on Doordarshan

570. SHRI KUSUMA KRISHNA MURTHY: Will the PRIME MINISTER be pleased to state:

(a) whether Government have increased advertisement rates for telecast on Doordarshan; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Revision of the rate card for commercial advertisement and sponsorship of programmes on Doordarshan is a periodic exercise taking into consideration various factors such as the growth of Doordarshan's network, operational cost, overall conditions in the market, viewership of programmes at various time categories etc. The latest revision in the rate card was made with effect from 1st July '90.

Production of L.C.A. by H.A.L.

572. SHRI KUSUMA KRISHNA MURTHY: Will the PRIME MINISTER be pleased to state:

(a) whether Hindustan Aeronautics Limited has kept pace with technological advances in the Western World to meet new challenges;

(b) whether HAL is now fully geared to produce light combat aircraft for the defence services; and

(c) if so, by when the prototype of the aircraft is expected?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) In the areas of production established in HAL, the facilities and technology are comparable to those in the aerospace industries in the Western countries.

(b) and (c). HAL is presently engaged in phase I of the full scale Engineering Development of the light combat aircraft for producing technology demonstrator prototypes. The first one is targetted for 1995-1996.

[Translation]

Capacity Expansion of Madhubani Doordarshan

573. SHRI BHOGENDRAJHA: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to increase the capacity of Madhubani Centre of Doordarshan; and

(b) if so, the time by which it is likely to be implemented and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). There is no approved scheme, at present, to increase the capacity of the low power (100W) TV transmitter functioning at Madhubani in Bihar.

Population of Maithili Speaking People

574. SHRI BHOGENDRAJHA: Will the PRIME MINISTER be pleased to state:

(a) whether the number of Maithili speaking people have not been published separately in the last two three census;

(b) if so, the reasons therefor and unpublished population of Maithili speaking people as per 1951, 1961, 1971 and 1981 census respectively;

(c) whether clear cut orders have been issued to keep record of the persons speaking

various regional languages including Maithili during 1991 census;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) The number of people returning Maithili as their mother tongue in the 1961 census was published separately. However the same has not been published separately in the last two censuses, namely, 1971 and 1981.

(b) In the 1971 and 1981 censuses, mother tongues were grouped in some cases under the relevant languages. This was done on the basis of information readily available or in the light of studies already made. Only the names of 'identifiable' mother tongues which returned 10,000 or more speakers each at the All India level were published under the languages with which these were grouped.

The number of persons with Maithili as mother tongue in the country according to the Censuses of 1951 and 1961 were 97,757 and 4,984,811 respectively.

(c) No, Sir.

(d) Does not arise in view of (c) above.

(e) The procedure regarding the publication of the 1991 census data on mother tongue/language has not been finalised.

Arms from Foreign Countries

575. SHRI PRAKASH KOKO BRAHMBHATT: Will the PRIME MINISTER be pleased to state:

- (a) whether large quantities of foreign arms have been seized from terrorists arrested in Punjab, Assam and J & K;
- (b) if so, the names of the countries where these weapons were manufactured;
- (c) whether the matter has been taken up with the concerned countries; and
- (d) if so, their reaction in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Large quantities of arms have been seized from terrorists arrested in Punjab and J & K. Weapons have also been recovered from ULFA activists in Assam. Some of the weapons are of foreign origin. In many cases, the manufacturing markings are found to have been erased.

- (c) No, Sir.
- (d) Does not arise.

[English]

Projects Pending for Approval from Gujarat

576. SHRI PRAKASH KOKO BRAHMBHATT: Will the PRIME MINISTER be pleased to state:

- (a) whether some developmental projects of Gujarat are pending approval of the Planning Commission;
- (b) if so, the details thereof;
- (c) the reasons for not giving clearance to these projects; and
- (d) the time by which clearance is

proposed to be given to these projects?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) No, Sir.

- (b) to (d). Do not arise.

Employment Scheme for Economically Weaker Sections

577. SHRI PRAKASH KOKO BRAHMBHATT:
SHRI BALGOPAL MISHRA:

Will the PRIME MINISTER be pleased to state:

(a) whether the Government of Gujarat has planned a scheme where by a member from each family belonging to economically weaker sections of the society would be given employment;

- (b) if so, the main features of the scheme;

(c) whether the Union Government have asked other State Governments also to formulate such plans and if so, the names of States which have agreed to formulate such schemes; and

(d) whether the Union Government have agreed to help and assist the State Governments in formulating and implementing these schemes?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) and (b). According to available information, the Government of Gujarat has drawn up a scheme of Zero Unemployment Programme under which atleast one person from each family is expected to be employed remuneratively in private-sector, public sector, self-employment or wage employment jobs.

To begin with, during the year 1990-91, Gandhinagar and Dangs Districts have been selected for this purpose.

- (c) No, Sir.
- (d) Does not arise.

Development of Electronics

578. SHRI SRIKANTA DATTA NARASIMHA RAJA WADIYAR: Will the PRIME MINISTER be pleased to state:

- (a) whether Government propose to give highest priority for the development of electronics during the Eighth Plan;
- (b) if so, the funds earmarked for the purpose; and
- (c) the details of the steps taken/proposed by the Union Government to assist Karnataka Government for promotion and development of electronics in the State?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). Electronics will be a significant sector of growth in the VIII Plan. Allocation of funds for VIII Five Year Plan is yet to be finalised.

(c) The Department of Electronics encourages the setting up of electronic industries throughout the country in all relevant sectors of electronics. The concerned State Government or agencies like the State Electronics Development Corporations (SEDCs) provide some facilities and promotional incentives for setting up of specific industrial units in the State. The Department of Electronics also gives necessary guidance and approvals/licences etc. Department of Electronics also provides financial assistance for projects in areas such as manpower development, education, quality control, testing and standardisation, R&D in elec-

tronics etc.

Department of Electronics has also launched a Software Technology Park in Bangalore to help local software industry to export software. National Centre for Software Development (NCSD) has been set up at Bangalore with the objectives to carryout research and development activities in Software Technology.

CCI Projects in Andhra Pradesh

579. SHRI RAJAMOHAN REDDY: Will the PRIME MINISTER be pleased to state:

- (a) whether the Cement Corporation of India has cleared some projects in Andhra Pradesh;
- (b) if so, the details thereof; and
- (c) by when the projects are likely to be commissioned?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). The Government of India have approved a Project for expansion from 4 lakh tonnes to 10 lakh tonnes of cement per annum at Yerraguntla, District Cuddapah in Andhra Pradesh. Sanctioned cost of the Project is Rs. 191.25 crores as approved in March, 1989.

(c) The implementation of the project was initially delayed because of fund constraints. The project is likely to take approx. 24 months for completion after availability of the required funds.

Industrially backward areas

580. BABA SUCHA SINGH: Will the PRIME MINISTER be pleased to state:

- (a) the details of areas declared industrially backward;

(b) the details of facilities provided in the backward areas;

(c) the details of central investment subsidies granted in the centrally declared backward areas; and

(d) the details of proposed facilities for development of these backward areas for the benefit of small-scale units?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) A List of industrially backward districts in the country is attached as

Statement-I.

(b) Entrepreneurs setting up industries in industrially backward districts/areas are eligible for priority in licensing, concessional finance, etc.

(c) Statement II showing the state-wise reimbursement of central investment subsidy is attached.

(d) The Government have decided to introduce a Central Investment Subsidy Scheme for small scale units set up in rural and backward areas.

STATEMENT-I*List of Industrial backward Districts in the country*

Andhra Pradesh (14)	—	Anantapur, Chittor, Cuddapah, Karimnagar, Khammam, Kurnool, Mehbubnagar, Medak, Nalgonda, Nellore, Nizamabad, Ongole, Srikantham and Warangal.
Bihar (18)	—	Bhagalpur, Champaran, Darbhanga, Muzaffarpur, Palamau, Purnea, Saharsa, Santhal Parganas, Saran, Nalanda, Arurangabad, Nawadah, Gaya, Bhojpur, Begusarai, Monghyr, Khagaria and Madhepur.
Gujarat (11)	—	Amreli, Banaskantha, Bhavnagar, Broach, Junagadh, Kutch, Mehsana, Panchmahals, Sabarkantha, Surendernagar & Dang.
Haryana (4)	—	Bhiwani, Hissar, Jind and Mohindergarh.
Kerala (7)	—	Allapayy, Cannanore, Malapuram, Trichur, Trivandrum, Wynad & Idukki.
Karnataka (11)	—	Belgaum, Bidar, Bijapur, Dharwar, Gulbarga, Hasan, Mysore, North Kanara, Raichur, South Kanara and Tumkur.
Madhya Pradesh (36)	—	Balaghat, Bastar, Betul, Bilaspur, Bhind, Chhatarpur, Chhindwara, Damoh, Datia, Dhar, Dewas, Guna, Hoshangabad, Jhabua, Khargone, Mandla, Mandsaur, Morena, Narsimhapur, Punna, Raigarh, Raipur, Rajendragarh, Raisen, Ratlam, Rewa, Sagar, Seoni, Shajapur, Shivpuri, Sidhi, Surguja, Tikamgarh, Vidisha, and New Sehore District.

Maharashtra (14)

— Aurangabad, Bhandara, Bhir, Buldhana, Chandrapur, Colaba, Dhulia, Jalgaon, Nanded, Osmanabad, Parbhani, Ratnagiri, Yeotmal and Gadchiroli.

Orissa (8)

— Balasore, Bolangir, Dhenkanal, Kalahandi, Keonjhar, Koraput, Mayurbhanj and Phulbani.

Punjab (5)

— Bhatinda, Ferozepur, Gurdaspur, Hoshiarpur and Sangrur.

Rajasthan (16)

— Alwar, Banswara, Bhilwara, Barmer, Churu, Dungarpur, Jaisalmer, Jalore, Jhunjhunu, Jhalawar, Jodhpur, Nagaur, Sikar, Sirohi, Tonk and Udaipur.

Tamil Nadu (9)

— Dharmapuri, Kanyakumari, Madhurai, North Arcot, Ramanathapuram, South Arcot, Thanjavur, Tiruchirappalli and Pudukkottai district.

Uttar Pradesh (41)

— Almora, Azamgarh, Badaun, Bahrach, Ballia, Banda, Barabanki, Basti, Bulandshahr, Chamoli, Deoria, Etah, Etawah, Faizabad, Farrukhababad, Fatehpur, Ghazipur, Gonda, Hamirpur, Hardoi, Jalaun, Jaunpur, Jhansi, Mainpuri, Mathura, Moradabad, Pilibhit, Pithoragarh, Pratapgarh, Bareli, Rampur, Unnao, Uttar Kashi, Kanpur Dehat, Pauri Garwal, Tehri Garwal, Dehradun, Nainital, Shahjahanpur, Sitapur and Sultanpur.

West Bengal (13)

— Bankura, Birbhum, Burdwan, Cooch-Behar, Darjeeling, Hooghly, Jalpaiguri, Malda, Midnapur, Murshidabad, Nadia, Purulia and West Dinajpur.

Assam

— Entire State.

Himachal Pradesh	—	Entire State.
Jammu & Kashmir	—	Entire State.
Manipur	—	Entire State.
Meghalaya	—	Entire State.
Nagaland	—	Entire State.
Sikkim	—	Entire State.
Tripura	—	Entire State.
Arunachal Pradesh	—	Entire State.
Goa	—	Entire State.
Mizoram	—	Entire State.
Andaman & Nicobar Islands	—	Entire State.
Dadra & Nagar Haveli	—	Entire State.
Daman & Diu	—	Entire State.

Pondicherry — Entire State.

Lakshadweep — Entire State.

Note:— The district/area would include the district/area as it existed on 1.10.70 prior to its reorganization. Area carved out of these districts thereafter continued to be industrially backward.

STATEMENT-II

Year-wise statement indicating Reimbursement made under central investment subsidy scheme

(Rupees in Crores rounded)

Sl.No.	Name of the State/U.T.	1972-73 to	1980-81 to	85-86	86-87	87-88	88-89	89-90	Total
		1979-80	1984-85						
1	2	3	4	5	6	7	8	9	10
1.	Andhra Pradesh	8.18	19.06	9.46	14.05	9.87	10.48	2.68	73.78
2.	Assam	1.39	2.8	3.02	2.32	7.00	4.12	5.60	26.25
3.	Bihar	1.18	1.9	-	6.22	1.80	2.99	1.19	15.28
4.	Gujarat	5.79	18.47	3.23	4.77	6.72	15.32	2.87	57.17
5.	Haryana	1.69	6.95	1.79	1.47	1.49	0.99	1.26	15.64
6.	Himachal Pradesh	2.36	14.61	6.03	10.00	10.92	8.53	4.87	57.34
7.	Jammu & Kashmir	1.91	8.33	5.52	6.40	7.81	8.99	20.46	59.42
8.	Karnataka	4.80	15.5	6.55	6.48	4.02	-	4.10	41.45

(Rupees in Crores rounded)

Sl.No.	Name of the State/U.T.	1972-73 to 1979-80	1980-81 to 1984-85	85-86	86-87	87-88	88-89	89-90	Total
1	2	3	4	5	6	7	8	9	10
9.	Kerala	3.48	7.8	1.66	2.70	3.43	3.67	0.30	23.04
10.	Madhya Pradesh	3.44	12.48	9.68	12.18	15.38	3.68	72.49	
11.	Maharashtra	7.59	12.34	3.65	3.43	2.83	5.48	2.49	37.81
12.	Manipur	0.12	0.91	0.90	0.83	0.30	0.27	-	3.33
13.	Meghalaya	0.19	0.71	0.12	0.43	0.71	-	0.88	3.04
14.	Nagaland	0.54	1.65	0.82	0.95	4.72	2.28	5.14	16.10
15.	Orissa	0.96	6.17	1.70	2.90	2.46	3.20	2.67	20.06
16.	Punjab	2.85	10.12	2.80	2.28	2.22	2.60	0.17	23.04
17.	Rajasthan	6.19	23.31	8.59	6.34	12.20	8.29	5.21	70.13
18.	Sikkim	0.05	0.78	0.30	1.11	2.77	0.97	0.21	6.19

(Rupees in Crores rounded)

Sl.No.	Name of the State/U.T.	1972-73 to 1979-80	1980-81 to 1984-85	85-86	86-87	87-88	88-89	89-90	Total
1	2	3	4	5	6	7	8	9	10
19.	Tamil Nadu	10.09	28.25	10.69	5.47	8.45	8.88	3.16	75.09
20.	Tripura	0.22	0.23	-	0.10	-	1.05	-	1.60
21.	Uttar Pradesh	1.47	6.54	12.54	22.72	31.86	24.56	9.51	109.20
22.	West Bengal	1.52	3.45	1.37	1.26	4.04	4.64	0.76	17.04
23.	Andaman & Nicobar Islands	0.05	0.52	0.15	0.19	0.17	0.17	-	1.25
24.	Dadra & Nagar Haveli	0.32	0.96	0.27	0.92	5.77	2.47	-	10.71
25.	Arunachal Pradesh	0.09	0.87	-	0.84	0.22	0.48	-	2.50
26.	Goa	2.22	10.4	2.52	3.79	6.31	7.95	3.65	36.84
27.	Mizoram	0.06	1.2	1.08	4.55	0.38	7.08	0.16	14.51
28.	Pondicherry	0.27	3.13	4.03	2.92	3.70	4.13	0.28	18.46
Total:-		69.04	222.71	101.27	125.12	154.35	154.97	81.30	908.76

Unemployment of Youth in Punjab

581. BABA SUCHA SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether the Government are aware that one of the major reasons for unemployment among youth in Punjab is migration of labour to the State from Uttar Pradesh, Bihar and other States;

(b) if so, the reasons for not restricting the migration of labour to Punjab;

(c) the steps taken by Government for removal of unemployment in Punjab; and

(d) how far these steps are likely to check the migration of labour to State of Punjab?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) to (d). Migration of Labour from one State to another is determined by the felt need and other socio-economic 'actor'. It may not be legally prudent to restrict such movement with-in the country. The State Government is however independently pursuing various programmes to provide more job opportunities to the youth.

Schemes for the Welfare of SCs in Punjab

582. BABA SUCHA SINGH: Will the PRIME MINISTER be pleased to state:

(a) the details of the schemes for the Welfare of Scheduled Castes in Punjab dropped for want of funds during the current year;

(b) the amount fixed as grant for the construction of "Harijan Dharamsala";

(c) whether the quantum of grants given for the purpose is adequate and uniform in all cases; and

(d) if not, the reasons for variation if any, and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) to (d). The requisite information has been called from Government of Punjab and will be placed on the table of the House.

[Translation]

National Mines Safety Council

583. SHRI SHEO SHARAN VERMA: Will the PRIME MINISTER be pleased to refer to the reply given on 22 August, 1990 to Unstarred Question No. 2118 and state:

(a) whether Government have reviewed the matter and have taken any decision in regard to the future of the employees of the National Mines Safety Council, Dhanbad;

(b) if so, the details thereof and the steps being taken in this regard; and

(c) if no steps are being taken, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) to (c). The matter relating to the continuance of the National Council for Safety in Mines, Dhanbad, is still under examination.

Planning Commission Meeting

584. SHRI SEHO SHARAN VERMA: Will the PRIME MINISTER be pleased to state:

(a) whether a plenary meeting of the Planning Commission was held on 18 September, 1990;

(b) if so, the details of the issues discussed/considered in the meeting; and

(c) the follow-up action being taken/proposed thereon?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) A meeting of the full Planning Commission was held on 18th September, 1990.

(b) and (c). The meeting was convened to consider the agenda item, "Financial Dimensions and Sectoral Allocations in the Eighth Five Year Plan", which provided the basic framework for the formulation of the Eighth Five Year Plan. The exercises relat-

ing to the formulation of the Eighth Five Year Plan are underway on the basis of this framework.

Age Relaxation to Persons Appointed in Municipal Corporation of Delhi

585. DR. BENGALI SINGH: Will the PRIME MINISTER be pleased to refer to the reply given to Unstarred Question No. 4055 on 3 September, 1990 and state:

(a) whether the requisite information has been collected; and

(b) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). Information in reply to Unstarred Question No. 4055 on 3.9.1990 is given in the Statement below.

STATEMENT

Question	Reply
	2
(a) whether persons who have been selected by Staff Selection Commission and appointed in Municipal Corporation of Delhi under category "C" post were denied benefit of age relaxation by Staff Selection Commission and Central Government in further recruitment examinations;	(a), (b) and (c) The Staff Selection Commission (SSC has been set up to make recruitment to non-technical Group 'C' posts in the Departments of India and in the subordinate offices except those posts for which recruitment is made by the Railway service Commissions and industrial establishments. The SSC also makes recruitment various categories of posts such as LDCs, Stenographers etc. under the Delhi Administration. Subject to the certain conditions, Central Government Servants are allowed age-concession for recruitment to posts under the Central Government. These concessions have also been allowed to employees of Delhi Administration.
(b) whether the personnel of Delhi Administration and Ministries are given the benefit of age relaxation by Staff Selection Commission; and	From 1977, the SSC has also been recruiting Lower Divisions Clerks for the Municipal Corporation of Delhi. In 1988, at the request of the Municipal Corporation of Delhi, the SSC also undertook recruitment of Assistant Teachers (Primary) for the Corporation. The LDCs and Assistant Teachers appointed in the MCD, though recruited by the SSC, are governed by service conditions of the MCD and cannot
(c) if so, the reasons for not giving age relaxation benefits to employees of Municipal Corporation of Delhi.	

Question	Reply
1	to employees of Ministries/Departments and Delhi sible to employees of local
2	be treated as employees of the Central Government for the Delhi Administration. Hence the age concessions admissible Administration are not admissible bodies such as the MCD even though they have been appointed in their existing posts on the basis of recruitment by the SSC.

[English]

Employees Provident Fund Arrears

586. SHRI JANARDHANA POOJARY: Will the PRIME MINISTER be pleased to state:

(a) what is the amount of money as Provident Fund which has not been deposited by employers with the Provident Fund Commissioner as on 31 March, 1990;

(b) the action taken by Government to ensure that money is deposited at an early date; and

(c) the action taken against defaulter employers?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) According to available information a sum of Rs. 98.76 crores was in arrears towards EPF contribution from the unexempted establishments which deposit their provident fund contributions with the EPF authorities, as on 31st March, 1990.

(b) and (c). The E.P.F. authorities had taken the following actions during the year 1989-90 against the defaulting employers for realisation of the outstanding dues:—

- (i) 5,443 revenue recovery certificates were issued under section 8 of the E.P.F. Act;
- (ii) 10,777 prosecution cases were filed under section 14 of the EPF Act;
- (iii) 454 complaints were filed with Police authorities under section 406/409 IPC for non-payment of

contribution deducted from the wages of the employees;

- (iv) Damages amounting to Rs. 616.27 lakhs were levied under section 14 B of the EPF Act for belated payment of provident fund contribution.

An independent machinery of the EPF Organisation for recovery of arrears of EPF dues has been set up w.e.f. 1st July, 1990, for speedy recovery of the outstanding dues.

Graduates/Under Graduates Registered with Employment Exchange

587. SHRI BALGOPAL MISHRA: Will the PRIME MINISTER be pleased to state:

(a) the number of graduates/under graduates registered with Employment Exchange for clerical jobs, State-wise; and

(b) the number of persons provided jobs during the last three years State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) The number of job-seekers on the live register of employment exchanges registered for jobs classified by occupation as 'Clerical and Related Workers' as at the end of 1987 is given State-wise in Annexure-I. The educational break-up for the same is not maintained. Besides, information on the number of graduates and under-graduates, who are new job seekers, who could also be considered for clerical jobs is given in Statement-I.

(b) The number of total placements effected through employment exchanges during 1988, 1989 and January-September, 1990, is given State-wise in Statement-II.

STATEMENT-1**Number of job-seekers registered for Clerical jobs on Live Register as at end of December, 1987***(In thousands)*

Sl. No.	States/Union Territories	Job-Seekers Registered under occupation Clerical & related workers		New Workers seeking Employment		<i>Under-Graduates</i>
		Graduates	3	4	5	
1	2					
STATES:						
1.	Andhra Pradesh	94.8		173.7		1185.7
2.	Arunachal Pradesh			Not Available		
3.	Assam	6.6		53.8		390.9
4.	Bihar	145.8		222.8		1204.8
5.	Goa	9.8		5.9		18.1
6.	Gujarat	18.4		37.3		358.9
7.	Haryana	51.3		26.0		179.9

(In thousands)

Sl. No.	States/Union Territories	Job-Seekers Registered under occupation Clerical & related workers		New Workers seeking Employment	
		3	4	Graduates	Under-Graduates
1	2	5	5	5	5
8.	Himachal Pradesh	22.5	16.6	147.5	
9.	Jammu & Kashmir	4.1	16.6	38.1	
10.	Karnataka	50.8	74.6	458.7	
11.	Kerala	201.9	104.7	1248.0	
12.	Madhya Pradesh	48.5	154.1	741.0	
13.	Maharashtra	143.7	143.6	1072.1	
14.	Manipur	1.6	25.4	130.7	
15.	Meghalaya	1.6	25.4	130.7	
16.	Mizoram	-	2.2	117.56	
17.	Nagaland	0.4	1.2	7.7	

(In thousands)

Sl. No.	States/Union Territories	Job-Seekers Registered under occupation Clerical & related workers			New Workers seeking Employment	
		1	2	3	4	5
18.	Orissa	32.7		72.7		234.9
19.	Punjab	50.7		43.6		172.2
20.	Rajasthan	3.1		73.1		324.1
21.	Sikkim*					
22.	Tamil Nadu	167.5		178.0		923.7
23.	Tripura	0.5		9.3		59.4
24.	Uttar Pradesh	65.1		368.4		1181.2
25.	West Bengal	175.9		402.6		1745.3
UNION TERRITORIES						
1.	Andaman & Nicobar Islands	0.5		N A.		N.A.

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(In thousands)

Sl. No.	States/Union Territories	Job-Seekers Registered under occupation Clerical & related workers		New Workers seeking Employment	
		2	3	4	5
1		Graduates	Under-Graduates		
2.	Chandigarh	18.1	10.7	30.2	
3.	Dadra & Nagar Haveli			—Not Available—	
4.	Delhi	105.8	60.2	255.0	
5.	Damand & Diu**				
6.	Lakshadweep	0.1	N.A.	N.A.	
7.	Pondicherry	4.1	5.0	37.3	
	Total	1424.5	2276.0	12164.5	

1. *No Employment Exchange is functioning.
2. **Data are not maintained.
3. N.A. Not Available.
4. Figures may not add up to total due to rounding off.

STATEMENT-II

Number of Placement effected through employment exchanges during 1988, 1989 and Jan. Sept. 1990.

(In thousands)

Sl.No.	States/Union Territories	Number of total Placements effected during		
		1988	1989	Jan -Sept. 1990
1	2	3	4	5
STATES:				
1.	Andhra Pradesh	19.5	27.4	14.6
2.	Arunachal Pradesh	-	-	-
3.	Assam	6.4	6.3	2.9
4.	Bihar	18.7	15.4	12.4
5.	Goa	1.9	0.9	0.6
6.	Gujarat	13.0	14.2	13.0
7.	Haryana	12.1	6.9	5.4

(In thousands;

Sl.No.	States/Union Territories	Number of total Placements effected during		
		1988	1989	Jan.-Sept. 1990
1	2	3	4	5
8.	Himachal Pradesh	7.1	6.9	4.6
9.	Jammu & Kashmir	1.5	0.4	0.4
10.	Karnataka	8.4	8.3	7.0
11.	Kerala	15.6	14.2	11.8
12.	Madhya Pradesh	25.3	27.8	18.0
13.	Maharashtra	29.7	23.9	18.7
14.	Manipur	0.4	0.3	0.1
15.	Meghalaya	0.3	0.3	0.4
16.	Mizoram	1.5	0.9	0.5

(In thousands)

Sl.No.	States/Union Territories	Number of total Placements effected during		
		1988	1989	Jan.-Sept. 1990
1	2	3	4	5
17.	Nagaland	0.5	0.2	0.3
19.	Punjab	10.0	9.1	8.1
20.	Rajasthan	13.3	8.8	6.1
21.	Sikkim*			
22.	Tamil Nadu	50.6	45.5	31.5
23.	Tripura	1.7	1.1	0.8
24.	Uttar Pradesh	29.1	25.8	14.9
25.	West Bengal	12.9	10.7	6.3
UNION TERRITORIES				
1.	Andaman & Nicobar Islands	1.4	1.1	0.4

Sl. No.	States/Union Territories	Number of total Placements effected during		
		1988	1989	Jan.-Sept. 1990
1	2	3	4	5
2.	Chandigarh	1.4	1.6	0.9
3.	Dadra & Nagar Haveli	0.1	0.1	N.A.
4.	Delhi	36.0	23.0	18.1
5.	Daman & Diu**			
6.	Lakshadweep	@	0.2	0.1
7.	Pondicherry	1.4	1.1	0.3
	Total	328.5	289.2	201.6

Note:

1. *No Employment Exchanges is functioning.
2. **Data are not maintained.
3. @Figures less than 50.
4. Figures may not add up to totals due to rounding off.
5. N.A. Not Available

Setting up of Cement Plants at Shambhupura in Rajasthan

588. SHRI MAHENDRA SINGH MEWAR: Will the PRIME MINISTER be pleased to state:

(a) whether the Cement Corporation of India is holding two mining leases for limestone near Shambhupura, 15 Kms. South of Chittorgarh;

(b) if so, whether a feasibility report for setting up a Cement Plant there has been submitted to the Cement Corporation of India;

(c) if so, whether the Union Government propose to set up a cement plant in Shambhupura;

(d) if so, the details thereof; and

(e) the time by which it is likely to be set up and the reasons for the delay so far?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Yes, Sir.

(b) A Feasibility Report for setting up a one million tonne cement plant at Shambhupura was submitted by the CCI to the Government of India in October 1983.

(c) to (e). Due to fund constraints, it has not been possible to include this project in the 8th Five Year Plan.

Construction of Mughal Road in Jammu and Kashmir

589. SHRI JANAK RAJ GUPTA: Will the PRIME MINISTER be pleased to state:

(a) whether construction of Mughal Road in Thane Mandi, Jammu and Kashmir was sanctioned long back;

(b) when the proposal was approved and the amount sanctioned for the same; and

(c) the reasons for delay in starting the construction work and the cost escalation as a result thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) Government of India have not sanctioned the construction of such a road.

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

National Highways Blocked on Occasion of October Karseva

590. PROF. RAM GANESH KAPSE: SHRI L.K. ADVANI: SHRI PYARELAL KHANDELWAL:

Will the PRIME MINISTER be pleased to state:

(a) whether certain National Highways were blocked to obstruct traffic to Ayodhya on the occasion of October Karseva;

(b) if so, the details thereof alongwith the locations and nature of obstructions;

(c) the extent of damage caused to National Highways as a result thereof; and

(d) the expenditure incurred in bringing back the Highways to normal conditions?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). Necessary information is being collected from the State Government and would be laid on the Table of the House.

Sri Lankan Tamil Refugees

591. SHRI JANARDHANA
POOJARY:
DR. VENKATESH KABDE:

Will the PRIME MINISTER be pleased to state:

(a) whether the influx of Sri Lankan Tamil refugees into India has increased during the recent past;

(b) if so, the number of Sri Lankan Tamil refugees in India as on 15 December, 1990;

(c) the number of such refugees who have gone back to Sri Lanka during the last three months; and

(d) the amount spent on them so far in the current financial year?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) After June, 1990, the influx of Sri Lankan Tamil refugees into India increased during the months of July, August and September, 1990. However, the number of refugees arriving has since come down considerably.

(b) As on 15th December, 1990, 2,10,721 Sri Lankan Tamil refugees were reported to be in India.

(c) No refugee is reported to have gone back to Sri Lanka during the last three months.

(d) From 1st April, 1990 to 30th November, 1990, an amount of Rs. 13.10 crores has been spent on them.

D.A. to Public Sector Employees

592. SHRI MADHAVRAO SCINDIA:

Will the PRIME MINISTER be pleased to state:

(a) whether Government have since taken a decision to grant Central DA to public sector employees; if so, the details thereof;

(b) the names of central public sector undertakings in which such DA has been given; and

(c) the time by which remaining undertakings are likely to be given such DA to their employees?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (c). Government have taken a decision that certain categories of employees numbering about 1.7 lakhs in 69 public sector enterprises should continue to be governed by Central Dearness Allowance formula. The names of the 69 enterprises are given in the Statement attached. Employees in these enterprises appointed on or after 1.1.1989 will, however, be governed by Industrial Dearness Allowance formula and related pay scales. As a result of this arrangement, in the long run, employees in all the Central public sector enterprises will be governed only by the Industrial Dearness Allowance formula.

STATEMENT

Sl. No.	Name of Enterprise
1.	Andaman & Nicobar Islands Forest and Plantation Development Corporation Ltd.
2.	Bharat Aluminium Company Limited.
3.	Bharat Gold Mines Limited.
4.	Bharat Leather Corporation Limited.

Sl. No.	Name of Enterprise	Sl. No.	Name of Enterprise
5.	Bharat Ophthalmic Glass Limited.	21.	Housing & Urban Development Corpn.
6.	Bongaigaon Refinery & Petro-Chemicals Ltd.	22.	Indian Drugs & Pharmaceuticals Limited.
7.	Cement Corporation of India Limited.	23.	Indian Medicines Pharmaceuticals Corp. Limited.
8.	Central Inland Water Transport Corpn. Ltd.	24.	Indian Railway Construction Co. Ltd.
9.	Central Warehousing Corporation Limited.	25.	Indian Road Construction Corpn. Ltd.
10.	Cotton Corporation of India Limited.	26.	India Tourism Development Corpn. Ltd.
11.	Delhi Transport Corporation.	27.	Jute Corporation of India Limited.
12.	Educational consultants India Limited.	28.	Mahanagar Telephone Nigam Limited.
13.	Engineers India Limited.	29.	Manganese Ore (India) Limited.
14.	Engineering Projects (India) Limited.	30.	Mazagon Dock Limited.
15.	Food Corporation of India Limited.	31.	Mineral Exploration Corporation Ltd.
16.	Heavy Engineering Corporation Limited. (Medical Doctors Only)	32.	Mining & Allied Machinery Corpn. Ltd.
17.	Hindustan Prefab Limited.	33.	Modern Food Industries (India) Limited
18.	Hindustan Salts Limited.	34.	National Airports Authority
19.	Hindustan Steelworks Construction Ltd.	35.	National Aluminium Company Limited.
20.	Hospital Services Consultancy Corporation (India) Limited.	36.	National Buildings Construction Corpn. Limited.
		37.	National Hydro-electric Power

Sl. No.	Name of Enterprise	Sl. No.	Name of Enterprise
	Corpn. Ltd.	54.	National Textile Corporation (West Bengal, Assam, Bihar & Orissa) Limited.
38.	National Industrial Development Corpn. Ltd.	55.	North Eastern Electric Power Corp. Ltd.
39.	National Instruments Limited.	56.	North Eastern Handicrafts & Handlooms Development Corporation Limited.
40.	National Mineral Development Corp. Ltd.	57.	North Eastern Regional Agricultural Marketing Corporation Limited.
41.	National Projects Construction Corporation Limited	58.	Orissa Drugs & Chemicals Limited.
42.	National Research Development Corporation.	59	Rail India Technical & Economic Services Limited.
43.	National Seeds Corporation Limited.	60.	Rajasthan Drugs & Pharmaceuticals Limited.
44.	National Small Industries Corp., Ltd.	61.	Rehabilitation Industries Corporation Ltd.
45.	National Textile Corporation Limited.	62.	Rural Electrification Corporation Limited.
46.	National Textile Corporation (Andhra Pradesh, Karnataka, Kerala & Mahe.) Limited.	63.	Sambhar Salts Limited.
47.	National Textile Corporation (Delhi, Punjab Rajasthan) Limited.	64.	State Farms Corp. of India Limited.
48.	National Textile Corporation (Gujarat) Ltd.	65.	Telecommunications Consultants India Ltd.
49.	National Textile Corporation (Madhya Pradesh) Limited	66.	Uranium Corp. of India Limited.
50.	National Textile Corporation (Maharashtra North) Limited.	67.	Uttar Pradesh Drugs & Pharmaceuticals Co. Ltd.
51.	National Textile Corporation (South Maharashtra) Limited.	68.	Videsh Sanchar Nigam Limited.
52.	National Textile Corporation (Tamil Nadu & Pondicherry) Limited.	69.	Water and Power Consultancy Services (India) Limited.
53.	National Textile Corporation (Uttar Pradesh) Limited.		

Revival of Subsidy Scheme

593. SHRI BASUDEB ACHARIA: Will the PRIME MINISTER be pleased to state:

(a) whether Government have decided to revive the subsidy scheme for industrialisation in backward areas; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) and (b). There is no proposal to revive the Central Investment Subsidy Scheme which was discontinued on 30th September, 1988. However, the then Finance Minister in this Budget Speech in May, 1990, announced introduction of a new subsidy scheme for Small Scale Industries only in rural and backward areas.

CBI Raids

594. SHRI PRAKASH KOKO BRAHMBHATT: Will the PRIME MINISTER be pleased to state:

(a) whether the Central Bureau of Investigation, in a major anti-corruption drive, conducted nation-wide raids at different places and registered cases against the officials of Government departments and public sector organisations as reported in Indian Express of 30 November, 1990;

(b) if so, the details of officials whose premises were raided;

(c) the value of illegal movable/immovable assets discovered and incriminating documents seized from them; and

(d) the action taken against the concerned officials?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir.

(b) Details of Government Department/ Public Sector Undertakings whose officials' premises were searched is given in enclosed statement.

(c) During the course of above searches, following movable/immovable assets have been discovered:—

Movable assets :Rs. 87.92 lakhs

Immovable assets :Rs. 70.76 lakhs

Besides, large number of incriminating documents have also been seized.

(d) Cases have been registered against the concerned officials.

STATEMENT

Details of Government Departments/ Public Sector undertakings whose officials' premises were searched by CBI

1. Ministry of Finance (Press).
2. Income Tax Department.
3. General Insurance Corporation of India Ltd.
4. National Aluminium Company.
5. Office of the Director of Mines Safety.
6. Minerva Mills.
7. National Textiles Corporations.
8. Ministry of Planning Manpower, Arunachal Pradesh.
9. Customs and Central Excise.
10. Indian Oil Corporation.

11. Office of the Controller of Defence Accounts.
12. National Project Construction Corporation.
13. Bharat Aluminium Company.
14. Central Coalfields, Ranchi.
15. State Bank of India.
16. UCO Bank.
17. Vijaya Bank.
18. Bank of Baroda.

[*Translation*]

Investigation of Cases by C.B.I. Against Officers

595. SHRIHARISH PAL: Will the PRIME MINISTER be pleased to refer to the reply given to Unstarred Question No. 1856 on 20 August, 1990 and state:

(a) whether the requisite information regarding investigation of cases by CBI against officers has since been collected; and

(b) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir.

(b) Number of cases of Government and Public Sector Undertaking officers investigated by the CBI during the last three years, i.e. 1987, 1988 and 1989 is as under:—

Year	<i>No. of cases investigated</i>
1	2
1987	790
1988	692
1989	678

The number of cases in which either prosecution was initiated or departmental action was recommended after investigation is as under:—

Year	<i>No. of cases</i>
1	2
1987	704
1988	523
1989	326

[*English*]

Marine Collaborations

596. SHRIMATI VASUNDHARA RAJE: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to collaborate with USSR in marine research;

(b) if so, the details thereof; and

(c) the details of collaborations with other countries if any, in this regard?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir. India does have collaborative programmes with USSR in marine research.

(b) These are:

- (i) Studies of air-sea exchange processes and their influence on monsoon dynamics.
- (ii) Variations in space-time patterns of equatorial currents in the Indian Ocean.
- (iii) Geology and Metallogeny of Indian Ocean ridges and back-arc basins.
- (iv) Analysis of ecosystems and fundamental research in the equatorial Indian ocean.
- (v) Investigation of the nature of crust in the deformation zone of the Indian Ocean.

(c) Collaborative research programmes also exist with Germany, and USA in the following areas of marine sciences.

- (i) Indo-German Programme on quaternary upwelling and monsoon related processes in Arabian Sea and Bay of Bengal.
- (ii) Indo-US programmes on Bioactive substances from the Indian Ocean; Corrosion of marine metals and alloys; and studies of the environmental parameters that control macrofouling of surfaces in Indian waters and of anti-fouling properties of selected active substances from marine organisms of the Indian coast.

Abolition of Freight Equalisation Scheme

597. **SHRI SUDHIR GIRI:**
SHRI SAIFUDDIN CHOWDHURY:

Will the PRIME MINISTER be pleased to state:

- (a) whether various State Governments have demanded the abolition of freight equalisation scheme;
- (b) if so, the details thereof;
- (c) whether the matter has since been referred to the National Development Council;
- (d) if so, the views of the Council have been received; and
- (e) when a final decision in this regard is likely to be taken by the Union Government?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) and (b). While the States in the Eastern Region have been demanding early withdrawal of the Freight Equalisation Scheme, the States away from the Eastern Region have demanded indefinite continuation of the scheme.

(c) In view of the conflicting interests of the different States the Government have decided to refer the matter to the National Development Council.

(d) So far, the NDC has not considered the issue.

(e) It is not possible to indicate a definite time frame for a final decision.

Wasteful Food Irradiation Project

598. SHRI EDUARDO FALEIRO: Will the PRIME MINISTER be pleased to state:

(a) whether Government have taken any action on the observation made by the Comptroller and Auditor General on the Bhabha Atomic Research Centre's wasteful Food Irradiation Project as brought out in Comptroller and Auditor General's report No 2 of 1990 for the year ending 31 March, 1989;

(b) if so, the details thereof;

(c) if not, the reasons for not taking any action as yet;

(d) whether several States in USA and Australia have recently banned food irradiation; and

(e) whether Government propose to set up a Review Team with non-government organisations' representation to have a de novo look in view of world-wide opposition to food irradiation?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir. The CAG Report on BARC's Food irradiation Project has been noted by Government. In its report CAG has not mentioned food irradiation as a wasteful project by only questioned the delay in its implementation.

(b) Government wish to clarify the observations reported by CAG.

(i) *Sub-Optimal Utilization of Facilities in FIPLY*

The irradiation facilities installed in FIPLY are not commercial units, but intended by R & D work upto

pilot scale to establish irradiation technology for preservation of perishable commodities in India. Food package irradiators and grain irradiators are essentially meant for R & D work. They have limited capabilities which are not suitable for commercial operations requiring high through-puts. These facilities were used throughout the studies. However, 100% utilization as commercial units was never intended. The food package irradiator is being used currently for R & D work and also for large scale irradiation trials on onions, spices, potatoes and wheat products.

(ii) *Commercial Application of Irradiation Technology*

The commercial application of irradiation technology developed at BARC for various products is entrusted with the Board of Radiation and Isotope Technology, which will be responsible for building commercial irradiators at different locations for irradiation of various food items such as spices, onions and potatoes.

(iii) *Marketing of Irradiated Foods*

The marketing of irradiated foods to the Indian consumer or even the consumer acceptability trials can be done only after notification of the rules for control of food irradiation process under Atomic Energy Act and trade in irradiated foods under the prevention of Food Adulteration Act. The Ministry of Health is taking action on this matter. Commercialization of irradiation technology in India should wait till the publication of these rules by the Government.

(iv) *Manpower for Irradiation Research*

Manpower actually employed for research on food irradiation has been reduced from 37 in 1973 to 18 in 1989 onwards.

Currently only 37.5% of the total scientific staff in the food technology and enzyme engineering division is working on food irradiation.

(v) *Mobile Onion Irradiator*

The delay in the completion of the mobile onion irradiator, meant for demonstration of the technology to farmers and traders in onion at various locations, is due to the time taken for approval of the design from safety considerations and also the delay in the procurement of the materials and components for fabrication.

(c) Does not arise in view of position explained for part (b) above.

(d) The U.S. Food and Drug Administration (FDA) has approved all foods irradiated upto 1 Kgy and spices upto 30 Kgy for human consumption, though some State Governments in the USA have taken action to prevent the sale of irradiated foods within their territories. In May 1990, the FDA allowed irradiation of poultry with a dose of 3 Kgy, which is applicable to all States in the USA. Although individual States in the USA have the freedom to enact legislation of their own which cannot be opposed by FDA, we are not aware of any State having so far enacted any legislation against irradiation of poultry.

Australia has not shown particular interest in food irradiation. Therefore, the question of banning food irradiation in that country does not arise.

It may be pointed out that irradiated food items are safe for human consumption. The Joint FAO-IAEA-WHO Expert Committee, after extensive evaluation, has cleared a large number of irradiated food items for human consumption. So far 36 countries have cleared irradiated foods and about 20 countries use this technology commercially. Food items like potatoes, onions, wheat & wheat products, spices, chicken, fish, sausages, mangoes, papayas, apples and strawberries have been cleared by many countries.

(e) An apex body, namely, National Monitoring Agency (NMA), has already been constituted by the Government of India under the Ministry of Health and Family Welfare to give guidelines and to oversee all aspects regarding food irradiation technology. Presently, NMA has cleared the application of this technology for the preservation of spices, onions and frozen sea foods. In view of the existing national Monitoring Agency and the recommendations of the high level International Committee of the IAEA, FAO and WHO, no need has been felt for another review Committee.

CBI Raids on Industrialists and Businessmen

599. SHRI G.S. BASAVARAJ: Will the PRIME MINISTER be pleased to state:

(a) whether CBI had conducted raids on industrialists and businessmen during November, 1990 in the country;

(b) if so, the number of arrests made in these raids; and

(c) the action taken against those found guilty?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Yes, Sir.

(b) No arrests have been made.

(c) Cases have been registered against the concerned industrialists/businessmen.

Relief to Kashmiri Migrants

600. SHRI PYARELAL KHANDELWAL:
SHRIPHOOCHAND VERMA:
SHRI RAJENDRA AGNIHOTRI:
SHRI JANARDHAN TIWARI:
SHRICHIRANJILAL SHARMA:

Will the PRIME MINISTER be pleased to state:

(a) the amount of relief being provided each month to each Kashmiri migrant in Delhi and other parts of the country;

(b) the nature of dwelling units provided to them and the maximum number of migrants accommodated in one such unit;

(c) the specific items provided separately to men and women to face the severity of winter; and

(d) the details of the steps taken to protect their property left in Kashmir?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). Migrants from the Kashmir Valley have taken shelter at Jammu followed by Delhi. Migrants reaching other parts of the country are few. In Jammu, the migrants are being given cash assistance of Rs. 10/- per day per head subject to a maximum of Rs. 1000/- per month per family in addition to free ration of 9 Kg. Atta, 2 Kg. rice and 1 kg. sugar per head and accommodation in Govt. buildings/tents subject to availability. In Delhi those

migrants who are living in camps set up by Delhi Admin. are being given dry ration costing about Rs. 500/- per month approximately besides a cash assistance of Rs. 125/- per head per month subject to maximum of Rs. 500/- per month per family of 4 or more members. Those living outside the camps are being given Rs. 200/- per month per head subject to maximum of Rs. 800/- per month per family of 4 or more members.

The migrants have also been given one time bedding and kitchen kit per family in Delhi. A sizeable number of needy families in Jammu have been provided with blankets.

To protect the property of the migrants in the Valley and to restore normalcy, Govt. has taken a number of steps which include door to door search for militants, intensive patrolling by Security Forces in sensitive areas and propaganda through mass media to expose the heinous designs of the subversives.

Setting up of Development Boards in Backward Regions

601. SHRI VASANT SATHE:
SHRI BANWARILAL PUROHIT:

Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government have received a revised proposal from the Government of Maharashtra regarding setting up of Development Boards for backward regions in the State;

(b) if so, the details thereof;

(c) the action taken thereon;

(d) the time by which such Boards are likely to be set up;

(e) whether the Government have also identified backward regions in Bihar, Madhya Pradesh, Uttar Pradesh and other States;

(f) if so, the details thereof; and

(g) the special measures taken or proposed to be taken to remove regional disparities progressively?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) and (c). The earlier proposal of the Government of Maharashtra was for issuing President's Order in terms of article 371 (2) of the Constitution to facilitate establishment of separate Development Boards for Vidarbha, Marathwada and the rest of Maharashtra. The revised proposal suggests inclusion of Konkan in article 371 (2) and for making a change in the provision relating to the special responsibility" of the Governor. The proposals have been examined in the Ministry.

(d) It does not seem feasible to specify time limit on policy issues, especially those involving constitutional amendments.

(e) to (g). The economic development of backward regions is primarily the responsibility of the State Governments concerned and is part of the larger developmental strategy and programmes. These aspects are taken care of by the State Governments while formulating their plans.

Cement Prices

602. SHRI VASANT SATHE:
SHRI SHOPAT SINGH
MAKKASAR:
DR. CHINTA MOHAN:
SHRI PHOOL CHAND VERMA:

SHRI GULAB CHAND
KATARIA:

Will the PRIME MINISTER be pleased to state:

(a) whether the prices of cement are on the increase since decontrol;

(b) whether the Monopolies and Restrictive Trade Practices Commission has also pleaded to Govt. not to raise cement prices;

(c) whether Government propose to control the prices of cement; and

(d) if so, the steps taken/proposed to protect the interests of cement consumers?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) There has been some increase in the prices of cement from Dec 1989.

(b) The MRTP Commission had issued an ad-interim Order on 14.9.90, restraining the cement producers from carrying on restrictive trade practices of raising the prices of cement any further from the date of the order.

(c) At present, there is no proposal to impose price and distribution control on the cement industry.

(d) Government have been in constant dialogue with cement producers to ensure availability of cement at reasonable prices to the consumers. With a view to increasing production and making cement available in adequate quantities, Government is closely monitoring the availability of coal, wagons, and other infrastructural support to the cement industry. Schemes for increasing the installed capacity of cement are being liberally approved. State Governments have

been advised to keep a close watch on the dealers, so that they do not indulge in profiteering last retail level. They have also been requested to intervene in the market by purchasing through their designated agency in bulk and ensure equitable retail distribution.

Formation of Construction Industry Development Board

603. SHRI VASANT SATHE: Will the PRIME MINISTER be pleased to state:

(a) whether the working Group on Methodology and Technology of Construction has suggested formation of a Construction Industry Development Board to co-ordinate the policies, general strategies, systems and procedures relating to construction and introduction of new technologies and materials;

(b) if so, the details thereof; and

(c) the action taken/proposed thereon?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Yes, Sir.

(b) The proposed Construction Industry Development Board would be headed by a Chairman who would be ex-officio Secretary to the Government. The Board will consist of 5 Members.

The Board would devise a multi-pronged strategy such as,

(i) Policies for manufacture, use, pricing and distribution of construction materials.

(ii) Energy conservation, ecology and environment related to policies on construction.

(iii) Modernisation in the construction industry, optimisation and balancing of mechanisation with employment generation.

(iv) Industrial policy pertaining to construction, financing policies, manpower development, productivity, safety and welfare of construction workers

(v) Formulating an integrated approach to quality and cost control in the field of construction, defining the roles and responsibilities of constructing agencies, material manufacturers and management agencies, to achieve works of quality.

(vi) Updating bye-laws and formulating model bye-laws to be followed in urban, semi-urban and rural areas.

(vii) Standardisation of procedures, codes and various norms of construction sector-wise and region-wise.

(viii) Introduction and adoption of alternative building materials and waste products.

(ix) Coordinating the functions of all agencies engaged in construction to ensure that generally approved policies, procedures and standards are being adopted.

(x) Creating a forum for the interchange of ideas and experience, dissemination of new technologies and materials etc.

(xi) Creation of Construction Data bank and dissemination of construction technology.

(c) The Report of the Working Group has been circulated to all the concerned Ministries of the Central Government for comments.

Atomic Energy Production

604. SHRI A.K. ROY: Will the PRIME MINISTER be pleased to state:

(a) the atomic energy produced in the last three years in terms of unit, of electricity, cost of production and capacity utilisation of each unit operating with year-wise break-up;

(b) whether the cost of production is comparable with that of other sources of energy;

(c) the details of degree of indigenisation achieved in atomic energy generation;

(d) the target proposed for the Eighth Five Year Plan;

(e) whether the original target for 2000 A.D. for producing atomic energy has been abandoned;

(f) if so, the reasons thereof; and

(g) if not, the details of the schedule proposed?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) The details are as under:

STATEMENT

Unit	Financial Year	Gross Generation MUs	Tariff for sale of electricity paise/kWh	Capacity factor%
TAPS-1				
	1987-88	454	36.99-40.79	32.3
	1988-89	1209	40.79-43.47	86.3
	1989-90	912	43.47-46.20	65.1
	1990-91 (Upto Nov. 90)	716	46.20-51.03	76.4
	1987-88	1151	36.99-40.79	81.9
	1988-89	691	40.79-43.47	49.3
	1989-90	632	43.47-46.20	45.1
	1990-91 (Upto Nov. 90)	588	46.20-51.03	62.8
	1987-88	327	40.31	16.9
	1988-89	407	41.42-44.44	21.1
RAPS-1				

Unit	Financial Year	Gross Generation MUs	Tariff for sale of electricity paisa/KWh	Capacity factor%
	1989-90	516	44.44-46.59	26.8
	1990.91 (Upto Nov.90)	297	46.59-51.86	23.1
RAPS-2	1987-88	1181	40.31	61.1
	1988-89	1653	41.42-44.44	85.8
	1989-90	1257	44.44-46.59	65.2
	1990-91 (Upto Nov. 90)	855	46.59-51.86	66.4
MAPS-1	1987-88	1134	45.95-47.72	54.9
	1988-89	1284	47.72-50.82	62.4
	1989-90	548	50.82-52.46	26.6
	1990-91 (Upto Nov. 90)	742	52.46-58.71	53.9

Unit	Financial Year	Gross Generation MUs	Tariff for sale of electricity paise/KWh	Capacity factor%
MAPS-2	1987-88	902	45.95-47.72	43.7
	1988-89	764	47.72-50.82	37.7
	1989-90	801	50.82-52.46	38.9
	1990-91 (Upto Nov. 90)	768	52.46-58.71	55.8

Note:- (1) TAPS-Tarapur Atomic Power Station
 RAPS-Rajasthan Atomic Power Station
 MAPS-Madras Atomic Power Station
 MUs-Million Units (million kilowatt hours)

- (2) The first unit of Narora Atomic Power Station in operation is in the process of going to commercial operation stage.
- (3) Generation from RAPS-1 and RAPS-2 includes electricity equivalent of steam supplied from these units to nearby Heavy Water Plant.

(b) The economics of nuclear power is comparable to coal thermal plants located away from pit-heads.

(c) the degree of indigenisation achieved in MAPS and subsequent units ranges from 85% to 90%.

(d) Apart from the units presently in operation including the first unit of Narora Atomic Power Station, the second unit of Narora Atomic Power Project with a capacity of 235 MWe and two units each of 235 MWe at Kakrapar Atomic Power Project are expected to be commissioned during the 8th Five Year Plan taking the total installed nuclear capacity to 2170 MWe by the end of the 8th Five Year Plan.

(e) to (g). While the target of setting up 10000 MWe of nuclear power in the first stage of nuclear power programme remains, the timing of achievement will be consistent with resource availability in the 8th and 9th Five Year Plan periods. The revised target for 2000 A.D. will be known after the 8th Five Year Plan allocations are finalised.

Ram Janam Bhoomi-Babri Masjid Dispute

605. PROF. RUPCHAND PAL:
 SHRI G.M. BANATWALLA:
 SHRI MANDHATA SINGH:
 SHRI BASUDEB ACHARIA:
 SHRI SAIFUDDIN CHOWDHURY:
 SHRI R. GUNDU RAO:
 PROF. MALINI BHATTACHARYA:
 SHRI UTTAM RATHOD:
 PROF. VIJAY KUMAR MALHOTRA:
 SHRI KALP NATH RAI:
 SHRI MITRASEN YADAV:
 SHRI CHITTA BASU:
 SHRI BANWARILAL PUROHIT:

SHRI D.M. PUTTE GOWDA:
 PROF. K.V. THOMAS:
 PROF. RAMGANESH KAPSE:
 SHRI ASHOK ANANDRAO
 DESHMUKH:
 SHRI P.C. THOMAS:

Will the PRIME MINISTER be pleased to state:

(a) the efforts so far made by the Government to resolve the Ram Janam Bhoomi-Babri Masjid dispute;

(b) whether all the concerned parties have been associated in the talks held so far to find a solution to the problem;

(c) whether the Government have examined various suggestions made recently to solve this issue;

(d) if so, the details of the suggestions made and the reaction of the Government thereto; and

(e) the progress made so far and the results achieved with regard to various disputed issues?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (e). Efforts to resolve the Ram Janam Bhoomi-Babri Masjid dispute have been continuing. Government has succeeded in holding a joint sitting of the VHP and the Babri Masjid Action Committee. Both these organisations have submitted their evidences to substantiate their claims on the disputed site to the Government. Govt. have made available the copies of relevant documents to these organisations. The next meeting is scheduled to be held on January 10, 1991.

Activities of LTTE on Indian Soil

606. SHRI G.M. BANATWALLA: SHRI MADAN LAL KHURANA: DR. C. SILVERA: SHRI VAMANRAO MAHADIK:

Will the PRIME MINISTER be pleased to state:

(a) whether the activities of LTTE on Indian soil are reported to be on the increase;

(b) if so, whether any investigation has been made in this regard; and

(c) the action taken by the Government to contain such activities?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c). Reports of some incidents involving LTTE in the coastal areas of Tamil Nadu have been received. The Government are taking various measures to contain such activities. Better coordination between the State Government and coastal authorities is being ensured. The State Government have intensified police patrolling and a number of Tamil Militants have been arrested.

Circulation of Cassettes Regarding Kar Seva at Ayodhya

607. SHRI G.M. BANATWALLA: Will the PRIME MINISTER be pleased to state:

(a) whether the Government are aware of the circulation and sale of provocative cassettes and audio-visual displays on Ayodhya in various parts of the country including Delhi;

(b) if so, details thereof; and

(c) the action against the producers, manufacturers and distributors of each such set of cassettes?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) and (c). The State Govts/UT administrations are vested with adequate powers to effectively curb the menace of communal propaganda including circulation of provocative cassettes. The Central Govt. has, however, issued instructions from time to time for strict enforcement of the provisions of law in this regard. Delhi Police have registered 14 cases. 20 persons have been arrested and 80 cassettes were seized.

[Translation]

Rehabilitation of STs Displaced from Scheduled Areas

608. DR. BENGALI SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether the Government have since formulated the national policy for the rehabilitation of Scheduled Tribes displaced from Scheduled Areas;

(b) if so, the details thereof;

(c) when it is likely to be implemented and the amount earmarked for it; and

(d) the names of the States where it is to be implemented along with the names of the places?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) to (d). A

draft National Policy for Rehabilitation of Scheduled Tribes displaced under development projects is under active formulation with the Government of India.

Formula for Central Assistance

609. DR. BENGALI SINGH:
 SHRI DHARMANNA
 MONDAYYA SADUL:
 SHRI UTTAM RATHOD:
 SHRI GOPI NATH
 GAJAPATHI:
 SHRIMATI VASUNDHARA
 RAJE:

Will the PRIME MINISTER be pleased to state:

- (a) whether the National Development Council has approved a new formula for Central assistance to States;
- (b) if so, the details thereof; and
- (c) whether the views of the various State Governments were also considered and if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (c). Yes, Sir. Details of the revised formula are given in the enclosed Note and suggestions of States in the enclosed Statement.

STATEMENT

Brief Note on distribution of Central Assistance for State Plans during Eighth Plan (1990-95)

Distribution of Central Assistance for States for Seventh Plan (1985-90) was made under modified Gadgil formula as approved by the National Development Council in August, 1980. In the context of the Eighth Five Year Plan (1990-95), further revision of the existing formula was considered by the NDC in its meeting held on 11th October, 1990. The principles as now approved under the revised formula are briefly indicated below:

- (i) From the total Central assistance a reasonable amount for special area programmes viz. Hill areas, tribal areas and border areas is to be set apart.
- (ii) From the balance 30% amount is to be set apart for meeting the requirements of 10 special category States (including North Eastern Council).
- (iii) The balance 70% amount is to be allocated among 15 non-special category States according to the criteria laid down below:

Weights (%)

		Existing Formula	Revised Formula
1	2	3	4
1.	Population	60	55
2.	Per capita income		
	(i) States with per capita income below		

		Weights (%)	
		Existing Formula	Revised Formula
1	2	3	4
	national average based on deviation method.	20	20
(ii)	All States based on distance from the highest per capita income	—	—
3.	Tax Effort	10	
4.	Fiscal Management	—	5
5.	Special Problems	10 (Special) Development problems)	15
	Total	100	100

2. Special development problems would cover (1) coastal areas (2) special environmental issues (3) flood and drought prone areas (4) exceptionally sparse or thickly populated areas (5) special financial difficulties for achieving minimum reasonable plan size (6) desert problems (7) problems of slums in urban areas.

3. It has also been decided that the overall gain or loss to any State under the revised formula as compared to the existing formula is to be restricted to a maximum of 7%.

4. The pattern of Central assistance to Assam and Jammu & Kashmir will also be the same as for other Special category States i.e. 90% grant and 10% loan.

5. Keeping in view the points raised by certain States Deputy Chairman responded by saying that "We will sit together and on the basis of new allocations that will be made in the Plan, we will try to workout what will be available under new formula". Chairman also said that "We will have one round more with every State. We will not rush with it. If any State is going to face a serious problem, we will take cognizance of it."

State	Suggestions Given for Change in the Formula of Central Assistance
1	2
1. Andhra Pradesh	Special allocation of funds should be made for the completion of ongoing irrigation

<i>State</i>	<i>Suggestions Given for Change in the Formula of Central Assistance</i>
<i>1</i>	<i>2</i>
	projects
2.	Assam
	The pattern of assistance should be made uniform in respect of all special category States, i.e. 10% loan and 90% grant.
3.	Bihar
	Weightage given to economic backwardness under the per capita income criterion of the modified Gadgil Formula should be increased.
4.	Gujarat
	Weightage should be given in the formula of Central assistance for projects of national importance.
5.	Haryana
	Special assistance should be provided to the States which are backward in social services or human resources development sectors.
6.	Jammu & Kashmir
	The pattern of assistance should be made uniform in respect of all special category States, i.e. 10% loan and 90% grant.
7.	Kerala
	Special weightage be given to the States which have per capita State Plan outlay and per capita Central investment below the national average.
8.	Maharashtra
	Shares of the States under the per capita income criterion of the modified Gadgil Formula should be computed on the basis of 'distance' of per capita method. Further 'tax ratios' under 'per capita tax effort' criterion should be weighted with the size of the 'population' of the State.
9.	Orissa
	Weightage given to 'per capita income' criterion should be increased. Further 'tax ratios' under 'per capita tax effort' criterion should be calculated in relation to State income derived after deducting the total consump-

State	Suggestions Given for Change in the Formula of Central Assistance
1	2
10. Rajasthan	tion of the population below poverty line.
11. Uttar Pradesh	Weightage should be given to 'area' factor in the formula of Central Assistance.
12. Tamil Nadu	Weightage given to economic backwardness under the 'per capita income' criterion of the modified Gadgil Formula should be increased.
13. Tamil Nadu	Besides the factors of 'population' and 'tax effort', the Central assistance should take into account special problems of the States as reflected in lack of natural resources and on the basis of backwardness.

Draft Eighth Five Year Plan

610. DR. BENGALI SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether the Government have finalised the draft Eighth Five Year Plan; and

(b) if so, when it is proposed to be laid on the Table of the House?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). Exercises relating to the formulation of the draft Eighth Five Year Plan are underway. The Plan document is expected to be ready by end March 1991. The document will then be laid on the Table of the House after it is considered and

endorsed by the National Development Council.

[English]

Reservation of Jobs for Women

611. SHRI MADHAVRAO SCINDIA: Will the PRIME MINISTER be pleased to state:

(a) whether the Government have had under consideration a proposal of reserving certain percentage of posts for women in the Central Government Services and public undertakings; and

(b) if so, the decision taken in this regard indicating the nature of such posts?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). The matter is still under consideration of Government.

Population of OBCs**612. SHRI MADHAVRAO SCINDIA:**

Will the PRIME MINISTER be pleased to state:

(a) the latest figures showing the population of OBCs as per Mandal Commission Report in different States and Union Territories and the country as a whole, and what percentage of the total population do they constitute; and

(b) when and how these population figures were compiled?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) and (b). Systematic Caste-wise enumeration of population had been introduced by the Registrar General of India in 1881 but had been discontinued after 1931 census.

In view of above, the figures of caste-wise population including of castes included as OBCs in the Mandal Commission Report after 1931 are not available. The Mandal Commission had assumed that inter se growth rate of population of various Castes/ Communities and religious groups over the last half a century had remained more or less the same and accordingly the Commission based on 1931 Census had worked out the percentage of OBCs vis-a-vis total population of the country.

On above presumption, the Mandal commission has projected the population of OBCs as 52% of the total population.

[Translation]

Pending Cases of Swatantrata Sainik Samman Pension from Bihar

613. PROF. YADUNATH PANDEY: SHRI BHOGENDRA JHA:

Will the PRIME MINISTER be pleased to state:

(a) the number of cases from Bihar for grant of Swatantrata Sainik Samman Pension pending with the Union Government as on 30 November, 1990;

(b) the number of such pension cases sanctioned during the years 1988, 1989 and 1990, the number of cases from Bihar out of them and the number of fresh cases in which disbursement of pension has started;

(c) the number of cases rejected so far;

(d) whether any complaints have been received regarding sanctioning of the Swatantrata Sainik Samman Pension;

(e) if so, whether Government have investigated the matter; and

(f) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) All the applications received from Bihar by the prescribed last date of 31.3.1982 for grant of Swatantrata Sainik Samman Pension have been disposed of. However, cases continue to be received from reconsideration. There are 9,969 such cases as on 30.11.1990.

(b) A total of 2,450 cases were sanctioned in 1988, 8,843 in 1989 and 610 till and of Nov. 1990. Out of them, 1785 cases - 178 in 1988, 1542 in 1989 and 65 in 1990 were from Bihar. Information on actual disbursement which is through the local branches of banks, is not being maintained.

(c) 2,89,206 (Approximate).

(d) to (f). There have been some com-

plaints regarding fabrication of documents. As and when such complaints are received, they are investigated through the State Govt. or other agencies. In two such recent cases pension has been cancelled on the basis of such investigation.

[*English*]

Commission on Bonded Labour

614. SHRI G.S. BASAVARAJ:
SHRI M. V.
CHANDRASHEKARA
MURTHY:
SHRI V. SREENIVASA
PRASAD:
SHRI TEJ NARAYAN SINGH:

Will the PRIME MINISTER be pleased to state:

(a) whether the Government propose to constitute a commission to look into the problems of bonded labour; and

(b) if so, the terms and composition of the proposed commission?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) and (b). A proposal to this effect is under examination.

Finalisation of Eighth Five Year Plan

615. SHRI G.S. BASAVARAJ:
SHRI MANDHATA SINGH:
SHRI INDRAJIT GUPTA:
SHRI UTTAM RATHOD:
SHRI CHITTA BASU:
SHRI PRATAP SINGH:
SHRI SUDHIR GIRI:
PROF. MADHU DANDAVATE:

Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government propose to make any changes in the Approach to the Eighth Five Year Plan;

(b) if so, the details of the changes likely to be made;

(c) when the Eighth Five Year Plan document is likely to be ready; and

(d) whether the Government are thinking of a Plan holiday; if so, the reasons therefor?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (c). The exercises relating to the formulation of the Eighth Five Year Plan are underway. The Plan document is expected to be ready by the end of March, 1991. It will be laid on the Table of the House after it is considered and endorsed by the National Development Council.

(d) No, Sir.

White Paper on Situation in Kashmir, Punjab and Assam

616. SHRI Y.S. RAJA SEKHAR REDDY: Will the PRIME MINISTER be pleased to state:

(a) whether the Government propose to issue a White Paper on the situation in Kashmir, Punjab, Assam and Ram Janam Bhoomi-Babri Masjid dispute; and

(b) if so, the time by which these are likely to be issued?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) No, Sir.

(b) Does not arise.

I.N.S. Andaman

617. SHRI Y.S. RAJA SEKHAR REDDY: Will the PRIME MINISTER be pleased to state:

(a) whether any inquiry has been conducted into the sinking of warship I.N.S. Andaman; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJAY SINGH): (a) Yes, Sir.

(b) The Board of Inquiry ordered into the sinking of the vessel has submitted its Report. This Report, alongwith the recommendations of the Naval Headquarters thereon, is under examination of the Government. It will not be in the public interest to disclose further details at this stage.

Jharkhand Issue

618. SHRI DHARAMANNA MONDAYYA SADUL: Will the PRIME MINISTER be pleased to state:

(a) whether Comments of the Government of Bihar on the Report of the Committee on Jharkhand Matters have been received;

(b) if so, details thereof;

(c) whether Jharkhand Mukti Morcha has intensified its demand for creation of a separate State; and

(d) if so, the reaction of the Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING

(SHRI SUBODH KANT SAHAY): (a) to (d). Yes, Sir. The State Govt. has generally agreed with a number of recommendations made by the experts of the Committee on Jharkhand Matters. The Jharkhand Mukti Morcha continues to articulate its demands for a separate State of Jharkhand. The Central Govt is seized of the matter.

Expert Committee on Bodo Issue

619. SHRI DHARAMANNA MONDAYYA SADUL: SHRI CHITTA BASU:

Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government have suggested setting up of an Expert Committee on Bodo issue;

(b) if so, the salient features thereof;

(c) the reaction of the Assam Government thereon; and

(d) the outcome of several rounds of talks held for resolving the Bodo problem and the latest stand of the Government in regard to this problem?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). Eight rounds of discussions between the Government of Assam, the All Bodo Students' Union and the Bodo Peoples Action Committee in the presence of representative of the Government of India have been held for finding an amicable and acceptable solution to the problems of Plains Tribals, including the Bodos. These discussions have created a congenial atmosphere for finding a solution. In the eighth round of discussions held in September 1990 the Central Government

suggested setting up of a Three Member Committee of Experts to determine the area of Bodos and other Plains Tribals to the north of river Brahmaputra and made recommendations as to the autonomy, legislative, administrative and financial powers that may be given to them. Although the previous Government of Assam have not accepted the suggestion the same is being pursued further with them.

Shilanyasa Site at Ayodhya

620. PROF. MADHU DANDAVATE: Will the PRIME MINISTER be pleased to state:

(a) whether the Government considers the 'Shilanyasa' site at Ayodhya as a 'disputable site from the point of view of building the Shri Ram Temple;

(b) if so, whether the Union Government has clearly communicated its views on this subject to the organisers of the Ram Janambhoomi agitation;

(c) if so, whether advice has been given to the organisers of the agitation to avoid the disputable site for 'Kar Seva' pending the decision of the High Court; and

(d) if so, the reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). The cases related to the concerned disputed property at Ayodhya are under judicial adjudication before the Lucknow Bench of the Allahabad High Court. The Survey Commissioner, appointed under orders of the High Court, has been directed by the Court to carry out a supplementary survey of the disputed area. The final report of the Survey Commissioner is still awaited.

Recommendations of Ramanujam Committee on Industrial Relations

623. SHRI LOKANATH CHOUDHARY:
SHRI INDRAJIT GUPTA:

Will the PRIME MINISTER be pleased to state:

(a) whether the Ramanujam Committee on new Industrial Relations Law has submitted its report to Government in October, 1990;

(b) if so, the salient features thereof and Government's reaction thereto; and

(c) whether irreconcilable differences had emerged in the Committee and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) Yes, Sir.

(b) and (c). A statement outlining the salient features of the report along with notes of dissent is attached. The views of the State Governments on the Report have since been invited and it is premature to give Government's reaction at this stage.

STATEMENT

1. *Trade Unions: Constitution, registration etc. (Chapter 5 of the Report)*

(i) Registration of trade unions should be compulsory in the organised sector.

(ii) The minimum membership for registration of a union should be 10% of the employees or 100 whichever is less, subject to a minimum of 7 members.

- (iii) The Labour side has desired that membership in more than one union should be discouraged. The employees' side has recommended prohibition of such membership.
- (iv) No trade union should be registered if its membership is restricted to a particular craft, occupation, caste, creed, community, race, religion or to persons hailing from a region. Unions of supervisors and officers should not, however, be treated as either craft or occupation unions.
- (viii) The constitution of a trade union should provide that all intra-union disputes should be referred to the National Trade Union Centre which the union is affiliated. The Trade Union Centre shall hear the parties following the principles of natural justice. Its decision shall be final. If an intra-union dispute relates to a union not affiliated to any National Trade Union Centre, it may be referred to a Labour Court.
- (viii) No civil Court shall have jurisdiction over matters connected with the working of a trade union registered under the Trade Unions Act.

In a note of dissent given by the AITUC, the CITU the TUCC, the UTUC and the UTUC (LS) (referred to hereinafter as the five dissenting trade union organisations) have opposed the ban on registration of unions based on occupation. They also recommended that the existing craft unions also should be allowed time to develop into industrial unions.

- (v) Outsiders among office bearers and members of the Executive Committee should be restricted to one third of their total number. A Minister at the Centre or in a State should not be eligible to become an office bearer of a trade union. The five dissenting trade union organisations do not agree to the exclusion of Ministers.
- (vi) Election of office bearers and members of the Executive Committee should be held once in three years or earlier if members so desire and the constitution of the trade union, so provides.

THE PROPOSED INDUSTRIAL RELATIONS LAW

2. Coverage (Chapter 6 of the Report)

- (i) The Committee has recommended that all employed persons regardless of the character of the employer or the destination of profit should have some appropriate legal machinery to protect their interests.
- (ii) The AITUC, the HMS, the INTUC and the NLO have favoured exemption of employees covered by the Joint Consultative Machinery (JCM) from the purview of the I.R. law provided the scope of arbitration is made unconditional and unrestricted. The BMS, the UTUC and the UTUC (LS) do not agree to the employees being exempted.
- (iii) The AITUC, the BMS, the CITU,

the HMS the UTUC and the UTUC (LS) are opposed to exemption being given to industries governed by State laws, e.g., the BIR Act. The INTUC, the NLO and the employers' side desired that the State laws should continue to operate.

3. Definition of Industry

The workers' group have desired a broad definition of industry and in effect, recommended that the 1982 amendment to the definition of the industry should be repealed. The employers' group has desired that the amendment should be enforced. The AIMO has further stated that an undertaking until the expiry of three years from the date of its establishment as well as an undertaking employing less than 20 workmen should be outside the purview of the Industrial Relations law.

4. Coverage of employees

The workers' group have recommended that there should be no distinction between workmen and other workers and all employees should be covered by the Act. The machinery and the procedure for dealing with the disputes of different industries and different categories of employees may, however, be different. The five dissenting trade union organisations have favoured extension of the I.R. Law to all non-combatant civilian employees as well as to policemen. The employers' side do not agree that distinction between workmen and other employees should be removed. They feel that trade union rights should not be conferred on managerial employees. Further, whilst industrial employees should have proper legal machinery to protect their interests as recommended by the Committee, the right cannot be extended to non industrial employees who normally have contractual relationship with their employer.

5. Individual grievances

The Committee has recommended that every establishment employing 50 or more persons must have a grievance redressal procedure providing for appeal in two stages. The decision on the second appeal must be given within 30 days of the referral of the grievance by the employee. If the employee is not satisfied with the decision, he would have the option of approaching the Negotiating Council to take up his case. Furthermore, he would have the right to approach a Labour Court or the adjudication wing of the IRC, directly and also in the event of the refusal by the Negotiating Council to take up his case.

The employers' side has, however, desired to restrict the right to direct access for adjudication to cases of discharge, dismissal or termination of the service. Even in such cases, the aggrieved workman should be required to approach the conciliation wing of the IRC and would be entitled only thereafter to refer the dispute to the adjudication wing of the IRC if no settlement is arrived at.

The AIMO in its note of dissent has stated that a Court should not have the right to interfere with the quantum of punishment imposed on a workman. Even where a Court finds "that punishment of removal was improper or unjustified, it would award reasonable compensation to the workman instead of reinstating him so that the sense of over-protection does not vitiate discipline in the industry".

6. Recognition of trade unions (Chapter 7 & 8 of the Report)

- (i) A trade union would be eligible to contest for a position in the Negotiating Council if it has completed one year after its registration under the Trade Unions Act.

(ii) The employers' side, the INTUC and the NLO advocate membership verification by the check off system as the method for identifying the negotiating agent. The other trade unions, namely, the AITUC, the CITU, the HMS, the TUCC, the UTUC and the UTUC (LS) have suggested that all employees should have the right to choose the negotiating agent by means of secret ballot. They have opposed the check off system. The BMS while favouring secret ballot has recommended that only unionised members should have the voting right.

(iii) An independent machinery should be setup to conduct the verification of membership or secret ballot.

7. **Negotiating Councils (Chapter 8 of the Report)**

(i) A Negotiating Council should consist of an equal number of representatives of the employer and the employees. The size of the Negotiating Council should depend on the size of the enterprise. The Negotiating Council should have a tenure of three years.

(ii) In case there is no union, 5 employees may be elected to the labour side through secret ballot.

(iii) Where there is only one union, that union will nominate all the representatives to the Negotiating Council irrespective of its membership strength.

(iv) (a) In case of multiple unions, *those who favour verification* have suggested that the union with more than 50% membership shall be the sole negotiating agent. In case there is no union with more than 50% membership, the unions in the descending order of strength should be included in the Negotiating Council to cover 75% of the membership in that establishment subject to the condition that the membership of each union in the council should be atleast 10% of the total membership. In case the total membership of all the unions having 10% or more of the membership does not add upto 75%, the Negotiating Council will still be competent to represent all employees provided the trade unions represented in it have more than 50% of the membership.

(b) In case of multiple unions, *those who advocate secret ballot* have suggested that the union in whose favour more than 65% of the total votes have been cast should be recognised as the sole negotiating agent. If there is no union with 65% support, the unions in the descending order of support should be included in the Negotiating Council so that the total of the votes cast in favour of trade unions in the Negotiating Council comes to 85% of the total vote polled in that establishment, subject to the

condition that each union on the Council must have polled a minimum of 10% of the total votes polled. If the total of the votes polled by trade unions in the Council does not add up to 85% of the votes cast in the establishment but is more than 65% the Council would nonetheless be competent to represent the employees.

- (v) **Agreements reached in the Negotiating Council** shall be binding on the employer and the employees. The five dissenting trade union organisations have stated that an agreement in the Negotiating Council must be backed by 65% of the workers' representatives in the Council. Further, a union which has at least ten per cent support of the workers as borne out by the secret ballot but is not included in the Council should have the option of signing the agreement.
- (vi) In case of failure to reach an agreement in the Negotiating Council, the parties, if desired, can invoke the assistance of voluntary arbitration machinery.

8. Industrial Relations Commission (Chapter 10 of the Report)

- (i) The BMS, the HMS, the INTUC and the NLO as well as employers' side have favoured the setting up of an Industrial Relations Commission (IRC) as recommended by the National Commission of Labour. There should be an IRC at the Centre and an IRC in each State. The

President of the Central IRC should be a serving or a retired judge of the Supreme Court and that of a State IRC, a serving or a retired judge of a High Court. Each Bench of the IRC should comprise a Judicial Member and two Technical Members—one from the field of labour and another from management.

- (ii) The main functions of the IRC will be (1) Registration and certification of membership of Negotiating Council after observing the due process of verification or secret ballot; (2) Conciliation; (3) Medication; (4) Adjudication in industrial disputes (5) Hearing appeals against awards of Labour Courts and (6) Enforcement. The other trade unions have opposed the constitution of the IRC. They favour the existing system of tribunals with certain modification such as direct reference for adjudication by trade unions, issue of interim order by tribunals and execution of awards by them.

9. Strikes & Lock outs: (Chapter 11)

- (i) The labour side has recommended that strikes should not be equated to lock out. It should be mandatory for the employer to obtain prior permission of the appropriate Government before declaring a lock out. The employers' side has disagreed with the view. However, should prior permission for lockout be made mandatory, the employers' side has insisted that the unions also must obtain permission before going on strike.

The five dissenting trade union organisation have stated that in the event of failure of Negotiation, "if the union does not want to go in for arbitration, conciliation or adjudication, it should have the right to resort to direct action including strike, if necessary".

- (ii) Every strike must be preceded by a strike ballot in which at least two thirds of the workers employed in the establishment should vote in favour of a strike the AITUC, the CITU the TUCC, the UTUC and the UTUC (LS) have opposed the strike ballot. The BMS and the HMS have stated that no ballot would be necessary if the union or unions representing at least 51% of the workers on the Negotiating Council favour a strike.
- (iii) At least 14 days' notice in writing should be required for a strike and a lockout.
- (iv) No strike or lockout should be resorted to during the pendency of a related dispute in the Negotiating Council or before a Conciliator, Labour, Court, IRC or arbitrator.
- (v) In case of a strike or lockout in an establishment essential services in that establishment should be exempted.
- (vi) An industry may be declared an essential service with the approval of Parliament. One months' notice must be given for a strike or a lockout in case of an essential service.

The five dissenting trade union organisations do not agree to statutory exemption of essential services in an estab-

lishment from a strike or to extension of the period of notice from the present 2 weeks in case of a public utility service to one month suggested above.

- (vii) The committee recommended that the employee should be entitled to full wages and other benefits in case of illegal lockout—the IRC or the Labour Court concerned being empowered to declare a strike or a lockout illegal at the instance of either party.

The CIE has stated that in case a lockout has been declared as a consequence of danger to life and property in the industry or the safety of the community, no wages should be payable even though the lockout was technically illegal.

10. *Lay off (Chapter 13 of the Report)*

- (i) The provisions relating to layoff would be applicable to establishments employing 20 or more employees.
- (ii) Where layoff is for reasons within the control of the management, full wages should be paid. Otherwise the wages should be 50% of normal wages.
- (iii) Where a contractor defaults in payment of compensation for layoff, the principal employer should be liable to pay the amount.
- (iv) The employer must have the approval of the Negotiating Council for declaring a layoff. In the event of refusal of permission by the Council, the matter should be treated as an industrial dispute.

The Council of Indian Employers has stated that the employer should be required to intimate the Negotiating Council instead of having to obtain its approval.

The AIMO has stated that the present provisions requiring prior permission from the appropriate Government for declaring a lay-off should be deleted. If the provisions were to be retained at all, they should be applicable to establishments employing more than 1000 workers.

11. Retrenchment (Chapter 14 of the Report)

The compensation for retrenchment should be at the rate of one months' average pay for every year of service. However, for smaller establishments employing less than 250 persons or with a turn-over of less than Rs. 5 crore, the existing rates may continue. The five dissenting trade unions do not agree to this relaxation. The AIMO does not on the other hand agree to the enhancement.

The dissenting five trade unions organisations have recommended that approval by the Negotiating Council or the participative forum should be required for effecting retrenchment. Further a worker can be declared surplus only with the agreement of the Negotiating Council.

12. Closure (Chapter 15)

The proposal for closure should be placed before negotiating Council at least 90 days before the closure. If no agreement is reached within 30 days, the issue shall be referred to the IRC by either party. The IRC should give its award within 30 days.

The representatives of Labour have, however, added that it should still be necessary for the employer to obtain permission of the appropriate Government.

The employers' side expressed the view

that the provisions of Section 25 (O) of the Industrial Disputes Act should apply only to industrial establishments employing at least 1000 workers. Further, it would suffice if the employer gave a prior intimation for closure instead of having to obtain prior permission for the purpose.

The AIMO has desired that the present provisions in the Industrial Disputes Act requiring the employer to obtain prior permission for effecting retrenchment or closure be deleted. In the alternative, two levels of compensation should be provided. Where an employer resorts to retrenchment or closure without prior approval of the authorities concerned, the level of compensation should be higher than in case where it is effected after obtaining prior permission. Disputes relating to unjustified retrenchment or closure can be raised before the IRC which would be empowered to award full wages in the event of reinstatement in service. It has also stated that the provision of prior approval should be restricted to industrial establishments employing more than 1000 employees.

The dissenting five trade union organisations have desired that the present statutory provisions of the ID Act relating to closure should be made more stringent. They have suggested that the cost of over-coming sickness should be recovered from the employer.

13. Go slow

The CIE has suggested that the law should provide the deduction of wages of a workman who resorts to go slow, apart from rendering him liable for disciplinary action.

Action Plan to bring Normalcy In Punjab

624. SHRI LOKANATH CHOWDHURY:
PROF. P.J. KURIEN:
Will the PRIME MINISTER be pleased to state:

(a) whether an action plan has been prepared by the Government to deal with militants and to establish peace and normalcy in Punjab; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Situation in Punjab is kept under constant review and appropriate action taken to restore peace and normalcy in the State. Such action includes, interalia, steps to fight terrorism, toning up of administrative/law and order machinery as also development activities.

[*Translation*]

**Establishment of E.N.G. Television Unit
In Madhya Pradesh**

625. DR. LAXMINARAYAN PANDEYA: Will the PRIME MINISTER be pleased to state:

(a) whether the Government propose to establish an Electronic News Gathering (E.N.G.) television unit in Madhya Pradesh with a view to disseminate information regarding development works and other important incidents taking place in the State;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c). Whereas a fulfilled TV Studio Centre at Bhopal with 4 ENG Units and a Programme Generation Facility Centre at Raipur with 2 ENG Units under implementation in Madhya

Pradesh, as spill-over schemes from the VII Plan, are in an advanced stage of completion, the important events taking place in the State are presently covered by deputing Camera teams from Delhi are through stringers.

Setting up of Industries in Madhya Pradesh

626. DR. LAXMINARAYAN PANDEYA: Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government have received any new proposal from the Government of Madhya Pradesh under their industrial policy ;

(b) if so, the details thereof; and

(c) the number of proposals received from the State Government which are still pending for approval?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (c). During the period 1987 to 1990 (Upto 30.11.1990), 11 industrial licence applications from the various State Public Sector Enterprises of Madhya Pradesh have been received. Of these, 2 applications have been approved and letters of intent granted. Of the remaining 9 applications, 7 have been rejected or otherwise disposed of and 2 are at various stages of processing.

Opening of Regional Offices of R.N.I. In State Capitals

627. DR. LAXMINARAYAN PANDEYA: Will the PRIME MINISTER be pleased to state:

(a) whether the Government are aware that because of the office of the Registrar of News papers for India (RNI) being situated in

Delhi, there is no effective verification of circulation of newspapers published from the States and there is also unnecessary delay in registration of newspapers; and

(b) if so, whether the Government propose to open regional offices of RNI in the capitals of bigger States?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) The Registrar of Newspapers for India, besides having its Headquarter in Delhi, have three existing units, which have now been upgraded as Regional Office, at Calcutta, Bombay and Madras. Thus, it would be incorrect to say that only the Delhi office conducts verification of circulation checks of newspapers.

(b) The Government proposes to open three more offices, to be set up in Bangalore, Bhopal and Lucknow during the 8th Five Year Plan.

Promotions in Cement Corporation of India

628. DR. LAXMINARAYAN PANDEYA: Will the PRIME MINISTER be pleased to state:

(a) whether the employees of Cement Corporation of India do not get benefit of promotion by appearing in departmental competitive examinations and no avenues are left for the departmental employees to get promoted to the officers' cadre through competitive examinations;

(b) whether any memorandum has been received in this regard from the employees; and

(c) if so, the decision taken thereon?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Instead of Departmental Examination, employees are encouraged to acquire professional qualifications from recognised institutions/Universities conducting part-time/correspondence professional courses in various disciplines through the Corporation's Educational Incentive Scheme for acquiring professional qualifications for being considered for promotion to Officer cadre. Such candidates not having professional qualifications on putting the qualifying service are also considered for promotion to higher post in Supervisory/Officer cadre by the Departmental Promotion Committee.

(b) Yes, Sir.

(c) Such employees are regularly counselled and encouraged to acquire professional qualifications for career advancement.

[English]

Syed Modi Case

**629. SHRI SUDHIR GIRI:
SHRI AMAL DATTA:**

Will the PRIME MINISTER be pleased to state:

(a) the normal time gap between a CBI recommendation for revision appeal from the prosecution and clearance of the same by the department of personnel;

(b) when the CBI recommendation for appeal in Syed Modi murder case was received in the Department of Personnel; and

(c) the grounds cited by the CBI in favour of the appeal in the said case?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) The proposals for filing of revision/appeal against Lower Court judgements received from the CBI, are examined expeditiously in the Department of Personnel and Training and in consultation with the Ministry of Law (Department of Legal Affairs), wherever necessary, and Government's approval conveyed to CBI. The time taken in processing each case varies depending upon the nature of the case and the complexity of the legal issues involved.

(b) The proposal of the CBI for filing of revision against the judgement of Sessions Court in Syed Modimurder case was received in the Department of Personnel and Training on 23.10.90.

(c) CBI had proposed filing of revision petition on the grounds that the discharge order dt. 17.9.90 was bad in law.

[Translation]

Setting up of Industries in U.P.

630. SHRI HARISH RAWAT: Will the PRIME MINISTER be pleased to state:

(a) the number of applications for setting up of industries in Uttar Pradesh received from private and public sectors during the last six months;

(b) whether such applications include big industrial houses also; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (c). During the period from 1.6.1990 to 30.11.1990, 279 industrial licence applications, including 11 from various State Public Sector Enterprises, have been received for setting up of industries in

Uttar Pradesh. Of these, 16 industrial licence applications belong to MRTP Companies. The details of the pending applications are not divulged till the Government have taken final decision thereon.

Unorganised Labour in BHEL

631. SHRI RAJENDRA AGNIHOTRI: Will the PRIME MINISTER be pleased to state:

(a) the reasons for recruiting unorganised labour in the Bharat Heavy Electricals Limited through contractors instead of departmentally;

(b) whether the nature of work entrusted to unorganised labour is of permanent nature;

(c) if so, whether they would be made regular and permanent;

(d) the total number of labourers engaged in Hardwar, Jhansi and Bhopal units of BHEL since November, 1990 and the number of unorganised labourers out of them;

(e) whether the interests of unorganised labourers engaged by the Department are safeguarded; and

(f) whether all facilities and privileges are provided to them as are extended to the regular labourers?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) to (c). The works which are of temporary or intermittent nature are carried out through contractors, who deploy labourers. As and when vacancies arise in BHEL and if such workers are qualified for permanent jobs, they are given preference while filling up the vacancies.

(d) Forty eight skilled workers have been recruited in Jhansi Unit of BHEL since

November, 1990. BHEL has not recruited any unorganised labourer in Hardwar, Jhansi and Bhopal Units since November 1990.

(e) and (f). BHEL, as a principal employer is ensuring that statutory provisions like minimum wages, holidays, canteen, etc., are complied with.

Setting up of Heavy Industry in Lalitpur and Bundelkhand

632. SHRI RAJENDRA AGNIHOTRI: Will the PRIME MINISTER be pleased to state:

(a) whether any proposal for setting up of heavy industries in Lalitpur and Bundelkhand to alleviate the economic backwardness of the area is under Government's consideration; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). As on 27th December, 1990, 19 industrial licence applications received for setting up of industries in Lalitpur and Bundelkhand area consisting of Banda, Hamirpur, Jaloun and Jhansi Districts are at various stages of processing. The details are as follows:—

District	No. of Application	
Banda	—	1
Hamir	—	—
Jaloun	—	3
Jhansi	—	14
Lalitpur	—	1

[English]

Public Sector Undertakings under MRTP Act

633. SHRI RAJAMOHAN REDDY: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to bring some Public Sector Undertakings under the M.R.T.P Act; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) No, Sir.

(b) Does not arise.

Salt Cess Fund

634. SHRI KASHIRAM RANA: Will the PRIME MINISTER be pleased to state:

(a) whether a lot of delay takes place in giving administrative approval to the scheme which are executed with Financial Assistance from 'Salt Cess Fund';

(b) the number of meetings of the Gujarat Regional Advisory Salt Board and the Central Salt Advisory Board held during the last three years till date and the total number of schemes and amount sanctioned during each year; and

(c) whether Union Government propose to decentralise power in order to expedite the sanctioning of such schemes and their speedy implementation?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) No, Sir.

(b) and (c). Four meetings were held by Gujarat Regional Advisory Board for Salt

and three meetings by Central Advisory Board for Salt during the last three years till date. The total number of schemes sanctioned were 5.5 and 63 and total amounts sanctioned were Rs. 10.60 lakhs, Rs. 44.47 lakhs and Rs. 33.12 lakhs in 1987, 1988 and 1989 respectively.

Government has already delegated more powers in August, 1990 to the Regional Salt officers to expedite the sanction of schemes for speedy implementation.

[Translation]

Enhancement of the Duration of AIR and T.V. Programmes

635. SHRI HAIR KEWAL PRASAD: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to enhance the duration of AIR and TV programmes;

(b) if so, the details thereof;

(c) whether the programmes will be telecast on two channels from other television centres also in the country as is being done in Metropolitan cities; and

(d) if so, when it is likely to commence?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) No, Sir.

(b) Does not arise; and

(c) and (d). At present there is no approved scheme to introduce second channel service at any other Kendra besides the existing service at the four Metropolitan cities.

Public Sector Undertakings of Maharashtra Running in Loss

636. SHRI HARIBHAU SHANKAR MAHALE: Will the PRIME MINISTER be pleased to state:

(a) the names of Public Sector undertakings in Maharashtra which are running in loss and the reasons therefor; and

(b) the steps taken to improve their working?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Eight out of twenty eight central public sector enterprises with their registered offices in the State of Maharashtra which are incurring losses continuously for the last three years (1986-89) are as under:—

1. Hotel Corporation of India
2. Indian Rare Earths Ltd.
3. Maharashtra Antibiotics & Pharmaceuticals Ltd.
4. Mazagon Dock Ltd.
5. National Bicycle Corpn. of India Ltd.
6. NTC (Maharashtra North) Ltd.
7. NTC (South Maharashtra) Ltd.
8. Richardson & Cruddas (1972) Ltd.

The reasons for incurring losses vary from enterprise to enterprise. However, some of the main reasons are low capacity utilisation, interrupted power supply, high cost of interest on outstanding loans, escalation of input

costs, demand variations etc.

(b) Improving working of the Central Public Sector Enterprises is a continuous process. In this regard various measures such as change in product-mix, technological upgradation, improved maintenance management practices, energy conservation, modernisation and rehabilitation, organisational restructuring etc., are taken. A new concept of Memorandum of Understanding (MOU) has been introduced which clarifies the mutual obligations of the public sector enterprises and the administrative Ministries in achieving improved performance.

Atomic Power Stations in Maharashtra

637. SHRI HARIBHAI SHANKAR MAHALE: Will the PRIME MINISTER be pleased to state:

(a) whether any proposal is under consideration to set up atomic powerstations in Maharashtra;

(b) if so, the names of districts selected to locate these stations; and

(c) the steps taken in this regard?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). Yes, Sir. Government propose to set up 2 additional units of 500 MWe each at Tarapur, Thane District, Maharashtra.

(c) Environmental and safety clearances have been obtained and the matter is being further processed.

[*English*]

Applications for Customs Clearance of Photographic Films

638. SHRI KAMAL CHAUDHRY: Will

the PRIME MINISTER be pleased to refer to the reply given on 31.08.1990 to Unstarred Question No. 3917 and state:

(a) the number of applications received during the last eight months (ending 31st July 1990) for customs clearance of Photographic Films and other materials, State-wise;

(b) the number of applications cleared, State-wise; and

(c) the reasons for non-clearance of the rest of the applications?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c). The information is being collected and will be laid on the Table of the House.

Bomb Blasts in Punjab, Chandigarh and Delhi

639. SHRI KAMAL CHAUDHRY: Will the PRIME MINISTER be pleased to state:

(a) the details of bomb blasts in buses, trains and at other places in Punjab, Union Territory of Chandigarh and Delhi during August-December, 1990, month wise, State/Union Territory-wise;

(b) the number of persons killed and injured and loss to property in each bomb blast separately;

(c) whether any of such cases have been solved and arrests made in this regard; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE

MINISTRY OF HOME AFFAIRS AND MIN-
ISTER OF STATE IN THE MINISTRY OF
INFORMATION AND BROADCASTING
(SHRI SUBODH KANT SAHAY): (a) and (b).
A statement indicating the information fur-
nished by the Government of Punjab and

U.T. Admn. of Chandigarh and Delhi is at-
tached.

(c) and (d). The two cases in Delhi have
been worked out and five accused have
been identified and three out of them have
been arrested.

STATEMENT

The number of explosions, persons killed/injured and loss of property in Punjab, Chandigarh and Delhi during August 1990 to December, 1990

Months	No. of explosions	Punjab			No. of persons killed/injured			Loss of property		
		Punjab	Chandigarh	Delhi	killed	injured	Delhi	Punjab	Chandigarh	Delhi
		killed	injured	killed	injured	killed	injured	killed	injured	killed
1	2	3	4	5	6	7	8	9	10	11
August, 1990	13	-	1	10	95	-	-	5	18	Inf. not readily available
September, 1990	11	-	-	4	37	-	-	-	-	—do—
October, 1990	10	-	1	3	61	-	-	3	2	—do—
November, 1990	9	2	-	3	28	-	15	-	-	—do—
										1. Some window panes were broken.

One auto and one cycle were damaged.

Months	No. of explosions				Punjab				No. of persons killed/injured				Loss of property		
	Punjab		Chandigarh	Delhi	killed	injured	Chandigarh		Delhi	Punjab		Chandigarh	Delhi		
	killed	injured	killed	injured	killed	injured	killed	injured	killed	injured	killed	injured	killed	injured	
1	2	3	4	5	6	7	8	9	10	11	12	13			
December, 1990	7	-	-	-	-	-	8	-	-	-	-	-	2.	Some damage was caused to the building and furni- ture	

Note: Punjab: All information based on daily situation reports furnished by Govt. of Punjab upto 25th December, 1990.

**Number of Persons Killed in J & K In
Territorists Violence**

640. SHRI KAMAL CHAUDHRY:
SHRI K.D. SULTANPURI:
SHRIMATI GEETA
MUKHERJEE:
SHRI A.K.A. ABDUL SAMAD:
PROF. VIJAY KUMAR
MALHOTRA:
SHRI PIYARE LAL HANOO:
SHRI GULAB CHAND
KATARIA:
SHRIYASHWANTRAOPATIL:
SHRICHIRANJILAL SHARMA:
SHRI A.K. ROY:
SHRI GANGA CHARAN
LODHI:
SHRI KESHARI LAL:

Will the PRIME MINISTER be pleased to state:

- (a) whether the terrorists activities have increased in Jammu and Kashmir since August, 1990;
- (b) the month-wise number of civilians and police personnels killed and the extent of property looted and destroyed in fire bomb blasts and other explosions during the period from August, 1990 till date;
- (c) the number of terrorist killed and arrested during the above period;
- (d) whether any proof of involvement of the Government officials in separatist activities has also been found;
- (e) if so, the details thereof and the action taken against the erring officials; and
- (f) the steps taken of check the activities of terrorists and secessionists in J & K?

**THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS AND MIN-**

**ISTER OF STATE IN THE MINISTRY OF
INFORMATION AND BROADCASTING
(SHRI SUBODH KANT SAHAY):**(a) Terrorist violence has shown an increase with the advent of summer since the end of May.

(b) to (f). The reply is awaited from the Government of Jammu & Kashmir.

**Plying of Cycle-Rickshaws in and
Around Walled City of Delhi**

641. SHRI RAMASHRAY PRASAD SINGH: Will the PRIME MINISTER be pleased to state:

- (a) whether traffic problem is created by cycle-rickshaws in and around walled city of Delhi,
- (b) the number of cycle-rickshaws plying without licence in those areas;
- (c) whether cycle-rickshaws are parked on roads, parks and other public places particularly near Ajmeri Gate and Ramlila Ground causing inconvenience and traffic jam in these areas; and
- (d) if so, the remedial measures propose to be taken in this regard?

**THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS AND MIN-
ISTER OF STATE IN THE MINISTRY OF
INFORMATION AND BROADCASTING
(SHRI SUBODH KANT SAHAY):**(a) Cycle-rickshaws are a major mode of transport in and around the walled city, carrying passengers as also different types of goods. As a result traffic problems are created.

(b) The Municipal Corporation of Delhi has reported that no assessment has been made of the number of cycle-rickshaws plying without licence.

(c) Since there is no approved cycle-

rickshaw stand in the walled city of Delhi, the rickshaws are mainly parked on roads and other public places and this causes traffic obstruction. The stand on Asaf Ali Road opposite Ramlila Ground has limited capacity.

(d) Regular raids are organised to impound unlicensed cycle-rickshaws.

Setting up of a Doordarshan Kendra at Jammu

642. SHRI JANAK RAJ GUPTA: Will the PRIME MINISTER be pleased to state:

(a) whether a Doordarshan Kendra has been sanctioned for Jammu; and

(b) if so, the amount sanctioned for the purpose and when the construction of the Kendra is likely to be start?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Yes, Sir. The establishment of a Programme Generation Facility (PGF) Centre at Jammu at an estimated cost of Rs. 606.90 lakhs has been approved by the Government. The work for the construction of the building has been awarded and it is envisaged to be taken up as soon as the selected land site is formally allotted to Doordarshan by the State Government.

Riot in Tihar Jail

643. PROF. P.J. KURIEN:
SHRI RAM LAL RAHI:
SHRI B. DEVARAJAN:
SHRI PARASRAM BHARDWAJ:
SHRI HARISH PAL:

Will the PRIME MINISTER be pleased to state:

(a) whether any riot took place in Tihar Jail in Delhi on 6 October, 1990;

(b) if so, the details thereof and the causes which led to the incident alongwith the number of persons died and injured and properties damaged;

(c) whether an enquiry has been order into the incident;

(d) if so, the outcome thereof and the action taken against the persons found responsible for it and to streamline the Tihar Jail administration and to tighten the security arrangements; and

(e) the steps taken to prevent the recurrence of such incidents?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Following the death of a convict on the morning of 8th October, 1990, large-scale rioting took place on that date in the Central Jail (No. I), Tihar, which resulted in death of a number of prisoners, injury to several others and the jail staff as well as damage to substantial Government property. The inmates of the barrack set fire to gas cylinders and other items, indulged in heavy brick-batting, threw bottles from the jail dispensary and attempted jail break by trying to break the walls with cylinders. The police first used teargas and then opened fire to contain the rioters. In all, 10 prisoners died and 150 sustained injuries. 81 security personnel also sustained injuries.

(c) to (e). An administrative enquiry has been ordered by the Delhi Administration with the following terms of reference:

(i) to enquire into the cause and sequence of the incident of ri-

oting that took place in the Tihar Jail Complex on 5th October, 1990;

- (ii) To examine the promptness, propriety and adequacy of response of the jail authorities/ security personnel in tackling the situation;
- (iii) to suggest measures so as to avoid recurrence of such incidents in future and to examine effective handling of the situation, should any such incidents occur.

Payment of Bonus to Workers of IRE Limited, Chhatarpur, Orissa

644. SHRI D. AMAT: Will the PRIME MINISTER be pleased to state:

(a) whether Indian Rare Earths Limited, Chhatarpur, Orissa pay bonus to their workers regularly; and

(b) if not, from when the bonus has not been paid and the reasons therefor?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) and (b) The employees of OSCOM (IRE Ltd., Chatrapur) were paid customary bonus during the construction period from 1975 to 1986. The units started commercial production in October, 1986 and the payment of Bonus Act became applicable from the accounting year 1987-88. Under Section 16 of the Payment of Bonus Act, a unit has to pay bonus to its employees during the first five years, only if it makes profits. Since the unit has been incurring losses since 1986, the employees of the unit were not paid bonus from the accounting year 1987-88 onwards.

Setting up of Electronics Industries

645. SHRI D. AMAT: Will the PRIME MINISTER be pleased to state:

- (a) the details of electronics units set up during the last three years, State-wise;
- (b) the reasons for sustained disparity, if any;
- (c) whether there is any time bound programme to equalize the State-wise distribution of electronics industry; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) State-wise number of industrial licences, letters of intent and registrations issued for setting up of electronic units during the last three years is given in the Annexure.

(b) to (d). Union Government encourages the setting up of electronics industries throughout the country. The State Governments provide facilities and create conditions conducive for setting up such industries in the State and the Department of Electronics gives necessary guidance and processes the issue of approvals. However, the actual setting up and performance of the electronic units depend upon the promoters of industry and the other factors affecting the industry. This may result in disparities in the levels of development of the electronic industry in different States. Special efforts are being made by the Department of Electronics to promote electronics industry in States/areas which are at present lagging behind. However, it is not possible to have a time bound programme to equalize the distribution of electronic industry.

STATEMENT*List of Industrial Licences, Letters of Intent and Sia registrations issued during last 3 years viz April 87 to March 90*

Sl. No.	Name	No. of IL	No. of LI	No. of RG
1	2	3	4	5
1.	Andhra Pradesh	30	41	41
2.	Assam	1	4	0
3.	Bihar	2	5	9
4.	Chandigarh	1	4	0
5.	Dadra/Nagar Haveli	0	0	5
6.	Delhi	11	9	10
7.	Goa, Daman & Diu	3	8	9
8.	Gujarat	21	28	33
9.	Haryana	12	21	26
10.	Himachal Pradesh	1	16	42

Sl. No.	Name	No. of IL	No. of LI	No. of RG
1	2	3	4	5
11.	Jammu & Kashmir	5	10	17
12.	Karnataka	69	77	56
13.	Kerala	7	12	29
14.	Madhya Pradesh	9	10	39
15.	Maharashtra	47	48	110
16.	Manipur	0	3	2
17.	Orissa	2	5	27
18.	Pondicherry	0	4	4
19.	Punjab	11	19	26
20.	Rajasthan	13	15	44
21.	Sikkim	0	0	1

Sl. No.	Name	No. of LL	No. of LI	No. of RG
1	2	3	4	5
22.	Tamil Nadu	23	44	40
23.	Uttar Pradesh	38	81	221
24.	West Bengal	9	25	13

Recommendations of Central Advisory Contract Labour Board

647. SHRI BASUDEV ACHARIA: Will the PRIME MINISTER be pleased to state:

- (a) whether Central Advisory Contract Labour Board has appointed a Committee to go into the question of abolition of contract labour in the work of loading and unloading handling and ash-picking operations;
- (b) whether the Committee has submitted its report; and
- (c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) Yes, Sir.

- (b) No
- (c) Does not arise.

Levelling of Ravines of Yamuna Bank

648. SHRI KESHARI LAL: Will the PRIME MINISTER be pleased to state:

- (a) whether Government propose to level the revenues stretching on the bank of Yamuna river from Etawah to Fatehpur in Uttar Pradesh;
- (b) whether the Government of Uttar Pradesh has sent any proposal in this regard;
- (c) if so, the details thereof, and action taken by the Planning Commission on the said proposal; and
- (d) the steps being taken by the Government for the development of that area?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Yes, Sir. The programme is being implemented in several district of Uttar Pradesh including Etawah district. Fatehpur district has not been included in this programme.

(b) Yes, Sir. The Government of Uttar Pradesh had sent a proposal to the Department of Agriculture and Cooperation for the year 1990-91.

(c) The Planning Commission has approved the scheme. The Department of Agriculture & Coop. has received the proposal for the continuation of the scheme for the year 1990-91 which contains the following major components:

- (i) Peripheral bunding including measonary outlets for safe disposal of runoff, easing and filling up of steep cuts and gaps, construction of check dams in gully areas and planting of suitable species of trees, shrubs and grasses to provide vegetative cover.
- (ii) Treatment of table such as bunding, levelling, smoothening, etc. to improve productivity of table lands.
- (iii) Afforestation of medium and deep ravines through aerial seeding and manual planting.
- (iv) Reclamation of shallow ravines for agriculture, horticulture and other productive use with provision of irrigation facilities, as far as possible.
- (d) In order to have the overall development of the ravinous areas the Government have formulated a holistic approach includ-

ing bunding, ravine control, ravine reclamation, utility plantation, road links, tubewells, electrification, agricultural production programme, crop demonstration, etc.

[Translation]

Persons Killed and Properties Damaged by Terrorists

649. SHRI RAJVEER SINGH:
SHRI K.D.SULTANPURI:
SHRI PALAI K.M. MATHEW:

Will the PRIME MINISTER be pleased to state:

(a) the number of innocent men, women and children killed by terrorists in the country during the last two years, year-wise and State-wise and the value of public property damaged; and

(b) the steps taken by Government to curb the activities of the terrorists?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Information is being collected and will be laid on the Table of the House.

(b) The Government has taken a number of preventive measures which include beefing up of intelligence set up, intensified vigil on the borders, combing operations by security forces and better co-ordination between the State police, para-military forces and the Army.

Smuggling of Arms from Pakistan

650. SHRI GIRDHARI LAL BHARGAVA: Will the PRIME MINISTER be pleased to state:

(a) whether smuggling of arms is taking place along the 210 Kilometer long border of Sri Ganganagar district adjoining Pakistan; and

(b) if so, the details of the steps taken to combat it effectively?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir. Some cases of smuggling of arms through the Indo-Pak border in Sri Ganganagar Sector have been detected.

(b) The surveillance and security on the border have been strengthened. Wire obstacles have been erected on sensitive stretches. Border fencing and flood lighting is being done.

Concrete Pillars on International Border

651. SHRI GIRDHARI LAL BHARGAVA: Will the PRIME MINISTER be pleased to state:

(a) whether check posts on Rajasthan border are 10-15 Kilometres apart, while in Punjab this distance is 2 Kilometres at the maximum;

(b) if so, whether Government propose to establish check posts on Rajasthan border on the pattern of Punjab border for better prevention of smuggling of arms;

(c) if so, when it is likely to be done; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING

(SHRI SUBODH KANT SAHAY): (a) to (d). No, Sir. It is not correct that the average distance between two Border out-posts (BOPs) is 2 Kilometres in Punjab and in Rajasthan it is 10-15 Kilometres. In Punjab the average distance between 2 BOPs is 3.5 Kilometres, whereas, it is between 4.4 to 4.7 Kilometres in Rajasthan.

It is proposed to set up additional BOPs on the Rajasthan border.

Allocation for Jodhpur Lift Canal Water Supply Scheme

652. SHRIGIRDHARI LAL BHARGWA: Will the PRIME MINISTER be pleased to state:

(a) whether there is any proposal to provide Rs. 9.54 crore for Jodhpur Lift Canal Water Supply Scheme under Border Area Development Programme during 1990-91;

(b) whether the said amount has been provided to the State Government;

(c) if not, the reasons therefor; and

(d) the time by which this amount is likely to be provided?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (d). The progress of implementation of the Project was, on review, found to be slow. The Government of Rajasthan was required to furnish full details of the project work done, proposed time-schedule for completion, funding requirements, proposals for tariff restructuring etc. Consideration of assistance would, among other factors, depend upon the details to be furnished.

Financial Assistance to Small Scale Industries

653. SHRI GIRDHARI LAL BHARGAVA: Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government have started any scheme to provide financial assistance to encourage small scale industries;

(b) if so, the amount of grant given during the last three years and the number of industries benefited therefrom, State-wise;

(c) whether this scheme has not been effective since 30 September, 1988;

(d) if so, the reasons therefor;

(e) whether Government propose to provide grant to such entrepreneurs who have taken effective steps to set up industries under this scheme by 30 September, 1988 and were not sanctioned any grant by the above date;

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). The Government have decided to introduce a Central Investment Subsidy Scheme for the small scale units set up in rural and backward areas. The details of this scheme are being worked out.

(c) and (f). Does not arise, in view of reply given to parts (a) and (b).

[English]

Legislation for Welfare of Construction Labour

654. SHRI HANNAN MOLLAH: SHRI BALESHWAR YADAV:

Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to bring forward a Bill for the welfare of construction labour;

(b) if so, the salient features thereof; and

(c) when it is likely to be introduced?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI RAMJILAL SUMAN): (a) to (c). The need for a Central legislation for providing various protective measures to workers engaged in building and construction activities was the subject matter of a national seminar held in February, 1990 at new Delhi. The various recommendations made at this seminar relating to the necessity of a Central legislation and various protective measures to be provided thereunder are under consideration.

Clearance of Industrial Projects In West Bengal

655. SHRI HANNAN MOLIAH: Will the PRIME MINISTER be pleased to state:

(a) the number and details of projects for new Industry in West Bengal cleared with licence, letter of intent and other necessary clearance during last one year;

(b) the details of such projects still pending; and

(c) the details of action taken to clear the pending projects?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) During the years 1989 and 1990 (Up to 30.11.1990), 32 industrial li-

ences, 66 letters of intent and 108 other clearances by way of delicensed industries registrations and exempted industries registrations have been granted for setting up of industries in West Bengal.

(b) and (c). Of the total 274 industrial licence applications received during the period from 1987 to 1990 (upto 30.11.1990), 50 applications for setting up of industries in West Bengal are at Various stages of processing.

Exclusion of Certain Departments from Reservation

656. DR. DAULATRAO SONUJIAHER: Will the PRIME MINISTER be pleased to state:

(a) whether 27 per cent quota reservation under Mandal Commission is not applicable to Armed Forces, Science and Technology, Space, Atomic Energy and Educational Institutions. and

(b) if so, the criteria applied for exclusion of these department from Mandal Commission recommendations?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJILAL SUMAN): (a) and (b). The Office Memorandum issued on 13th August, 1990 by the Ministry of Personnel, Public Grievances & Pensions (Dept. of Personnel & Training) specifies that the reservation of 27% for the Socially and Educationally Backward Classes would be applicable to civil posts and services under the Central Government, Public Sector Undertakings and Central financial institutions, including public sector banks.

The said Office Memorandum, as also the report of the Mandal Commission on the basis of which it was issued, have been

challenged through various with petitions now being heard by a Constitution Bench of the Supreme Court. The Supreme Court has, *inter alia*, directed that no steps be taken to implement the order of 13th August, 1990 except the identification of the castes to be benefited. Government is awaiting the verdict of the Supreme Court.

Experts Dissociated from the Findings of Mandal Commission

657. DR. DAULATRAO SONUJI AHER: Will the PRIME MINISTER be pleased to state:

(a) whether some experts who were working with Mandal Commission have now dissociated themselves from the findings of the Commission: and

(b) if so, how many experts were associated and how many have dissociated from the report?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) and (b). Reports have appeared in certain sections of the Press indicating that some experts associated with the Mandal Commission as members of Expert Groups set up by the Commission to assist in the certain specific tasks like complete design of the survey alongwith a set of schedule, dummy tables, instructions etc. have dissociated themselves from the findings and conclusions of the Commission. The Government have, however, received a written complication to this effect only from Shri B.K. Roy Burman who was one of the experts who had worked with the Commission.

National Security Council

658. DR. DAULATRAO SONUJI AHER: Will the PRIME MINISTER be pleased to state:

(a) whether any separate Secretariat for National Security Council has since been set up;

(b) if so, the details thereof and if not, the reasons therefor; and

(c) the progress made in the formation of National Security council?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) and (b). For the present, the Joint Intelligence Committee of the Cabinet Secretariate is functioning as the Secretariat for the National Security Council. The Chairman, Joint Intelligence Committee has been given the charge of Secretary, National Security Council also.

(c) The National Security Council has been constituted and a meeting of the NSC has also been held.

Strike by Co-ordination Committee of Officers Association of Public Sector Undertakings

659. SHRI BALGOPAL MISHRA: Will the PRIME MINISTER be pleased to state:

(a) whether there was a strike due to call given by the Co-ordination Committee of officers association of the Central Public Sector Undertakings in the month of October, 1990;

(b) if so, the reasons therefor;

(c) the number of units affected due to this strike; and

(d) the extent of loss in production in the affected units?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). The Officers of

Public Sector Undertakings who are governed by the Industrial D.A. formula, went on strike on 11th and 12th October 1990 due to a strike call given by Co-ordination Committee of Officers Association. Their main demand related to the revision of the Industrial D.A. formula.

(c) and (d). Information is being collected and will be laid on the Table of the House.

Coverage of Social and Cultural Life of Kashmiris on National Network

660. SHRI BALGOPAL MISHRA: Will the PRIME MINISTER be pleased to state:

(a) whether Union Government have received a representation from J&K Government for wider coverage of social and cultural life of Kashmiris on the National network of the Doordarshan: and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). Even though no such representation has been received in the Doordarshan from the J&K Government, Doordarshan have been telecasting, in the National Network, from time to time, programmes on the rich cultural heritage of Kashmiris, their social life and traditions.

Pension to Widows of Terrorists Victims in Punjab

661. SHRI KIRPAL SINGH: Will the PRIME MINISTER be pleased to state:

(a) the number of widows who became victims of terrorists given pension in Punjab as on 1 September, 1990; and

(b) the number of such cases which are still pending with Government alongwith relevant details?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). According to information received from the Government of Punjab, 1269 widows of terrorists victims have been given pension as on 1st September, 1990. 510 cases for payment of pension were pending as on that date.

Newsprint Plant

662. SHRI KIRPAL SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether Government propose to start a second newsprint plant;

(b) if so, when and whether people of the border States would be given employment; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (c). The Government has approved in October, 1989 the setting up of a bagasse based Newsprint Plant at Aliganj, District Moradabad, Uttar Pradesh by NEPA Limited at a total estimated cost of Rs. 414.46 crores which will provide employment to about 1205 persons. Preliminary work at site is in progress.

Expenditure Incurred on CRPF In Punjab

663. SHRI KIRPAL SINGH: Will the PRIME MINISTER be pleased to state:

(a) the total amount given to the victims

of terrorists in Punjab during the last three years, year-wise;

(b) the amount of expenditure incurred on Central Reserve Police Force in Punjab during the period; and

(c) whether the above expenditure incurred would be borne by the Punjab Government?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) The information is being collected and will be laid on the Table of the House.

(b) and (c). The cost of CRPF deployment during the period (Up to June 30, 1990) works out to Rs. 120.44 crores and is normally required to be borne by the State Government.

Migrants from Delhi to Punjab During 1984 Riots

664. SHRI KIRPAL SINGH: Will the PRIME MINISTER be pleased to state:

(a) the number of persons who migrated from Delhi to Punjab during the 1984 riots;

(b) the total amount spent to compensate the migrants, the maximum and minimum amount given with details;

(c) the details of the scheme to rehabilitate the migrated families from Delhi in Punjab; and

(d) whether the norms adopted for compensation by Government to migrants are similar to those adopted for migrants of Punjab and Kashmir?

THE MINISTER OF STATE IN THE

MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). The Government of Punjab have formulated a scheme under which an ex-gratia grant of Rs. 5000/- and a grant of subsistence allowance of Rs. 1000/- is provided to Sikh migrant widows who lost their bread-winner during the period 31-10-1984 to 7-11-1984 in the riots following the assassination of then Prime Minister, Mrs. Indira Gandhi. Besides, assistance by way of marriage grant, grant of employment on priority basis, facility of free education, reservation for allotment of LIG houses, residential and commercial plots etc are also being given to such migrants. Information relating to the number of persons who migrated from Delhi to Punjab and total amount spent on them is being collected and will be laid on the Table of the House.

Common Cadre of Policemen of Union Territories

665. SHRI NANDLAL MEENA: Will the PRIME MINISTER be pleased to state:

(a) whether law and order in Delhi is maintained by Delhi Police and Police drawn from other States;

(b) if so reasons for drawing police force from other States instead of augmenting its own force;

(c) whether there is any proposal to create a common cadre of policemen of all Union Territories for better control of law and order; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF

INFORMATION AND BROADCASTING (SHRISUBODHKANTSAHAY): (a) and (b). The Delhi Police, like all other Police forces in the States, have the responsibility of maintaining law and order and preventing and detecting crime. In addition, they also have to look after the security of protected persons and vital installations in the capital, which requires more manpower when there is a steep rise in terrorist threat perceptions as has happened recently. For carrying out the increased work load, which may not be permanent in nature, the Delhi Police, like the police forces in the States, draw upon the Central Police Organizations and other States for additional force.

(c) and (d). There is joint cadre at I.P.S. level of all Union Territories and the States of Arunachal Pradesh, Goa and Mizoram. Such a joint cadre is not considered expedient at the level of Inspectors and below, as local knowledge is essential for efficient policing at this level.

Settlement of Naga Political Problem

666. SHRI SHIKIHO SEMA: Will the PRIME MINISTER be pleased to state:

(a) whether the State Government of Nagaland has put up concrete plans/proposals to settle Naga Political Problem before Union Government;

(b) if so, the details thereof and the steps taken towards implementation of such plans/proposals; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRISUBODHKANTSAHAY): (a) No plan or proposal in this regard has been received in this ministry.

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

[Translation]

Screening of Film

667. SHRI BALESHWARYADAV: Will the PRIME MINISTER be pleased to state:

(a) whether the commercial screening of films shown in this year's film festival was started much before the inauguration of film festival;

(b) if so, the names of the films screened prior to the inauguration and the reason therefor;

(c) whether Government would consider to ban such screening in future; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRISUBODHKANTSAHAY): (a) and (b). There were no commercial screening at the International Film Festival of India, Calcutta and at the 37th National Film Festival at New Delhi held during 1990. The Government has however seen such a news item in the press about the Bhartiya Film Utsav, Ahmedabad and has drawn attention of the Government of Gujarat, to this.

(c) and (d). The Government is of the film view that there should be no commercial screening of films before the inauguration of film festival.

Manufacture of Adulterated Cement in Delhi

668. SHRI BALESHWARYADAV: Will the PRIME MINISTER be pleased to state:

(a) whether some units manufacturing adulterated cement were unearthed in Delhi during the last three months; and

(b) if so, the details thereof and action taken in the matter?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). It has been reported that 7 cases relating to manufacture of adulterated cement were detected/unearthed by the Delhi Police during the period 1.9.1990 to 30.11.90.

Cases have been registered under the Indian Penal Code and the Essential Commodities Act.

[English]

Rehabilitation to Displaced Persons Due to Kaiga Nuclear Project in Karnataka

669. **SHRI JOSS FERNANDEZ:** Will the PRIME MINISTER be pleased to state:

(a) the number of persons who lost their lands due to Kaiga Nuclear Project in Karnataka;

(b) out of this, the number of persons given compensation and employment so far;

(c) the number of such displaced persons still awaiting employment; and

(d) the steps proposed to be taken to provide jobs to all the displaced persons?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) The total number of land affected families is 133, out of which only 85 families have been displaced due to setting of the Kaiga Nuclear Power Project.

(b) Compensation amount determined by the Karnataka State Government was deposited by Nuclear Power Corporation with the State Government and has since been disbursed by them to all affected families. The Kaiga Project has so far employed 127 persons from the affected families, including joint holders.

(c) and (d). Eligible applicants from land affected who are physically available and certified by the State Government as project affected have been given employment in Kaiga Project. Any additional requests of project affected families will be considered on merits and in accordance with the policy in this regard.

LPT Stations in Karnataka

670. **SHRI JOSS FERNANDEZ:** Will the PRIME MINISTER be pleased to state:

(a) whether all Low Power Transmitter Stations in Karnataka have been connected with Bangalore Doordarshan programmes;

(b) if so, whether it has come to the notice of Government that most of the places in Karnataka are not able to get the Bangalore Doordarshan programmes clearly due to linking it up with ARABSAT; and

(c) the steps being taken to link with INSAT-1D to provide clear programmes throughout Karnataka?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) and (c). The distribution of Regional TV Service in Karnataka via ARABSAT-1B is considered to be satisfactory within the constraints of the existing satellite reception

facilities available at various transmitting centres. There is, therefore, no proposal at present to distribute this service via INSAT-1D.

[*Translation*]

Border Wing of CBI

671. SHRI SANTOSH KUMAR GANGWAR: Will the PRIME MINISTER be pleased to state:

(a) whether any Border Wing is existing in Central Bureau of Investigation (CBI) and if so, since when; and

(b) the number of cases filed by this wing in the last three years?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) Yes, Sir. Since October, 1985.

(b) The number of cases filed by Border Wing during last three years are as under:

1988: Nil.

1989: 4 cases.

1990: 3 cases.

[*English*]

Ban on Playing of a Song from a Film Titled 'Indira'

672. SHRI JANARDHANA POOJARY: Will the PRIME MINISTER be pleased to state:

(a) whether in the first week of October 1990, AIR banned the playing of the song of a film titled 'Indira';

(b) if so, the details of the title of the

song;

(c) the reasons for which it was banned;

(d) whether Government propose to lift the ban; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) The title of the film as intimated by producer was 'Indira' and the first line of the song was "Satya Mev Jayte, Satya Mev Jayte, Indira Usko Kahte".

(c) The song in question was not in conformity with the guidelines followed by All India Radio for approval of film songs for broadcast; and

(d) and (e). No, Sir. The reasons are those cited at "C" above.

I.C.D.S. Projects in Karnataka

673. SHRI JANARDHANA POOJARY: Will the PRIME MINISTER be pleased to state:

(a) the number of Integrated Child Development Services projects functioning in Karnataka as on 15 December, 1990;

(b) the number of beneficiaries of these projects; and

(c) the measures taken to extend it to Talukas not yet covered by these projects?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE

(SHRI RAMJI LAL SUMAN): (a) 106 centrally sponsored Integrated Child Development Services (ICDS) projects have been sanctioned in Karnataka upto 31.3.1990. In addition, 29 projects have been sanctioned by the State Government in the State Sector. Out of these 111 ICDS projects have been

operationalised in the State of Karnataka upto 30th September, 1990.

(b) The number of beneficiaries covered in Karnataka by the operationalised projects upto 30th September, 1990 is as under:—

(i)	Children 0-6 years	1032340
(ii)	Pregnant women & Nursing mothers	149580
	Total:	1181920

(c) The Integrated Child Development Services Scheme is being progressively expanded in uncovered areas from year to year depending on the availability of resources.

crude petroleum and cement has been below the target during the current year (April-November, 1990); and

(b) if so, the details of the projected target production/of these industries in terms of quantum as well as percentage during the year so far, and how does it compare with that in the same period previous year?

Production of infrastructural Industries

674. SHRI INDRAJIT GUPTA: Will the PRIME MINISTER be pleased to state:

(a) whether the production of infrastructural industries like electricity, coal, saleable steel, petroleum refinery products,

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). The position is as indicated below:

STATEMENT**Production Performance of Infrastructure Industries during April-November 1990**

Industry	Unit	Apr-Nov 1989		April-November 1990		
		Target	Actual	%Achievement of Target	%Variation over Apr.-Nov. '89	
1	2	3	4	5	6	7
Electricity Generated	Bill. Kwh	159.4	177.3	170.5	96.1	6.9
Coal	Mill. Tonnes	118.3	132.3	118.1	89.3	-0.2
Saleable Steel (Main Pits)	Lakhs Tonnes	56.3	63.2	57.8	91.4	2.6
Crude Petroleum	Mill. Tonnes	22.6	23.9	21.8	91.5	-3.3
Cement	Mill. Tonnes	28.8	31.8	30.7	96.7	6.5
Petroleum Ref. Pts.	Mill. Tonnes	31.6	32.6	31.5	96.8	-0.3

Number of Militants In Detention In Punjab

675. SHRI A.K.A. ABDUL SAMAD: SHRI CHIRANJI LAL SHARMA:

Will the PRIME MINISTER be pleased to state:

(a) the number of militants detained in Punjab since 1 January, 1990 till date;

(b) the number of militants prosecuted during the period;

(c) the number of those who were released and those in detention as on 1 January, 1990 and 30 November, 1990; and

(d) the month-wise number of persons killed/apprehended on the International borders in Punjab during the above period?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (d). Detailed information in this regard is being collected from the Government of Punjab and will be laid on the Table of House.

Number of Persons Killed/Arrested on J&K Border

676. SHRI A.K.A. ABDUL SAMAD: Will the PRIME MINISTER of be pleased to state:

(a) the month-wise number of persons killed or apprehended on the international border or line of actual control in Jammu and Kashmir during the year 1990; and

(b) the number of militants prosecuted in the State during the above period?

THE MINISTER OF STATE IN THE

MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) and (b). The information is awaited from the State Government.

Exodus of Minorities from Bangladesh

677. SHRI RAJMOHAN REDDY: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the exodus of minorities from Bangladesh has recently started;

(b) if so, the number of persons who crossed into India; and

(c) the steps taken by the Government to meet the situation?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) to (c). There is no evidence to show that there is any recent exodus of minorities from Bangladesh.

The long and open border between India and Bangladesh, however, sometimes enables infiltrators to cross over surreptitiously into West Bengal and other States. Various steps have been taken from time to time to prevent infiltration. Border Security Force has been deployed for border patrolling. A five year programme commencing from 1986-87 has been sanctioned for strengthening surveillance by augmentation of BSF, establishing Border out Posts, Construction of more Obsarvation Post Towers, providing increased mobility through border patrols and equipping them with more sophisticated equipments like night vision goggles, binoculars, hand-held torches, etc.

Increase in Wholesale Price Index and Formulae to Provide Relief to Workers

678. SHRISHANTARAM POTDUKHE: Will the PRIME MINISTER be pleased to state:

- (a) whether the Workers' Wholesale Price Index for all commodities reached a new height at 184.3 during the week ending 10 November, 1990;
- (b) if so, the reasons therefor;
- (c) whether any formulae are being evolved in consultation with the employers in the private sector to afford necessary relief to the workers; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) and (b). As per the official Wholesale Price Index (WPI) series with base 1981-82, the all-commodities index stood at 184.3 (provisional) during the week ending 10.11.1990.

The all-India weekly WPI is based on the wholesale prices of 447 distinct commodities and 2,371 price quotations collected from important markets/centres spread all over the country. The WPI has therefore, nothing to do directly with the workers.

The WPI for all commodities attained a level of 184.3 (provisional) during the week ending 10.11.1990 as a result of increases in the WPI of all the three major groups, namely, "Primary Articles", "Fuel, Power, Light & Lubricants" and "Manufactured Products" where indices had risen to the level of 187.6, and 184.2 and 182.5 respectively.

(c) No formula on the basis of the WPI is being evolved in consultation with the

employers in the private sector to afford relief to the workers.

- (d) Does not arise.

Development of SCs and STs in Punjab

679. BABA SUCHA SINGH: Will the PRIME MINISTER be pleased to state:

- (a) the steps taken for the social, cultural and educational development of Scheduled Castes and Scheduled Tribes in Punjab;
- (b) whether there is large-scale unemployment amongst them; and
- (c) if so, the details thereof and the steps proposed to be taken by the Government to provide more educational, employment and self-employment opportunities to them?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): (a) to (c). The requisite information has been called from Government of Punjab and will be laid on the Table of the House.

Number of Arms Recovered in Assam, Punjab and J&K

680. SHRI A.K. ROY: Will the PRIME MINISTER be pleased to state:

- (a) the month-wise number of persons including the police personnel killed by the terrorists in Assam during the last eleven months;
- (b) the number of terrorists arrested/killed during the above period; and
- (c) the month-wise number and types of arms snatched by the terrorists and the

details of arms recovered from them in Assam, Jammu and Kashmir and Punjab separately during the period?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MIN-

ISTER OF STATE IN THE MINISTTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) The month-wise number of persons including police personnel killed by the terrorists in Assam from February, 1990 to December, 1990 is as follows:-

Month	No. of persons including police personnel killed
February, 1990	7
March, 1990	16
April, 1990	41
May, 1990	6
June, 1990	15
July, 1990	12
August, 1990	11
September, 1990	46
October, 1990	4
November, 1990	9
December, 1990	14

(This includes 25 police personnel killed by ULFA, BSF and ABSU activists)

(b) 1181 persons were arrested and 11 ULFA/ABSU activists were killed during the period from February, 1990 to December, 1990.

(c) The details of arms snatched by terrorists and the arms recovered from them are given as under:

(i) 1066 numbers of various types of guns have been snatched by ULFA/ABSU extremists.

(ii) Month-wise guns recovered from ULFA/ABSU extremists are as under:

February, 1990	SBBL Gun	—	4
	DBML Gun	—	1

	Hand Made Gun	—	16
March, 1990	Hand Made Gun	—	5
	Pistol	—	3
	Rifle	—	1
	Shot Gun	—	32
April, 1990	Rifle	—	2
	Hand Made	—	
	Pistol	—	6
	Pistol	—	4
	Sten Gun	—	1
	DBML	—	2
	SBBL	—	1
	SBML	—	1
May, 1990	Hand Made Gun	—	3
	Pistol	—	3
	DBBL	—	1
	Revolver	—	3
	Rifle	—	1
	Pipe Gun	—	1
June, 1990	Hand Made Gun	—	14
	Pistol	—	9
	SLR	—	1
	DBBL	—	2
July, 1990	Hand Made Gun	—	1+2
	Pistol	—	2

	Revolver	—	1
	SBBL	—	2
August, 1990	Hand Made Gun	—	2
	Pistol	—	2
	Revolver	—	1
	SBBL	—	2
September, 1990	Revolver	—	4
	SBBL	—	2
October, 1990	Hand Made Gun	—	15
	Pistol	—	3
	Sten Gun	—	1
Nov., 1990	Hand Made Gun	—	9
	Revolver	—	4
	Pistol	—	2
	Carbine	—	1
Dec., 1990	Hand Made Gun	—	13
	SBML Gun	—	6
	SBBL Gun	—	145
	DBBL Gun	—	41
	Pistol	—	10
	Revolver	—	1
	Rifle	—	9
	Air Gun	—	1

(iii) Number of arms snatched by the terrorists during the period from January, 1990 to November, 1990 in Jammu and Kashmir is as under:-

From private individuals — 6

From Police and Para-Ministry-forces — 21

(The arms include revolvers, rifles, guns, sten-guns and Sub-Machine-Gun).

(iv) Number of arms recovered from terrorists in Jammu and Kashmir from January, 1990 to November, 1990-5894. The details of arms recovered are as follows:-

AK Rifles 1240

Machine guns 77

Pistols/Revolvers 751

Hand Grenades 2502

Mines 750

Rocket RLs/R Boaters and RPG 574

(v) Number of arms recovered from terrorists in Punjab from January, 1990 to November, 1990 -

2394. The statement showing month-wise figure and the description of arms recovered, is enclosed.

JANUARY 9, 1991

STATEMENT

Month-wise figure and the Description of arms recovered from Terrorists in Punjab from January, 1990 to November, 1990

1990	Pistol	Revolvers	AK-47 Rifles	Other Rifles	Guns	Sten guns	Carbines	LMG/SMG/MG	Rockets	10
1	2	3	4	5	6	7	8	9		
Jan.	22	9	16	7	7	4	-	1	5	
Feb.	26	13	9	5	6	1	-	-	-	
Mar.	29	7	36	11	25	2	-	-	6	
Apr.	76	31	59	16	37	8	2	4	45	
May	94	25	79	15	24	7	-	7	4	
June	59	10	55	6	24	6	-	4	17	
July	64	19	-	66	42	3	-	-	6	5
Aug.	73	-	-	75	38	2	-	-	6	5

1990	Pistol	Revolvers	AK-47 Rifles	Other Rifles	Guns	Sten guns	Carbines	LMG/SMG/MG	Rockets
1	2	3	4	5	6	7	8	9	10
Sept.	54	11	-	36	24	1	-	6	3
Oct.	46	15	-	59	17	-	-	5	4
Nov.	59	24	-	65	23	-	1	9	11

	1990	Rockets launchers	Rockets charger	Hand Grenades	Mouser	Detonators	AK %A	AK 56	AK 74	Total
	1	11	12	13	14	15	16	17	18	19
Jan.	-	-	8	1	10	-	-	3	93	
Feb.	-	-	2	2	-	-	-	66		
Mar.	3	-	12	4	17	3	-	4	159	
Apr.	3	11	31	4	32	-	2	12	373	
May	2	-	27	9	56	-	-	-	349	
June	2	-	4	6	57	-	-	-	250	
July	1	-	43	6	-	-	-	-	255	
Aug.	4	-	28	7	-	-	-	-	259	
Sept.	3	-	13	5	-	-	-	-	156	
Oct.	6	4	26	7	-	-	-	-	189	
Nov.	13	-	30	10	-	-	-	-	245	

**Investment In Ordnance Factories/
DPSUs**

681. SHRI AMAL DATTA: Will the PRIME MINISTER be pleased to state:

(a) the details of investment made on various schemes in Ordnance Factories and Defence Public Sector Undertakings in each of the last three years;

(b) whether there are any constraints on the export of defence items by ordnance Factories and Defence Public Sector Undertakings; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI LALIT VIJOY SINGH): (a) It is not in public interest to disclose the details sought for.

(b) and (c). Defence items are exported to friendly countries. The general constraints on exports relate to competitiveness in the international market; financial problems of importing countries in effecting payments and the requirement of clearances in the case of items manufactured under technological collaborations.

Sealing of Indo-Pak Border in Punjab

682. SHRI R.L.P. VERMA: Will the PRIME MINISTER be pleased to state:

(a) whether the attention of the Government has been drawn to the news item captioned, "Militants shift bases as Army moves in" appearing in the Hindustan Times dated 12 December, 1990;

(b) if so, the racoon of the Government thereto;

(c) the outcome of the efforts made by the Government to find out the new opera-

tion centres/hide-outs of the terrorists created recently owing to the deployment of Indian army on the border areas;

(d) whether the Government propose to seal off completely the Indo-Pak border in Punjab;

(e) if so, the details thereof; and

(f) the time by which it is likely to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY): (a) to (c). Government have seen the news item referred to. They have, however, no specific information with regard to the shifting of basis by the militants. security forces in Punjab are fully alive to the prevalent situation and are taking appropriate coordinated action.

(d) to (f). Additional border fencing in 236 Kms. along the Indo-Pakistan border in Punjab has been taken up and is targetted to be completed by April, 1990.

Electronics Cities In Kerala

683. SHRI A. CHARLES: Will the PRIME MINISTER be pleased to state:

(a) the details of the proposals pending with the Government for setting up of some and electronics cities in Kerala; and

(b) the time by which these proposals are likely to be cleared?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIKAMAL MORARKA): (a) and (b). There is no proposal pending with the Government for setting up of some Electronic cities in Kerala. However,

there is a proposal for setting up of Software Technology Park at Trivandrum.

Review of Industrial Policy

684. PROF. RUPCHAND PAL:
 D.R. VENKATESH KABDE:
 SHRI MONORANJAN SUR:
 SHRIMATI GEETA
 MUKHERJEE:
 SHRI BASUDEB ACHARIA:
 SHRI AJOY
 MUKHOPADHYAY:
 SHRI BHOGENDRA JHA:
 SHRI K.P. UNNIKRISHNAN:
 SHRI NARSINGRAO
 SURYAWANSHI:
 SHRI HARSH VARDHAN:
 SHRI RAMESHWAR PRASAD:
 SHRI HAMENDRA SINGH
 BANERA:
 DR. BIPLAB DASGUPTA:
 SHRI SAMARENDRA KUNDU:

Will the PRIME MINISTER be pleased to state:

- (a) whether Government are contemplating to review the Industrial Policy, 1990 announced by the previous Government;
- (b) if so, the details thereof; and
- (c) the reasons for reviewing said policy?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (c). The paper on "policy measures for the promotion of small scale and agro-based industries and changes in procedures for industrial approvals" was laid on the Table of the Lok Sabha on 31st May,

1990. This paper is presently under the consideration of the Government.

[*Translation*]

Applications for Freedom Fighters Pension

685. SHRI RAJVEER SINGH: Will the PRIME MINISTER be pleased to state:

- (a) the number of applications received from various States for freedom fighter pension during last two years, State-wise;
- (b) how many of them have been disposed of and the number of persons provided with pension State-Wise; and
- (c) the steps taken by the Government for expeditious disposal of pending applications?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) Applications received after the prescribed last date, i.e. 31.3.1982 are delayed applications. During the last two years, 8127 such applications have been received. A statement showing their State-wise break up is attached.

- (b) Out of these applications, 5031 have been disposed of. However, no separate record has been maintained regarding sanction of delayed applications.
- (c) Special Drives are being launched from time to time for disposal of pending applications.

STATEMENT*Statewise Break up of Applications (1.1.89 to 30.xi.90)*

1. Andhra Pradesh	-	2523
2. Assam	-	171
3. Bihar	-	537
4. Chandigarh	-	1
5. Dadra, Nagar Haveli	-	3
6. Daman & Diu	-	2
7. Delhi	-	12
8. Goa	-	1
9. Gujarat	-	49
10. Haryana	-	102
11. Himachal Pradesh	-	29
12. Jammu & Kashmir	-	477
13. Karnataka	-	492
14. Kerala	-	244
15. Madhya Pradesh	-	60
16. Maharashtra	-	344
17. Manipur	-	74
18. Orissa	-	223
19. Pondicherry	-	28
20. Punjab	-	123
21. Rajasthan	-	72
22. Tamil Nadu	-	657

23. Uttar Pradesh	-	724
24. West Bengal	-	1179
Total		8127

[*English*]

Outlawing of Nationalist Socialist Council of Nagaland

686. SHRI SHIKIHO SEMA: Will the PRIME MINISTER be pleased to state:

(a) whether the Union Government consulted the Government of Nagaland while outlawing Nationalist Socialist Council of Nagaland recently;

(b) if so, when; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY): (a) and (b). The Chief Minister of Nagaland was sounded before declaring the National Socialist Council of Nagaland as unlawful.

(c) Does not arise.

[*Translation*]

Hindu Refugees from Pakistan

687. SHRI KAILASH MEGHWAL: SHRI RAGHAVJI:

Will the PRIME MINISTER be pleased to state:

(a) the number of Hindu refugees who

came to Rajasthan, Gujarat and Maharashtra during the past three years due to disturbances in Sindh province of Pakistan, State-wise;

(b) whether the Government have formulated any scheme for their rehabilitation, employment and grant of citizenship;

(c) the amount spent by each State Government for their relief and rehabilitation also the amount contributed by the Union Government to each State in this regard, State-wise;

(d) whether matter was taken up with Pakistan; and

(e) if so, the outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY): (a) to (e). Information is being collected and will be laid on the table of the house.

I-Cards to Farmers Along Indo-Pak Border

688. SHRI BEGARAM: Will the PRIME MINISTER be pleased to state:

(a) whether farmers having their lands near Pakistan border have been issued identity cards;

(b) if so, whether these farmers are required to obtain permission of BSF officials

to irrigate their lands;

- (c) whether it is also a fact that family members including wives of these farmers are not allowed to bring meals to their husbands working in the fields;
- (d) if so, the reasons therefor; and
- (e) the remedial steps taken in this regard so far?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY): (a) A Pilot Scheme for issue of identity cards is under implementation in the selected border areas of Rajasthan and Gujarat. Under the Scheme, all persons of the age of 16 years and above are required to obtain identity cards. So far 2,35,000 cards in Rajasthan and 60,500 cards in Gujarat have been issued. The State Govt. of Punjab and Jammu & Kashmir have also agreed to introduce such schemes in the border districts.

(b) to (e). The farmers including the members of their family in Punjab have to obtain Slips/Chits from BSF officials for permission to work on their fields, as a security measure.

Transfer of AIR and Doordarshan to Parasar Bharati

689. SHRI RAMESHWAR PATIDAR: Will the PRIME MINISTER be pleased to state:

- (a) whether transfer of AIR/Doordarshan

to Parasar Bharati Corporation will be done by the deadline set for the purpose;

- (b) if not, the reasons therefor;
- (c) the time by which the transfer will be effected; and
- (d) the details of other administrative exercises being undertaken before the Parasar Bharati Act comes into effect?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY): (a) to (d). It is considered imperative to consult all shades of public opinion, before formally notifying the date for creation of Parasar Bharati, to ensure that its establishment is in conformity with national interest in the context of present development in the country.

Women Criminals in Delhi

690. SHRI GANGA CHARAN LODHI: Will the PRIME MINISTER be pleased to state:

(a) the details and the number of crimes committed by women in Delhi during last three years; and

(b) the approximate number of such women criminals in Delhi?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY):

(a) and (b). The requisite details of women criminals arrested in Delhi during the years 1987, 1988, 1989 and 1990 (upto 30.11.90) are as under:

Sl. No.	Crime Head	1987	1988	1989	1990	Grand Total
1	2	3	4	5	6	7
1.	Decoy	-	-	-	-	-
2.	Murder	23	30	39	29	121
3.	Attempt to Murder	-	19	54	15	88
4.	Robbery	-	-	-	-	-
5.	Riot	20	21	42	85	168
6.	Burglary	3	18	4	4	29
7.	Theft	340	370	253	142	1105
8.	Other I.P.C.	1017	436	1982	780	3215
9.	Total I.P.C.	1403	894	1374	1055	4725
10.	Local & Special Laws	597	711	953	835	3096
	Grand Total	2000	1605	2327	1890	7822

[*English*]

Persons under Detention in J&K

691. SHRI A.K.A. ABDUL SAMAD: Will the PRIME MINISTER be pleased to state:

(a) the district-wise break-up of number of persons detained/arrested during 1990 (upto 31 October) in Jammu & Kashmir and those in detention on that date:

(b) the particulars of legislators, ex-legislators and leaders of militant organisations among them; and

(c) the laws under which arrests/detentions were made?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY): (a) to (c). A reply is awaited from the State Government.

Burning of Houses of Kashmiri Migrants by Terrorists

692. SHRI PIYARE LAL HANDOO: Will the PRIME MINISTER be pleased to state:

(a) the number of houses of Kashmiri migrants burnt since 15 August, 1990 till date by terrorists indicating the places; and

(b) the details of mode of payment and quantum of compensation paid to the victims?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MIN-

ISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY): (a) and (b). Details are awaited from the State Government.

Terrorist Activities of J&K Militants

693. SHRI SHANTRAM POTDUKHE: Will the PRIME MINISTER be pleased to state:

(a) whether attention of the Government has been drawn to the news item appearing in "The Hindu" dated 4 December, 1990 captioned "Pakistan calls Kashmir migrants for review"; and

(b) if so, the steps being taken by the Government to meet the situation as a result of the new strategy involved by the leaders of the various militant organisations in the meeting held in Pakistan-occupied Kashmir?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTNG (SHRI SUBODH KANT SAHAY): (a) Yes, Sir.

(b) To meet the situation, a number of administrative measures have been taken which include strengthening of the vigil on the borders, beefing up of the intelligence better co-ordination between the Army, Para-military Forces and the State Police as well as round the clock patrolling in sensitive areas.

MOTION FOR ADJOURNMENT

**Failure of Government to uphold
provisions of Tenth Schedule of the
Constitution**

[English]

MR. SPEAKER: I have to inform the House that I have received four notices of Adjournment Motion regarding failure to protect and safeguard the dignity and privileges of Parliament, and of the office of Speaker of Lok Sabha from the following Members:

1. Shri Guman Mal Lodha
2. Shri Nathu Singh
3. Shri L. K. Advani
4. Shri Madan Lal Khurana

I give my consent to Shri Nathu Singh who has secured first place in the ballot to move the motion in the following form:-

"The failure of the Government to uphold the provisions of the Constitution in regard to disqualification of M.Ps. contained in Schedule 10 of the Constitution which put the issue outside the jurisdiction of any court."

Shri Nathu Singh.

SHRI NATHU SINGH (Dausa): let Advanji move it, Sir.

PROF. MADHU DANDAVATE (Rajapur): Sir, when he does not move, the next man can do that.

MR. SPEAKER: Yes, Advanji.

SHRI L. K. ADVANI (New Delhi): Sir, I seek the leave of the House for moving. The Adjournment Motion regarding failure of the Government to uphold the provisions of the Constitution in regard to disqualification of M. Ps. contained in Schedule 10 of the

constitution which put the issue outside the jurisdiction of any court.

MR. SPEAKER: Is the leave opposed?

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): Sir, I oppose the leave.

MR. SPEAKER: Those who are in favour of leave being granted may rise in their places.

PROF. MADHU DANDAVATE: Sir, more than 50 Members are standing.

MR. SPEAKER: Leave is granted.

Under Rule 61 the Adjournment Motion is to be taken up.....

(Interruptions).

SHRISANTOSH MOHAN DEV (Tripura West): Since it is a question of protection of your rights and duties, is it proper for you to be in the Chair when it is discussed? *(Interruptions)*. I think the Deputy-Speaker should take the Chair. *(Interruptions)*

SHRI SOMNATH CHATTERJEE (Bolpur): Sir, it is a question of dignity of the House. You have every right to preside over this debate. *(Interruptions)*

MR. SPEAKER: Since the Question Hour is suspended, the House may take up the Adjournment Motion straight away. Mr. Lal Krishna Advani. *(Interruptions)*

MR. SPEAKER: I have called Mr. L. K. Advani. Please take your seat.

SHRI A. N. SINGH DEO (Aska): Mr. Speaker, Sir, I am on a point of order.

MR. SPEAKER: Yes. Mr. Singh Deo has a point of order.

SHRI A. N. SINGH DEO: Mr. Speaker,

Sir, when the adjournment motion has been admitted, it is obvious that Members should be free to discuss the motion without hindrance to their freedom of speech. If the Speaker is there, the Members might feel embarrassed as matters may come up which may involve the Speaker. We would, therefore, request the Speaker to withdraw since the Speaker is involved in the whole affair and let the Deputy-Speaker preside over this debate. (*Interruptions*)

MR. SPEAKER: There is no point of order. Please take your seat. Now, Mr. L. K. Advani.

(*Interruptions*)

SHRI L. K. ADVANI: Mr. Speaker, Sir, leave having been granted, I formally move:

"That the House do now adjourn."

It is, I think, unprecedented in the annals of history that an adjournment motion has been taken up by the House by formally directing that the Question Hour be suspended by the Speaker. To the best of my memory this has never happened before and that the Speaker suspended the Question Hour on the motion moved by me and my colleagues here is in itself evidence of the gravity of the situation. The first announcement that you made was made with the full unanimity of all representative sections in this House, the party leaders, and therefore, it has somewhat surprised me when one of the Members stood up to say that you should not be in the Chair when this matter is being discussed because this is not a matter pertaining to any individual, it pertains to an institution. I remember that last week it was on the 27th of December, you had announced in the House, and I quote:

"I have to inform the House that on the 7th December 1990 a notice was received from the Registrar of the High Court of Delhi requiring me to arrange to show cause in connection with the Civil Writ Petition No. 3871 of 1990....."

The writ petition *inter alia* seeks to challenge the validity and constitutionality of paragraphs 6 and 7 of the 10th Schedule to the Constitution 52nd Amendment Act, 1985. Then, you went on to add very rightly, "as per well established practice and convention of the House, I have decided not to respond to the notice." What is more pertinent is the subsequent observation made by you. "I have passed on the relevant papers to the Minister of Law and Justice for taking such actions as he may deem fit to apprise the High Court of the correct constitutional position and the well established conventions of the House."

Sir, when last evening you informed the House about the latest development and about the order issued by the High Court of Delhi, I am sure many people must have been surprised. I was also surprised when I got the information from you personally. But that was just a surprise, but when later on I came to discover that the decision of the High Court has followed an affidavit filed by the Government of India, to whom you have passed on all these papers, I was not just surprised, I was shocked. I would even say, I was outraged that here is a Government upon whom the Speaker casts a duty to protect the dignity of the House and to see that the High Court or any Court does not in any way contravene the provisions of the Constitution, which say that in so far as the 10th Schedule is concerned, jurisdiction of Courts is barred. That is the provision and this was the expectation from the Government. What does the Government do? The Government files an affidavit in the High Court of Delhi which says:

"It is submitted that the powers of the Speaker to disqualify a Member under the 10th Schedule of the Constitution of India is quasi-judicial in nature and is quite different from his powers with regard to regulation and conduct of the business of the House. It may be pointed out that the exercise of powers under the 10th Schedule by the Speaker is outside the House and not within the House. The said power is quasi judicial

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as it affects the rights vested in the Members of the Lok Sabha. This power is, therefore, amenable to judicial review by the High Court and the Supreme Court in exercise of their powers under Article 226 and Articles 32 and 136 of the Constitution of India."

Sir, the last sentence is the key phrase. (*Interruptions*) There have been instances in the past where the Courts have struck down some laws as being *ultra vires* of the constitution; there have been cases in the past where when we have decided here in Parliament that such and such a matter will be non-justiciable, but Court had not agreed with our view and set it down and that is the power of the Court. But, never in these 40 years, has, any Government which has been a party to the enactment of the law, its members or any party, itself gone to the Court and said that the Speaker is not the authority.

You in all earnestness and sincerity entrusted the responsibility to the Government to see that the dignity of Parliament is protected, to see that the law that we have enacted is defended. here, instead of defending the law, the Government itself goes and says and casts doubts on the validity of this law. It has been stated: "So far as the validity of the law is concerned, we will make our submissions later on." It means, they are not going to defend even the validity of this law. But I am amazed that in this cases, it is not merely the question of a law being declared *ultra vires* or *intra vires*. It is essentially the dignity of the Speaker and the dignity of Parliament in so far as the decisions are concerned. I would say that even in the course of the debate, my view was that this law should not be made non-justiciable. Even then, once parliament has passed the law unanimously, it becomes obligatory for the Government to see that the law is defended outside and the courts do not in any way encroach upon what we think is the jurisdiction of Parliament and of the spokesman or the

custodian of Parliament dignity, the hon. Speaker.

In this particular case, I do not want to go into the whole history. But this much is known that this particular provision, that courts are barred jurisdiction in this matter, was questioned in the Punjab High Court. The Punjab High Court declared that particular provision to be *ultra vires* and struck down. The Punjab High Court decision was appealed against by the Government of India and I believe, the Government of India is a continuing institution. And the Government of India went to the Supreme Court in appeal against the Punjab High Court decision and said that the Speaker's jurisdiction cannot be challenged; the Speaker is the final authority; we would not like to undermine this authority. If at all, there is to be a change, the change has to be made by parliament, not by a court of law.

Only yesterday, the hon. Minister of Law has referred to the cabinet decision. (*Interruptions*) A reference was made yesterday that a Cabinet decision was taken in August in pursuance of the recommendations of the Committee on Electoral Laws Reforms in which it was said that instead of vesting this authority..... (*Interruptions*)

MR. SPEAKER: Order, Please. Take your seat.

SHRI L. K. ADVANI: Yesterday, it was mentioned that a Cabinet decision taken in August, 1990 has accepted the recommendation of the Committee of Electoral Reforms in which it was suggested that instead of this authority to decide about disqualification being vested in the Speaker, the authority may be vested in the Election Commission. The phraseology of that was, the President would be advised by the Election Commission. I am a party to that recommendation as also my colleagues here, Mr. Somnath Chatterjee, Mr. Indrajit Gupta and many of my colleagues on this side. But if today, the Government moves in that direction, I would regard it as a dubious Government because it would have a very limited context. In this particular case, I would say that this kind of

move cannot be accepted readily today.

THE MINISTER OF COMMERCE AND MINISTER OF LAW AND JUSTICE (SHRI SUBRAMANIAM SWAMY): Do you mean to say that yesterday it would have been accepted?

SHRI L. K. ADVANI: No, I again say 'No'. I stand by what I said here in my recommendation. But today he wants to do it and particularly a Government which has tried to undermine the authority of the Speaker and undermine the authority of Parliament by this kind of affidavit, what is it trying to achieve? It is preposterous indeed that any Government should go to a court of law and say that my Speaker is not empowered to take a decision on this (*Interruptions*)

MR. SPEAKER: Order please. Shri Ram Dhan.

SHRI L. K. ADVANI: Therefore I say that a mere announcement by the Chair that we are going to disregard this court order would not meet the situation. So far as the court order is concerned, there is no question of taking heed of it. But, what is more important is that his House must today censure and reprimand this Government for this gross misbehaviour, for its total failure to uphold the dignity of Parliament and during this Session whenever this problem of disqualification has been raised, I have always said that this has been hanging fire for a long time. No one knows what is the nature of this Government. How long this Government will be in a majority or even this much majority and how many of its Members are qualified to continue as Members in this House. Therefore, I plead that at least before this Session ends, you must give us final decision on who is qualified. I have been pleading this since the beginning of this Session. Tomorrow, the Session is about to end. What has happened yesterday is that suddenly a court order has been issued restraining the Speaker from going ahead with the deflection proceedings before it. You have declared today that Congress party is also in agreement with the announcement. It is in agree-

ment with the announcement made by the Speaker that the court order must be disregarded and, therefore, I am sure that the Congress party also will uphold my contention that hereafter there should be no delay in announcing who are qualified and who who are disqualified. (*Interruptions*) Tomorrow evening when this House adjourns, we should be in a position to know who are its members qualified to be Members of this House and Members of this Government.

SHRI SATYA PRAKASH MALVIYA): I am on a point of order. No Member can force the Speaker to take a decision in a particular case.

SHRI L. K. ADVANI: This is a Government which wants to force the Speaker by using the court authority.

SHRI SATYA PRAKASH MALVIYA: I am on a point of order. Only the Speaker has to give the ruling and no one else.

SHRI L. K. ADVANI: I have to make a submission to the Speaker. (*Interruptions*)

MR. SPEAKER: He has given his opinion. It is for me to decide.

SHRI L. K. ADVANI: My submission is that Parliament's authority vis-a-vis the court has been declared by you very categorically in your announcement. (*Interruptions*)

SHRI A. N. SINGH DEO: Mr. Speaker, I am on a point of order. (*Interruptions*)

MR. SPEAKER: What is your point of order?

SHRI A. N. SINGH DEO: Sir, the hon. Leader of the Opposition has referred to the court order. (*Interruptions*)

I will draw your attention to rule 58 (vii) which says:

"(vii) the motion shall not deal with any matter which is under adjudication by a

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court of law having jurisdiction in any part of India...."

(*Interruptions*)

MR. SPEAKER: There is no point of order. Please take your seat.

(*Interruptions*)

MR. SPEAKER: Mr. Singh Deo, I have heard you. There is no point of order. Please take your seat. I have ruled it out of order. Will you please take your seat?

(*Interruptions*)

SHRI L. K. ADVANI: Sir, the Union Government has relied on Article 226, Article 32 and Article 136 to justify why this particular power of the Speaker is subject to judicial review. When we passed this Bill and converted it into an Act and made it a part of the Constitution it is not merely an ordinary statute-and we said in Section 7 of the Act or Clause 7 of the Schedule that notwithstanding anything in this constitution, no Court Shall have any jurisdiction in respect of any matter connected with the disqualification of a Member of a House under this Schedule. This is a very specific provision in which it is said that even though there may be other provisions in the Constitution which might give certain authority to the Court, so far as this particular question of disqualification is concerned, the Courts cannot take cognizance of it. I would urge the Government-to whom you have passed on the papers-to immediately go and object, make a preliminary objection not even to entertain the petitions that were filed in the Court and dismiss the petitions *in limine*. Instead of that, what they do is they themselves uphold those petitions because those petitions happen to be of those very defectors whose Membership of the House is called in question. They are the defectors who have gone to Court against the Government decision, against the Parliament decision. Therefore, the Government itself not only does not oppose

it but goes and tells the Court that the Speaker has no jurisdiction in this regard and this will be subject to review. (*Interruptions*) I have seen Governments behaving very badly; I have seen Governments in the past behaving very badly; but I have never seen such an abominable behaviour on the part of the Government. It is obnoxious. It is abominable. It is absolutely indefensible. (*Interruptions*)

MR. SPEAKER: Singh Deoji, please take your seat. (*Interruptions*)

SHRI L. K. ADVANI: Sir, I cannot insist as to who should come to the House to give an explanation for the Government's conduct. But I do feel that this is a matter far too serious and, therefore, in the fitness of things and in deference to the feelings and the strong sentiments in Parliament, I would expect the Prime Minister to come here to defend the decision that has been taken by the Government. We are not concerned with the courts' orders; we are not concerned with the court's decision. And I am sure that had it not been for this particular affidavit filed by the Government of India, the Delhi High Court would never have dared to issue an order of that type. It is only because of this indefensible, preposterous, abominable affidavit that this situation has come about in which the dignity of Parliament and the dignity of the office of Speaker has been so gravely discussed. Therefore, I would seek the support of the House and not merely of sections which are opposed to the Government but even of the ruling party, the Congress Party which has a serious stake in the matter to see that the traditions and values are upheld to reprimand and admonish and censure the Government on this particular issue. (*Interruptions*)

MR. SPEAKER: Motion moved;

"That the House do now adjourn."

Now, Mr. Dinesh Singh.

SHRI DINESH SINGH (Pratapgarh): Mr. Speaker, Sir, the matter before us is a very

serious one (*Interruptions*)

MR. SPEAKER: When a very serious discussion is going on, I request the Members to keep calm.

SHRI DINESH SINGH: It affects the rights and privileges of this august House and I would beg the hon. Members from all sides to kindly listen to speakers with patience because only then we can put across our views-whether our views are accepted by Members or not is another matter. But if we are not even allowed to put our views across in a measure of sobriety in this House then it will already be a negation of democracy and there will be no point on quarrelling over this paper. Now, Sir, I would also like to say that this matter is not a party matter. This is far too serious. We have to take a view, a view of the House as such. I hope that ultimately we shall arrive at some kind of consensus on this so that the dignity of this House and of the Speaker is maintained in a manner in which there is no dispute between hon. Members on one side or the other. Now, in your decision not to respond to the request of the Court to stay the proceedings that are before you have already take a decision

with the approval of the House which makes this somewhat redundant in its merit as such. I am not talking of what the Government should or should not have done- that I shall come to later. But in effect, this question is now redundant; the authority of the Speaker has been maintained, the authority of this House has been maintained and it has been made quite clear that there cannot be any kind of interference by courts on the judgment that you will make.

Therefore my task has been made very much easier. Advaniji has, if I may say so with respect, very ably put forward a position to preserve the dignity of the House. I should like to say that the position taken in this affidavit that Paragraph 7 of the 10th Schedule is constitutionally valid in as much as the word courts in Paragraph 7 should be read down as excluding High Court and Supreme Court in exercise of its jurisdiction under

article 226 and article 32 of 136 of the Constitution of India, is a stand which we cannot support.

It is unfortunate that this affidavit has been filed in the court. I cannot understand that it would have been the wish of the Government or the Prime Minister to have been taken this view. How we got into it is a matter that the Government will no doubt look into. The hon. Minister for Parliamentary Affairs is here; he will no doubt convey to the Prime Minister that this matter needs to be looked into and this position taken by the Government needs to be reversed. This cannot be the position of a Government responsible to this House.

Therefore I would submit that the position as it contains in the Constitution in the 10th Schedule, Para 7 which has already been read out and I would therefore not like to take the time of the House in repeating it, but it is quite clear that notwithstanding anything in this Constitution-it is not just law, it is the Constitution which is the important one.....

SHRI SOMNATH CHATTERJEE: Including Articles 32, 226.

SHRI DINESH SINGH: All of them because they are part of the Constitution.

SHRI SOMNATH CHATTERJEE: But the affidavit says otherwise.

SHRI DINESH SINGH: Yes, it is regrettable. No courts shall have any jurisdiction in respect of any matter connected with the disqualification of a Member of the House under this schedule. Therefore your authority in this matter is supreme. You are responsible to this House and not to the courts outside.

If we have any complaint against you, we shall come to you. The House has a right to discuss any issue and if there are differences between us we have a right to approach you and represent to you. But we would not wish to represent outside this House. For us who passed this very Act, how can we not

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abide by the wording of this Act?

[Translation]

SHRI RAM DHAN (Lalganj): But your defection is incorrect Rajiv Gandhi has engineered this defection.

(Interruptions)

[English]

SHRI DINESH SINGH: Again I would beg of the hon. Members not to try to derive minor benefits here and there in this matter. There will be in future many other occasions to do so. But on this issue let us have unanimity.

It is my hope that the Government—either the Prime Minister himself or the Minister of Parliamentary Affairs speaking on behalf of the Government would come clarify the position before this House. (Interruptions)

MR. SPEAKER: Order please.

(Interruptions)

SHRI DINESH SINGH: Sir, let us not break up the responsibility, the collective responsibility of this Government into individuals, as such. As I was saying, it is my hope that the Prime Minister, Minister for Parliamentary Affairs, and of course, the Deputy Prime Minister happens to be here now, any one of them or all of them—will clarify to this House, as to how this sentence and this stand got to be taken which is incorporated in this unfortunate Affidavit. I do not know what was the occasion to file the Affidavit, in the first place. (Interruptions) However, they will explain and I hope that their explanation will be satisfactory to this House and the House will take an unanimous view in this. I am not pre-judging what the Prime Minister or what the Government is going to say. I have no idea as to what they are going to say. (Interruptions) After all,

there is a solution to each problem; you are not going to hang anybody in this House. (Interruptions)

AN HON. MEMBER: But, will be expelled. (Interruptions)

SHRI DINESH SINGH: Even that will require a majority (Interruptions) Let us not try to divide this House on this issue. That will be my request. Let us listen to the Government; let us understand their point of view and thereafter we all take a decision.

SHRI INDRAJIT GUPTA (Midnapore)
Are you supporting the adjournment motion?

SHRI DINESH SINGH: That is why I have been trying to say that let us not take a party stand now. Let us listen to the Government, let us have their point of view; then we will decide, 'Who will support and who will not support'.

SHRI BASUDEB ACHARIA (Bankura)
You say whether you are supporting it or not.

SHRI DINESH SINGH: Whether we support it or not will be expressed by a vote in this House. Why do you want to prevaricate just now? May be, you will not wish to support; may be you will wish to withdraw; may be we will join you. I do not know what the Government is going to say. That is why I am saying, "Let us listen to the Government". Thereafter, we will decide as to what we are going to do in this matter. Thank you very much.

PROF. MADHUDANDAVATE (Rajapur)
Mr. Speaker, Sir, at the very outset, let me congratulate you for very categorically declaring, in keeping with the established traditions, the independence of the Speaker's Office and your jurisdiction.

Sir, I just want to remind that the announcement that you have made at the beginning is not some arbitrary announcement by you. I can at least quote ten to fifteen various precedents in this House, where an identical attitude has been taken by the

Speakers under different forms of Government.

Sir, to quote the latest instance, on 27th of July 1988, when Dr. Bal Ram Jakhar was the Speaker of this august House, he had given the ruling:-

"I have to inform the House that on 11th July, 1988 two notices were received from the Deputy Registrar, High Court, Appellate Side, Bombay, requiring my appearance before the Bombay High Court on 19th July 1988, for filing of an affidavit by me or the Secretary-General, Lok Sabha, within three weeks from 28th June 1988, in connection with two writ petitions No....."etc. etc.

"As per well establish practice and convention of Lok Sabha, I have decided not to respond to the notices. I have passed on the relevant papers to the Minister of Law and justice for taking such action as he may deem fit to appraise the Court of the correct constitutional position and the well established conventions of the House".

So, Sir, the announcement that you have made in the beginning is in keeping with the best traditions and well established traditions of this House. That is the point that I would like to point out to you.

At the very outset, I would like to bring to your notice very clear and precise formulation of Paragraph 6 and Paragraph 7 of the Tenth Schedule of the Constitution. Paragraph 6 very clearly says:

"If any question arises as to whether a Member of a House has become subject to disqualification under this Schedule, the question shall be referred for the decision of the Chairman or, as the case may be, the Speaker of such House and his decision shall be final."

Further Sir, Paragraph 7, whose heading is itself is 'Bar of jurisdiction of courts', says:

"Notwithstanding anything in this Constitution, no court shall have any jurisdiction in respect of any matter connected with the disqualification of a member of a House under this Schedule."

So, for those who filed the affidavit on behalf of the Government and though they might have extraneous arguments and conclusions, it is made explicitly clear that even if you try to induct various Articles of the Constitution, whatever has been said in those Articles of the Constitution, whatever has been said in those Articles of the Constitution, vis-a-vis, disqualification, Paragraph 7 supercedes all other Articles of the Constitution. This particular Paragraph 7 clearly says 'Notwithstanding anything in this Constitution, no court shall have any jurisdiction in respect of any matter'. Thus, Paragraph 7 supercedes all other Articles of the Constitution and it is again consistent with Article 122 of the Constitution in which the proceedings of the Parliament are completely insulated from the proceedings of the court and the decisions of the court. This particular point has to be taken note of. Sir, in the course of the affidavit, one particular point has been made and I would like to reply to that point on the basis of the provisions of the Tenth Schedule. What is the argument that has been made in the affidavit that has been submitted? It has been pointed out that 'The powers of the Speaker to disqualify a Member under the Tenth Schedule of the Constitution of India is quasi-judicial in nature and is quite different from the powers with regard to regulation and conduct of the business of the House'. So, this affidavit tries to bring a fine distinction between your jurisdiction, Mr. Speaker, outside the House and your jurisdiction inside the House. I need not reply to this point on my own because the reply comes from the formulation of the provision itself. Paragraph 6(2) is very important paragraph 6, sub-paragraph 2 says:

"All proceedings under sub-paragraph (1) of this paragraph in relation to any question as to disqualification of a member of a House under this Sched-

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ule shall be deemed to be proceedings in Parliament within the meaning of article 122 or, as the case may be, proceedings in the Legislature of a State within the meaning of article 212."

Probably, those who prepared this affidavit have read the entire Constitution selectively. Sometimes while studying the work of certain philosophers, we may find certain books which say that they are the selected works of the philosophers. So certain articles are eliminated and they are not taken cognisance of. I would like the hon. Minister concerned to take cognisance of this fact that in the provisions of the Tenth Schedule itself, the distinction which the affidavit seeks to make between your jurisdiction inside and outside the House in relation to disqualification, is totally rejected. And therefore, this is the aspect that has to be taken note of as far as this point is concerned.

There is one more point. It is always said that you have got the inherent power to have a judicial review. Judicial review of what? We have always defined the jurisdiction of three entities in the structure of Parliamentary democracy. Whenever the discussion took place in this House during the 24th and 25th Constitutional Amendments-I was present in the 5th Lok Sabha-I would repeat what I had said then. I had said: Sometimes unnecessary controversy is sought to be made whether people are solving, whether the parliament is supreme or whether the Constitution is supreme. I wish to make it very clear that all these three arms and elements of democracy have their own jurisdiction. People are sovereign in electing the representative Government. As far as Parliament is concerned, it is supreme in enacting the laws and amending and interpreting the Constitution, that too subject to certain restrictions according to the Keshvananda Bharti judgement. As far as the Constitution is concerned, it is supreme. As regards the Supreme Court, it is supreme in interpreting whether the laws enacted by the Parliament and amendments made in the Constitution

are within the framework and the basic structure of the Constitution. All these three jurisdictions are sharply defined. And so long as one does not try to commit an act of aggression or encroachment on other's jurisdiction, there may be no confrontation at all.

Even in this debate, I would say that the courts should show proper respect for the jurisdiction of the Parliament and we on our own have always shown respect for the jurisdiction of the judiciary. Scrupulously, this Parliament has avoided to enter into that particular arena which rightly belongs to the judiciary. For instance, one of the Articles of the Constitution says that no court can interfere with the proceedings of this House and another provision of the Constitution says that this House will not have the jurisdiction to discuss the conduct of the Judges of the High Court or the Supreme Court. The framers of the Constitution have deliberately insulated one particular institution from the other, but the manner in which the affidavit has been prepared, I am afraid, there is sought to be encroachment of one on the other.

I am glad that all the leaders assembled in your chamber have given a total concurrence, including that of the ruling party I must admit, that as far as your jurisdiction is concerned, not even one person in this House disagrees with you that your jurisdiction as laid down in the Constitution even in relation to disqualification is completely insulated from any interference by any court and this is the point to be noted.

This is not to say that as far as courts are concerned, they have no jurisdiction at all on certain matters. We frame the laws. Sometimes they may be *ultra vires* of the Constitution, and, therefore, a Member of Parliament or a non-Member can go to the court and ask for judicial review and they may try to point out that probably they would like to challenge the legislative competence of this particular legislation. They may like to challenge the constitutional validity of the legislation. As

far as that power is concerned, nobody is trying to come in the way.

As far as this House is concerned, we have never tried to encroach on the authority of the judiciary. In the same spirit of reciprocation, we would not like the judiciary to interfere with the powers of the Parliament, powers of the Speaker and all those provisions which are clearly adumbrated as far as Schedule Ten is concerned. Therefore, as far as this jurisdiction problem is concerned, it is explicitly clear.

There is one more aspect to which I would like to make a reference. Once you allow by backdoor some sort of encroachment on certain aspects of your ruling or your powers, in that case, it is very likely that there will be a lot of litigation and whatever work we perform in this Parliament, if that is subjected to litigation again and again, even whatever is within your powers and within the powers of Parliament, in that case, it will not be possible for the Parliament, the Supreme Parliament to conduct its proceedings at all. That is why the framers of the Constitution had made this point very clear. We have only to read the speeches made by members like Dr. Ambedekar in the Constituent Assembly and they had warned the Constituent Assembly that unless we are able to insulate one institution from the other, as far as encroachment is concerned, all sorts of complications will take place as far as the functioning of the Parliament is concerned, functioning of the Supreme Court is concerned and functioning of the judicial institutions is concerned.

12.00 hrs.

In this context we have one request to make. Some Members rightly said that we cannot dictate to the Speaker what attitude he should take as far as the problem of qualification is concerned. When we say that it is solely the Speaker's jurisdiction, it will be futile even indirectly to pressurise the Speaker. It must be left to his free will and decisions. Just as in the case of the ruling of the Speaker we cannot challenge it, but at the same time if

you go through the proceedings of the Parliament for the last 7 years, we always have a right to seek clarification from Speaker. We have always the right to make a request. Not only that, even the inherent right of a Member of Parliament to review the ruling is also there provided the Members do not pressurise. You have taken one particular firm attitude at the beginning of the sitting today and declared that you are not going to take cognizance of whatever order has been issued by the Delhi High Court Yesterday. The taste of the pudding is in the eating. Suppose no decisions are taken about disqualification issue, the Parliament Session is over, the proceedings of the court will go on and in the interregnum further mischief might be played on the floor of the judiciary. You have theoretically stated your stand that you are not going to be dictated by the order of the Delhi High Court which was issued yesterday but the taste of the pudding is in the eating. Having stated your jurisdiction and your power vis-a-vis your power to disqualify a Member if you want to see that not only you stake your authority judiciously and also in a theoretical manner-if actually it is to be demonstrated in practice, we would like to make a humble request to you that before the Parliament Session is over according to your jurisdiction and according to your wisdom you please take any decision but take a decision before the end of the Session regarding disqualification so that no further mischief will be played in the interregnum. If we keep the issue pending, it is likely that further complications may take place. Therefore, without trying to pressurise you, without trying to put any pressure on you we have a right to make a request that in order to see that whatever power you have defined in terms of Schedule 10 of the Constitution, in order to demonstrate the validity of that power, it is better that before the end of the Session-tomorrow is the last day-try to give your decision so that the matter is ended once and for all and the entire issue is brought forward properly.

An Adjournment Motion has been moved by Mr. Advani. many of us had given the notices for an Adjournment Motion. Ad-

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junction Motion has an element of censure. I must conclude by trying to tell you Mr. Speaker as to why we are insisting upon some sort of an adjournment motion. Adjournment Motion according to the meeting of the Speakers which was held at Srinagar a number of years back has an element of censure. Since official affidavit has been made in this connection regarding disqualification and powers of Speaker have been challenged, we feel that it is not an individual appearing in the court. If some Member of Parliament were to appear or someone from outside the Parliament were to appear and challenge the position of the Speaker, the question would have been different. But here the entire Government is guilty because the affidavit is made on behalf of the Government. Therefore, we feel that it is the failure of the Government to maintain and protect the dignity of the Constitution and that is why an Adjournment Motion is there.

I had also given a notice on another motion. I don't want to mix it but it makes our position very clear. I have given a notice for a motion under Rule 184 which states that this House is of the considered opinion that in view of the paragraph 6 and 7 of the 10th Schedule of the Constitution regarding disqualification on grounds of defection, the order of the Delhi High Court on 8 January, 1991 to maintain *status quo* in respect of 37 Janta Dal (S) M. Ps. against whom anti-defection proceedings are pending with the Speaker should be totally ignored to uphold the dignity of the Constitution.

I am glad, Sir, even before I moved my resolution and before the House accepted it, you anticipated my motion and implemented it in anticipation. I congratulate you. You tried to peep into our minds and imagined what we are thinking about. You took a firm position Stand by the position and vindicate the attitude of your position before the end of the Session and end this disqualification issued once and for all so that no further mischief will be played by those who want to interfere

and intervene in the process that has been initiated. (*Interruptions*)

THE MINISTER OF TEXTILES AND MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI HUKUMDEO NARAYAN YADAV): Mr. Speaker, Sir, I would like to submit to hon. Shri Ram Dhan that in a democracy I also have a right to put forward my views as he has. This discussion itself relates to rights. It is unethical to talk about protection of one's rights when one cannot protect other's rights. One who infringes upon other's rights has no moral right to cry over the infringement of one's own rights. Only that person who respects other's right can expect his own rights to be respected. (*Interruptions*)

MR. SPEAKER: Please take your seat.

SHRI HUKUMDEO NARAYAN YADAV. Everyone delivers speeches. Is there any Member among you who does not deliver a speech? Then why does it pinch you when I deliver a speech.

SHRI RAM DHAN: Your letter is with me.

SHRI HUKUMDEO NARAYAN YADAV: I acted on the dictates of my conscience, my judgement, my knowledge and my wisdom and voted against the Vote of Confidence sought by Shri V. P. Singh. I may be guilty in the eyes of the people but I am not guilty in my own eyes and this is the reason that I am laying emphasis on morality I am not one of those who supported the leadership of Rajiv Gandhi inside Parliament and voted according to the whip of the Congress Party, but formed a Morcha and opposed his leader outside the Parliament.

SHRI RAM DHAN: It is under the banner of that Morcha that you have been elected to this House. Your deeds of 1979 have contributed the least to your election. (*Interruptions*)

MR. SPEAKER: Hukumdeo ji, you please address the Chair.

SHRI HUKUMDEO NARAYAN YADAV:
Therefore, I would like to submit if you try to press my weak nerve, I too will press your weak nerve. I do not cry when you press my nerve, but why do you cry when I press yours. You should face my verbal attacks with the same fortitude with which I face your pointed and satirical attacks.

SHRI RAM DHAN: Why did you support V. P. Singh on the question of Mandal Commission?

MR. SPEAKER: Ram Dhanji, please do not interrupt time and again.

SHRI HUKUMDEO NARAYAN YADAV:
Do not try to remind others. Those who try to remind others, why don't they remember their own misdeeds. I want to ask those who talk of morality immorality, but whom should I put my question to? I would like to humbly submit to hon. Dandavateji, Madhu Limayeji, George Fernandesji, Rabi Ray ji and the entire august House that no doubt Parliament has enacted the anti-defection law under which defection to other party is immoral, but the Lok Sabha of 1975-76 stand testimony to the split of a number of parties. Has Shri Advani escaped from the split of his party? Have Shri Madhu Dandavate and Shri Somnath Chatterjee escaped from the split of their respective parties?.....(Interruptions)

MR. SPEAKER: You should listen to the submission of Shri Hukumdeo Narayan attentively.

SHRI HUKUMDEO NARAYAN YADAV:
Mr. Speaker, Sir, that is what I say. I want them to listen to my view point. If they listen to me patiently, I shall also listen to them. I want to say when Anti-Defection Law was not there, many hon. Member.....(Interruptions)

[English]

SHRI SRIKANTA JENA: Sir, I am on a point of order. Shri Hukumdeo Narayan Yadav is a Minister. I want to know whether

he is speaking as a member of the Council of Ministers or on his own behalf. Is he responding as a Minister or for himself. (Interruptions)

[Translation]

MR. SPEAKER: This is no point of order.

SHRI HUKUMDEO NARAYAN YADAV:
The Congress Party has split a number of times in this House. The very people who split the party in this House in 1979 under the leadership of Ch. Charan Singh and rose in revolt against the party leadership are today teaching me lessons of morality saying that splitting a party is a guilt. It was not the party of Hukumdeo Narayan that split in 1979, it was Janata Party that was split and the people who split the party under the leadership of Late Ch. Charan Singh are today sitting on that side and giving sermons of morality. If I am guilty of splitting the party today why are the people who were instrumental in splitting the party in 1979 not admitting their guilt?

[English]

SHRI SHIKIHO SEMA (Nagaland): Sir, my point of order is that under Rule 378, a member has to keep orderliness in the House. The matter is serious. They remained serious when members on their side spoke. But they are not serious when members on this side are speaking. I draw your attention to Rule 378.

MR. SPEAKER: I am regulating the House. Please sit down.

[Translation]

(Interruptions)

MR. SPEAKER: Shri Hukumdeo Narayan Yadav is competent.

SHRI HUKUMDEO NARAYAN YADAV:
Sir, I am saying so because in this very Parliament Lok Dal was split into two parties

[Sh. Hukumdeo Narayan Yadav]

namely, Lok Dal (A) and Lok Dal (B). We may or may not remain in power, but what I say is based on morality. When Lok Dal (A) and Lok Dal (B) were formed after split, anti-defection law was not in force. Where was your morality at that time. In this very House the split took place. When Janata Party, split, Lok Dal came into being, When Lok Dal split, Lok Dal (K) and Lok Dal (C) came into being. (*Interruptions*)

MR. SPEAKER: Paswanji, what is your point of order?

SHRI RAM VILAS PASWAN (Hajipur): Mr. Speaker, Sir, my point of order is that the subject of discussion right now is not whether this Government is of defectors or not or whether defection has taken place or not. This is not the subject matter. (*Interruptions*)

MR. SPEAKER: He is coming to the subject.

SHRI RAM VILAS PASWAN: You please listen my point of order. The subject right now is not whether they are defectors or not, or whether defection is right or wrong (*Interruptions*). The point is whether anybody can go in for appeal in the court against the power of the Speaker under the Anti-Defection Law. I think, it would be better if the hon. Minister, or the hon. Members confine themselves to this issue while speaking instead of dwelling on the issue as to who is the defector and who is not.

SHRI HUKUMDEO NARAYAN YADAV: I would like to tell my dear brother Ram Vilas Paswan ji that Prof. Madhu Dandavateji used the word "anti-defection", and 'defection' repeatedly and insisted on the Speaker's ruling to be given by tomorrow. (*Interruptions*) Please listen I say that Hanuman had gone (*Interruptions*)

MR. SPEAKER: Mr. Yadav, you please address the Chair.

SHRI HUKUMDEO NARAYAN YADAV:

Mr. Speaker, Sir, I am saying so because when Shri Advani was speaking, the Member of his party were saying that it was a Govt. of defectors. I want to ask as to who is defector? They were elected in 1980 on the symbol of Janata Party, but they split the party under the leadership of Advani and formed Bhartiya Janata Party, was it a defection or not? (*Interruptions*) At that time, hon. Shri Chandra Shekhar was the President of the Janata Party. Janata Party was in existence and it had its leader of Parliamentary Group. Since you were not satisfied with the internal functioning of the party, you parted ways with it. Your parting ways with the party was ethical whereas my leaving the party is unethical? (*Interruptions*) I want to ask the congressmen who are sitting in the House whether at the time of division of the Communist Party, the Members belonging to that party did not split into two parties, namely C.P.I. and C.P.I. (M) in this House? At that time, your split was ideological whereas our split is personal? (*Interruptions*)

I would like to request the hon. Members that (*Interruptions*) yes, I did get ministership. I admit that I am guilty of getting a ministerial berth through the split of the party, but V. P. Singh also deserted Congress Party for the sake of coveted chair and you made him your leader. Was this an act of morality on your part? Just try to remember that (*Interruptions*). Mr. Speaker, Sir, today if I form the Government with the support of the Congress party, they say that I am doing something immoral. (*Interruptions*) It is said..... (*Interruptions*)

MR. SPEAKER: Let him speak, he has right to speak.

(*Interruptions*)

SHRI HUKUMDEO NARAYAN YADAV: It is said by them that we have formed our Government with the support of Congress and have gone against our principles. But they forget that the Marxists and the B.J.P. always followed two different lines and opposed each other inside as well as outside the House but both stood together on the

same platform with Shri V. P. Singh to run the Government. You may deceive the world but you cannot convince me on this point. The leftists and the Bhartiya Janata party used to call each other untouchable but such a peculiar circumstances arose in the Parliament of India that both, the leftists and the Rightists joined hands together and supported a persons to form and run the Government. Therefore, I ask you to make introspection first and then call us right or wrong. (Interruptions) Before criticising others you should look within yourself first, I am saying this.....(Interruptions)

MR. SPEAKER: Take your seat please.

SHRI HUKUMDEO NARAYAN YADAV: Mr. Speaker, Sir, they should understand the implication of any question before raising it. They have raised the issue of judiciary versus Speakership. Mr. Speaker, Sir, once when 'Hanuman' had gone to Lanka to trace out Sita he destroyed the whole defence of 'Ravana', killed Akshay Kumar and made Meghnath unconscious. After that Ravana's men realised that it was very difficult to control Hanuman. So 'Meghnath' used "Brahamastra" on him "Gyani Naam Agraganyam". Hanumanji said at that time that is he wished he could have made it ineffective but that would have amounted to an insult to the weapon of Brahmaji. So he instead of making the weapon of Brahmaji ineffective surrendered himself before the Ravana's men for arrest.

Mr. Speaker, Sir, today almost same situation has been created in the Houses. Let it be decided on the roads by the people as to whether this Government is wrong or right and whether I am defector or anything else. I consider the chair of the Speaker as the 'Brahamastra' and a weapon of 'Brahmaji'.

(Interruptions)

MR. SPEAKER: You please sit down. Devendra Yadavji you too please resume your seat. No, No, please take your seat. Yes, what is your point of order?

(Interruptions)

SHRI NITISH KUMAR (Barh): Mr. Speaker, Sir, my point of order is that the hon. Minister, Shri Hukumdeo Narayan Yadav in his speech has just stated that the issue such as whether he and his Government is defectors or not, let it be decided by the people on roads. He has just stated this.....(Interruptions)But in fact, it is you who is to decide this issue.....(Interruptions)

MR. SPEAKER: Has Hukumdeoji used unparliamentary language?

SHRI NITISH KUMAR: Mr. Speaker, Sir, which road he is talking about? Is it the road of Sitamarhi in Bihar? He knows well, how was he treated when he, after becoming a Minister, went there.....(Interruptions)

SHRI GANGA CHARAN LODHI (Hamirpur): Mr. Speaker, Sir, I am on a point of order.

MR. SPEAKER: Under which Rule?

SHRI GANGA CHARAN LODHI: Sir, under rule 376, the hon. Minister.....(Interruptions)

MR. SPEAKER: Take your seat.

SHRI HUKUMDEO NARAYAN YADAV: Mr. Speaker, Shri Nitish Kumar has asked me as to at what place I would like the issue to be decided? Sir, I am a weak person from power, money, muscle and manpower point of view, yet I would like to say, Shri Nitish Kumar.....(Interruptions)

MR. SPEAKER: I request the Hon. Members to listen him peacefully. ... (Interruptions)

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, through you, I would like to know from the hon. Minister whether he is speaking as a Minister or in any other capacity? Does he know the issue for which the Adjournment Motion has been moved

[Sh. Madan Lal Khurana]

here in the House? Is it about the defection or about the court's decision? On which issue is the hon. Minister speaking on?.....(Interruptions)

SHRI HUKUMDEO NARAYAN YADAV: Mr. Speaker, Sir, I want to speak on that issue. This is the age of By-pass, so he wants me to take the by-pass. I am prepared to contest anywhere whether it is on the By-pass or main-road or in the field or in the Parliament. Shri Nitish Kumar, once you were also treading the same bath. It is a different thing that we have changed our path today. I want to say that our journey has not ended yet. We have to walk further in search of our goal, do not challenge me. Mr. Speaker, Sir, through you, I want to say that I am prepared to decide the issue anywhere they like whether it is Fatehpur or Sitamarhi. Let both of us, Shri V. P. Singh and myself resign from Fatehpur and Sitamarhi, respectively and contest again from these places. It should be decided as to where Shri Hukumdeo Narayan Yadav and Shri V. P. Singh stand? It must be decided on the same soil.

(Interruptions)

SHRI DEVENDRA PRASAD YADAV: Mr. Speaker, Sir, I am on point of order. Shri Hukumdeo Narayan Yadav in this House has challenged Shri Nitish Kumar, a member of our party. Hence I accept his challenge to contest election against him..... (Interruptions)

MR. SPEAKER: This is not a point of order, take your seat please.

(Interruptions)

SHRI HUKUMDEO NARAYAN YADAV: I am consistently saying to the hon. Members that the composition of the Parliament is totally different this time, by the grace of God. The party with 220 Members..... (Interruptions)

SHRI RAM DHAN: You were defeated in 1980 and 1984. After 1979.....(Interruptions)

SHRI R. N. RAKESH (Chair): I am on a point of order. Hon. Minister has said that he is prepared to contest election against Shri V. P. Singh. I declare that I am prepared to contest against him.....(Interruptions)

MR. SPEAKER: Take your seat. I have called Hukumdeoji.

(Interruptions)

SHRI HUKUMDEO NARAYAN YADAV: Mr. Speaker, Sir, I am, therefore requesting all the Members to consider all the aspects of the issue that is before the House. If any person's ego, dignity and self-respect is hurt by any hon. Member continuously then he would certainly react. This House greeted both Shri Rajiv Gandhi, the leader of the 215 to 220 Members and Shri V.P. Singh the leader of 141 to 143 Members. And it happened in this very House that the former took the position of the opposition leader and the latter became the leader of the House. How did it happen? How did it become possible? The incident was surprising in itself. Moreover, the people called it surprising. This House is witness to what I had said at the First President's address in this House. At that time speaking on the President's address I had said that the future course would be a bit different. Wheel of Fortune has turned in such a way that the persons having 63 members only has become the leader of the House whereas those having more members with them are sitting in the House as the leaders of the opposition. India democracy is progressing step by step and its outcome will be quite different. I want to say that the democracy of India would take a disastrous turn if the leaders of the political parties as well as the other democratic forces do not shun their ego and do not stop to interpret the laws in their own ways and do not put an end to the tendency to respect the chair of the Speaker at their own will and convenience.

Those who are sitting on that side today

are showing great respect to the Speaker but how much respect they had paid when Shri Jakhar Saheb was occupying the Chair and there was Congress Government and they happened to sit on this side. I do not want to go into the attitude they had adopted towards this Chair at that time. I would like to say only that the Chair of the Speaker is supreme. (Interruptions)

SHRI RAM DHAN: Mr. Speaker, Sir, I am on a point of order. Hukum Deoji has put the matter wrongly. He may go through all the documents and proceedings of the House which are available in the Library pertaining to the last Parliament. His incorrect statements should be expunged from the record of the House.

MR. SPEAKER: This is no point of order.

SHRI HUKUMDEO NARAYAN YADAV: One can show disrespect to the other person not only through speech or words but also through one's conduct and behaviour. Where was the respect for the Speaker when he was saying to them time and again that he considered the issue of Shri Subramaniam Swamy as closed but they bluntly said that they did not consider that issue as closed despite his saying so. What I have understood in this House is that these leaders, whether big or small, do not go deep into the matter. If Chair's decision is according to their wishes then it is correct and just and if it is against their wishes when it is not correct and just. They want that decision of the Chair should be according to their wishes and if it is against that, then it cannot be called impartial. I view the chair of the Speaker as supreme and very high and I am ever ready to accept all his orders. I shall not hesitate in obeying his order even if he orders my hanging. Every person has the right to express his feelings and views openly before the supreme chair and supreme body. We in order to protect the dignity of 'Brahamastra' had bowed our head in respect before it. In democracy the chair of the Speaker has the same respect as 'Brahamastra' had. We, bow our head in respect before the decision

of the Speaker. We accept his decision without any ifs and buts. His decision to us is like Brahamastra. Although Hukumdeo Narayan has the power to make this Brahamastra futile but he won't do it. He will always respect the decision of the chair. We are even prepared to give supreme sacrifice for the cause of democracy but we shall never show any disrespect to the order of the Speaker. But at the same time I would like to say that if some one with a view to meet one's selfish ends and in the name of democracy insists upon the Speaker, who is well acquainted with his powers, to use the Brahamastra then they should not forget that though Hanuman would be tied, would be arrested yet the fire emanating from his tail would burn the whole of Lanka into ashes. We respect the dignity of chair.....(Interruptions) bow our heads in respect before it. As Shri Madhu Dandavate was saying that the Legislative, Executive and Judiciary are the three organs of democracy they should have respect for one another. What is the meaning of Sam-Maan (respect) after all? My teacher had taught me the meaning of Sam-Maan..... (Interruptions)

MR. SPEAKER: Subhasiniji, everyone has his own style of speaking. Hukumdeoji has a special style of speaking. Listen to him. Please take your seat.

(Interruptions)

SHRI NITISH KUMAR: Mr. Speaker, Sir, he is threatening you.....(Interruptions)

SHRI HARIN PATHAK (Ahmedabad): One should talk here relevantly, not irrelevantly.....(Interruptions)

SHRI PHOOL CHAND VER 'A (Shajapur): Mr. Speaker, Sir, the hon. Minister has talked of setting Lanka on fire. Which Lanka does he want to burn? (Interruptions)

MR. SPEAKER: Vermaji, please resume your seat.

SHRI KUKUMDEO NARAYAN YADAV: Mr. Speaker, Sir, I was saying that 'Sammaan' means Sam-Maani.i.e. equal respect for every one, same behaviour with one and all. In democracy all three organs i.e. the Legislative, Executive and Judiciary must have equal respect for each other. If any one of these organs will ever try to surpass the other, there will be a confrontation of powers and the term 'equal respect', will receive a serious jolt. Therefore, the judiciary also should consider that the Legislative i.e. the chair of the Speaker is as respectable as the judiciary itself(Interruptions)so the Legislative should also consider that the legislative.....(Interruptions)

PROF. RAMGANESH KAPSE (Thane): I am on a point of order. Shri Hukumdeo Yadav yesterday gave a statement. I will read it out.....

MR. SPEAKER: What is point of order?

[English]

PROF. RAMGANESH KAPSE: He said: "The Anti-Defection Law has already been challenged in the court. Why should any one be called upon to give any explanation?"

[Translation]

This was published yesterday in the 'Times of India'. So far as the powers of the Speaker are concerned.

[English]

"It will be in vain."

[Translation]

He has stated this yesterday. And now he is speaking about the respect of the Speaker. My point of order is that either he should speak on the lines of his statement he made yesterday in the Times of India or he should say that he did not give that statement.

SHRI HUKUMDEO NARAYAN YADAV: Listen to whatever I am saying here before

Mr. Speaker. I cannot say anything about what was published in the News paper.

PROF. RAMGANESH KAPSE: Did you say it or not. (Interruptions)

SHRI HUKUMDEO NARAYAN YADAV: I am saying this that the judiciary while interpreting its rights and powers should not overlook that both the Legislative and the Executive possess the same respectable position as that is possessed by the judiciary itself. Similarly the Legislative will also have to take care that other two organs are equally important and respectable. None of these is superior to the other rather these are the three branches of the same tree. If any branch is attacked or there is a clash among these branches, the tree would suffer. I want to say that all these three organs have got powers and rights of their own. If all these three organs decide to remain within their jurisdiction and not to interfere in each others, jurisdiction then there cannot arise any tussle between Judiciary and legislative and there won't be any weed go in the court. It appears that an atmosphere of fear and greed is prevailing in the country and that is why the questions of the rights and duties are often raised here.

'Sachiv, Vaidya, Guru Tinin jo,
Priya Bolahin Bhayas Aas'

One can draw a conclusion only when a principle is interpreted without any fear and expectation (Interruptions) Khurana Saheb, the Hon. Member of your party was asking me where Lanka is? BJP does not know where Lanka is? They are seeing it in Awadh. The Bhartiya Janata Party in its whim of converting Ayodhya into Lanka has forgotten where Lanka is. (Interruptions) Mr. Speaker, Sir, all these three organs will have to confine to their jurisdiction. In the judiciary, if an advocate is humiliated by a judge, the whole court goes on strike.

Why? Now-a-days struggle for equality is going on throughout the World, inside and outside the Parliament. Everybody wants get that all the persons should the right to

equality. Nobody wants if a person gets a higher post it is his privilege, and if we don't have that post we lack privilege. This is the only dispute and is the basis of struggle. If you say that judiciary should not interfere in the functioning of Parliament and vice versa and no other agency should interfere in the functioning of judiciary, I would like that the shape of Indian Parliament and the shape of Indian democracy should be defined once again in the light of the present changed situation and changes in Indian economic, social, political, administrative context. One section of the society is in favour of one thing while the other is opposing the same. If the elevated class of the society wants more elevation, the upper class people suppress them. Is it a violation or not? Somebody takes recourse to law, but judiciary should maintain its tradition.

So far as the honour of the Speaker's Chair is concerned, he is not merely a person occupying the chair of the Speaker but he is much more than that. If he would not have been a Speaker even then. I would have respected him because I have got a great opportunity to participate in Political struggle under his leadership. Prior to this, under his leadership we had to take the most difficult decision under difficult situation. We have worked together. Our aim is one. We have rebelled against injustice, atrocity, oppression and we have worked against seditions. At that time also, Janata Party was divided and there was also an issue on which division took place. I say that Janata Party was divided because of Chaudhury Charan Singh's insult and this time Janata Dal was divided due to Ch. Devlal's insult. If at that time he was insulted, you don't accept... (*Interruptions*)... because you don't know what is insult... (*Interruptions*) ...you may, no doubt, clap in applause but it is fact whether he may be Ram Vilas Paswan, Sharad Yadav, Nitish Kumar or Hukam Dev Narain Yadav, everyone of us faced insult in Janta Dal. May be Madhu Dandavate may not cry of insult because he is still in Janta Dal, but even today, Nitish Kumar, Ram Vilas Paswan and Sharad Yadav are crying. Today I am crying, you also cry and will

continue to cry in future also. So please rise as a rebellion against this insult. If a person does not rebel against an insult, he can't be called a man. If Shri Devi Lalji was insulted, only Hukumdeo Narayan Singh stood up against it. Mr. Speaker, I bow before the Chair. (*Interruptions*) I had spoken on the Mandal Commission also. If you talk about Mandal Commission, Mulayam Singh Yadav and all of us under the leadership of Shri Devi Lal were against Mandal Commission. Please don't instigate me, I have been compelled by the events. At times, circumstance force a man to honour even a sinner as a saint. When Shri Devi Lalji went to the President, Shri Sharad Yadav, Ram Vilas Paswan, Madhu Dandavate, alongwith 6 thousand people including father, grandfather i.e., elderly people were mentioning the names of the persons who were killed in police firing while Shri Vishwanath Pratap Singh was mentioning the names of the people who killed the backward people. That day Shri Devi Lal was with us, so it is better not to discuss these things. There is a vast difference between Shri Devi Lal and Shri V.P. Singh (*Interruptions*)

I conclude my speech with these words that history is full of such events. Whenever anybody is insulted or his soul is hurted... (*Interruptions*) Due to this insult and assault on soul, warriors assembled in Kurukshetra. This insult led to Mahabharata war on Indian Soil. Only to take the revenge of this insult, there was bloodshed on Indian Soil. That is why I am saying that this has been the trend for centuries. One should not tolerate insult, one should fight it even up to death. Janata Dal was divided because of this insult. (*Interruptions*) Both V.P. Singh and my self are guilty. In the eyes of Hon. Speaker I am also a guilty under the anti-defection law. If we have committed any disgraceful deed I too am guilty certainly. Mr. Speaker, Sir, if you feel that we have assaulted you in any way, I would a hundred lac times beg pardon not only from the House or Shri Ray, but also from my position and I would bow my head and will follow your orders. I shall always maintain the sovereignty and decorum of this House with all my hu-

[Sh. Hukumdeo Narayan Yadav]

mility. Mr. Speaker, Sir, but I want to tell those people, that a decision will definitely be taken and coming Parliament will decide the real position of everyone.

12.54 hrs.

SHRI SOMNATH CHATTERJEE (Bolpur): Mr. Speaker, Sir, at the outset, I must congratulate you for your decision to uphold the dignity and prestige of this great institution.

Sir, the prestige and dignity of Parliament is neither negotiable nor justiciable. One of the basic objectives or requisites of the system of parliamentary democracy is the supremacy of Parliament in its own sphere and, Sir, our Constitution has made it amply clear that within its own areas of functioning, the Parliament is supreme and the Constitution of our country which is our organic law contains specific provisions to make it beyond any doubt that so far as the Parliament is concerned, its functioning is concerned, its procedure is concerned and the Speaker's position particularly is concerned, it is not a matter of any challenge before any authority including a court of law.

Sir, the speech that we just now heard from the Treasury Bench very conspicuously avoided referring to the issue that that is before the House and we heard a sermon on the benefits of defection. Hukumdeo Narayanji has referred to the expulsion of Devi Lalji from the Government and said that was the reason for the ultimate break-up of the Janata Dal. I would like to know—why did he not resign from the Janata Dal when Devi Lalji was expelled? Why was there no Janata Dal (S) when this action had been taken by Mr. V.P. Singh? It is because, at that time the BJP had not withdrawn the support from the V.P. Singh Government and there was no possibility of forming another Government by a handful of people with the support of Congress. Therefore, when defection becomes useful and ministerial *gaddis* may be available, then defection takes place. There-

fore, until the withdrawal of support by the BJP, we never heard of formation of a splinter group in Janata Dal. (*Interruptions*)

MR. SPEAKER: I am not permitting you. Mr. Balgopal Mishra, please take your seat.

SHRI SOMNATH CHATTERJEE: I did not disturb Mr. Hukumdeo Narayan Yadav at all. He has spoken on behalf of the ruling party, but he is also a Minister. He has chosen not to answer the points. He says, the issue has to be decided on the streets. I take it, he meant by election. The Government, specially after the speech of Hukumdeo Narayanji, I take it, has no answer to the points that have been raised and their only answer is that they want the issue to be decided by election. Is the Government going to advise the President to hold elections now immediately for the purpose of deciding whether defection would continue or not? I would also like to ask—if you do not think that this is a proper provision which has been enacted in the Constitution, why did you not take a straight forward path of trying to amend the Constitution instead of flouting the Constitution? They have neither the political courage, nor the moral courage, nor the support, because without the Congress support, they are nobody in this House. So far as the Ministers are concerned, they have to take on oath of allegiance. The oath of allegiance is:

“I will bear true faith and allegiance to the Constitution of India... and I will do right to all manner of people in accordance with the Constitution...”

Sir, what is provision in the Constitution? There is no ambiguity in our constitutional provision. Today, we have to abide by this whether one likes it or not. He may, today, eulogise defection. But he has to implement the provision of the Constitution of India, to which he has borne allegiance. It says:

“Notwithstanding anything in this Constitution, no Court shall have any jurisdiction in respect of any matter connected with the disqualification of a

Member of a House under this schedule."

Sir, he has been speaking of the Chair's position, your position and your dignity. If that is his response to this subject matter, then why has he gone to Court? Why has he not left it to you, specially when such a provision has been made?

13.00 hrs.

Today we have no doubt in our mind that this is a feeling of insecurity and panic in the Government. That is why, we find a concerted move is going on. We have seen how even the Speaker of this House has been threatened with arrest by the Minister. Since the coming of this Government we are hearing of bringing a motion of no-confidence against the Speaker. Now we find that the Government has taken this ruse. A subterfuge has been adopted without trying to amend the Constitution of India, of going to the court of law, utilising the law officers, the first law officer of this Government to take up a stand which is exactly contrary to the Constitutional provisions in this country.

Sir, I appreciate the speech of Mr. Dinesh Singh. He has said, so far as paragraph 7 of the X Schedule is concerned, it is not open to second interpretation and that the courts have no jurisdiction. I would request him to say what logically follows from that. During the Congress-I regime, this issue has been brought before the court and specific stand has been taken by the then Government also represented by the present Attorney General who was then one of the Additional Solicitors General, that the Court had no jurisdiction in the matter. Sir, this is not the first time this issue is coming up. If you look at article 105(2) of the Constitution which is very very clear, it says:

"No Member of Parliament shall be liable to any proceedings in any court in respect of anything said or any vote given by him in Parliament or any committee thereof and no person shall be liable in respect of a publication by

or under the authority of either House of Parliament..."

It is in respect of anything said or done. Now, the Supreme Court has held as early as 1965 that this completely ouster the jurisdiction of the court because what happens inside the house cannot be a subject-matter of any judicial decision and that is the ouster of the court jurisdiction. It has been held "in respect of anything said" means, in respect of everything said or done. Therefore, the same interpretation has to be given in paragraph 7 of the X Schedule. In respect of any matter means, in respect of every matter connected with the question of disqualification. If that is so, where was the ambiguity? The question is very serious and the question is a matter of principle. Can a Government of the day take up an attitude which is contrary to the Constitutional provisions of this country? This is a basic issue and the Government must answer. The Minister has spoken for more than half-an-hour. He has not even touched the point. He is not only a Member of the House only but he is a Cabinet Minister also but he does not answer this question. I would like to know whether that was a decision of the Government as a whole or this was the decision of the Law Minister which was said by the Attorney General. We find, in the year 1991, an affidavit is being filed on behalf of the Government of India when this issue has been raised. It says, this power (that is, the power under the X Schedule) is, therefore, amenable to judicial review by the High Court and the Supreme Court in exercise of their powers under articles 226, 32 and 136 of the Constitution of India. This Government wants to survive not on the basis of its merits and strength inside the House but it wants to survive with the help of other agencies which are not allowed to interfere in the functioning of this House and the decisions that can be taken by you, Mr. Speaker. We are not on what decision you will take. We are not on the merits of the dispute before you. It is entirely your jurisdiction. You may take whatever decision you in your wisdom think best. But the question is your right to take that decision and whether that right is sub-

[Sh. Somnath Chatterjee]

ject to any other compulsive reasons or provisions which will inhibit you from discharging your powers and functions.

So far as the situation that has arisen today is concerned, we find that the Government owes an explanation. How, in what, circumstances a Deputy Secretary to the Government of India, Ministry of Law, Justice and Legislative Department, could take up this attitude in an affidavit? At what level it was decided that such a stand would be taken and what action the Government propose to take now? The Government has also accepted the position that the Speaker is not bound by any Order that is passed by the High Court of Delhi. Once the Government has admitted that the Speaker's power is supreme in the matter of 10th Schedule, what is the necessary corollary? What the Government would do now? Will it insist on taking up that stand in the court of law? I believe it is being heard today. What is the Attorney-General doing there? Is he upholding the Constitution or trying to wreck the Constitution on behalf of the Government. This Government owes an explanation.

So far as the Order which seems to have been passed yesterday is concerned, it is almost what you call in law, in *invitum* or an invitation, the Attorney-General standing before the Court of Law on behalf of the Government of India which is responsible for upholding and implementing the Constitution and saying:

"Well, it is a matter which we shall argue later on."

"Certainly courts have power to go into this question."

But, he says:

"Whether the 52nd Constitution Amendment is valid or not, we shall argue later on."

He says:

"It is submitted that since the challenge to the validity of certain paragraphs of the Tenth Schedule stipulates beyond question of law, the counsel for Union of India shall make submission with regard to the validity of the Tenth Schedule at the time of argument."

Has the Government of India made up its mind now? Is there any occasion for the Government to have a second thought on this, I would like to know. When the Government takes up an ambivalent stand, only then such an affidavit can be filed.

I charge that this Government has taken up a dubious stand, only for the purpose of some of them remaining in power, having possibly anticipated adverse decision from you.

Is this the way this Government should function in India when we have sworn allegiance to the Constitution of India?

Is remaining in power by any method to be adopted as the basis of governance of this country?

An ordinary functionary like a Deputy Secretary is being misused for this purpose and the Office of Attorney-General is being polluted. I am very sorry. I do not want to say anything. He is obviously carrying out the instructions of the Government of India. But, I would like the Prime Minister to tell us who has been responsible for giving this instruction to the Attorney-General of India and to the Deputy Secretary and he should be taken to task. If he is a Minister who has instructed, it is the minimum need that he should resign and apologise to the House. (*Interruptions*)

Mr. Speaker, Sir, instinct to survive is good. But instinct of survival cannot be at the expense of some of the basic tenets of the Parliamentary democracy in this country. If the position of this House is ridiculed, if the Speaker's position is diluted for the sake of

remaining in power, then it is the duty of this House to stand as one—I particularly request Shri Dinesh Singh when you have taken up that attitude—then the logical action must be taken on this. Either the Government should withdraw and apologise or otherwise this Government has no right to stay a minute longer than it has done so far. Now, the test is for the Congress (I) Party. The law has been enunciated by them.

SHRI VASANT SATHE (Wardha): Don't cross your limit. Don't bring politics in this matter.

SHRI SOMNATH CHATTERJEE: It was conceived by them. They brought it. Therefore, I have not made any allegation against you. In this House, in your wisdom, you have brought this legislation. It was passed in the House. Then, I would try to find out from the Congress (I) party whether they would be still a party to its implementation or not.

SHRI VASANT SATHE: You have heard Shri Dinesh Singh's speech. We have said that we stand by it.

SHRI SOMNATH CHATTERJEE: I would demand of this Government that they should absolutely make it clear that whatever may be the action of their individual Members supporting the Government, the Government's stand is unequivocal. They must immediately go to Delhi High Court and withdraw their affidavit. They must make it specifically clear that the Speaker's jurisdiction cannot be challenged as is sought to be challenged and that order must be vacated. It is very easy for Shri Hukumdeo Narayan Yadav to say there should not be any conflict between the judiciary and the legislature. We also do not want to have any conflict. But who is the cause of the conflict? Who has brought about this conflict? If they have a little faith in the position of the Speaker, in the dignity of the House and the prestige of the Speaker, then they would not have gone there; they would not have gone to the Press saying: What is there for the Speaker to decide, for the matter is already before the Court. He has not denied that statement.

Sir, the fundamental issue is whether the Speaker, in the matter of deciding the Tenth Schedule proceed with an unrestricted authority or not or whether you are subject to the jurisdiction of the High Court or the Supreme Court. In such a matter will the Government, with no majority support, a minority Government, a hopeless minority Government surviving on the support, no doubt, of the biggest party in this Parliament, take recourse to methods or methodologies for the purpose of continuing in power by whatever means it can? Therefore, I would request the Government that at least they should make retribution for this. They cannot continue with this stand. I know how repeatedly attempts have been made in this regard. Recently, it has come out in the paper. It says: "JD (S) may petition President—dated 8th January, The *Hindustan Times*" I quote:

"The Janata Dal -S leadership is likely to petition the President that the question of whether the 37 MPs, who are alleged to have defected acquiring disqualification, should be decided by him in consultation with the Election Commission under Article 103 of the Constitution."

Therefore, I find a concerted move, a calculated move either to put pressure on you or to dilute your position, denigrate the Speaker's position, denigrate the Parliament's position even to the extent of saying that powers would be taken from your hands and then going to court, obtaining an order almost *ex concessis* through their law officer. And now it is very easy for them to stand up and say, "we have respect for the Speaker." This Government has neither any constitutional basis nor majority strength to survive in this country. Now it has taken recourse to procedures which are politically puerile, ethically immoral and constitutionally impermissible. Therefore, I support this Adjournment Motion. And the Government must make its position very very clear and withdraw this affidavit and tenders apology to you and to the House and person responsible should

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be proceeded against and action should be taken against the person responsible by the Prime Minister of India, if he has any faith in the principles of parliamentary democracy.

SHRI VASANT SATHE: I am on a point of order. While we are discussing this very important matter, I am told that some arguments are going on in the court. Now our whole discussion can get frustrated if supposing, behind our back, the High Court passes some order. Therefore, I would request the Government, the Law Minister or the Deputy Prime Minister, whosoever is here, to at least—have they done it and if they have done it, it is well and good—inform our counsels there not to rely on the affidavit given or to postpone arguments there till we discuss this matter because I hope, nothing will be done to frustrate the discussion. If tomorrow the House comes to take a unanimous decision about this affidavit, we should not have a confrontation with the High Court. That is why, having due respect to the High Court in the interest of judiciary, I think, the hearing should be put off. This is my submission.(Interruptions)

SHRI AJIT PANJA (Calcutta-North East): This is a recess time in the High Court and there is no argument going on. If argument is closed and this admission made their in the affidavit of our Govt. Is finally put before the judge, then it will be a useless discussion here. Therefore, if this is the consensus, then the Government must make submissions that they are withdrawing the whole affidavit and they will make the arguments that the Parliament is supreme, which is the law of the land.

SHRI L.K. ADVANI: Mr. Sathe has made a very valid point. This means a near unanimous view of the House. In case the Government does not agree with it, I would plead to the Chair to issue the directives to the Government to have this particular affidavit immediately withdrawn or at least to suspend the arguments that are going on, on the basis of this affidavit. This affidavit is

totally indefensible according to the entire House. This is a direction that must go to the Government from the Chair.(Interruptions)

SHRI GUMAN MAL LODHA (Pali): I want to inform you that this morning this request was made to the Law Minister. The Law Minister has said, "we stand by the affidavit and we also feel that the provisions of Clauses 6 and 7 have not been ratified by the assemblies earlier and, therefore, it is *ultra virus*. And therefore, we are making submissions to the High Court." It is a very serious matter. The Law Minister and the Law Secretary were there. The Law Minister and the Law Secretary have said, "we are going to stand by this affidavit." And they are not withdrawing it. Therefore, kindly issue directions.

PROF. MADHU DANDAVATE: What Shri Sathe has suggested should be communicated as your direction. Otherwise, like us, if they are also missing their lunch, there will be a problem. Therefore, it should be communicated as early as possible.(Interruptions)

SHRI SOMNATH CHATTERJEE: You cannot direct the Attorney General. The Government has to direct.

[Translation]

SHRI L.K. ADVANI: Mr. Speaker, Sir, unless the Parliament takes its decision in this regard (Interruptions)

[English]

MR. SPEAKER: The Government is there, it is taking note of it.

SHRI GUMAN MAL LODHA: The Government is going to get this provision declared invalid. So the matter is serious.

PROF. MADHU DANDAVATE: Sir, Somnathji is right. Your direction may go through the Government only. You must direct the Government so that they can communicate it further.

SHRI SRIKANTA JENA: The Law Minister is here. He is silent inspite of repeated requests. That means the Government stands by the affidavit.

DR. DEBIPROSAD PAL (Calcutta North West): The Government should give direction to its counsel before the Delhi High Court not to rely upon the affidavit filed by the Government, to withdraw the affidavit and to make oral submissions before the Court. (*Interruptions*)

SHRI VASANT SATHE: Don't involve the Speaker in this.

SHRI INDER JIT (Darjeeling): I would like to appeal to the treasury benches and the Law Minister personally through you to seek adjournment of the matter in the High Court till the matter is discussed here. (*Interruptions*)

[Translation]

MR. SPEAKER: All of you have a strong opinion, and Government is also listening to it. Honourable Minister is present.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Speaker, Sir, you said in the beginning that you have invited all the leaders.

MR. SPEAKER: Yes, I had said. (*Interruptions*)

[English]

SHRI GUMAN MAL LODHA: The matter is more serious than what has been debated because the Law Minister wants Clause 6 and Clause 7 to be struck down as *ultra virus* through the Attorney General.

PROF. MADHU DANDAVATE: There is a way out. As Mr. Sathe has suggested, if the Government spokesman gets up and say that he will communicate, that is sufficient. In that case we need not bring in your name. But let him say that that they will definitely

withdraw the affidavit. Let him get up and say that. (*Interruptions*)

SHRI SAIFUDDIN CHOUDHURY (Katwa): The point is, in the morning you had a meeting with political leaders. The common feelings were known to the Government. The Law Minister is here; he is mute and not responding to anything. This point has to be clarified first; what did he understand from the meeting in the morning and the discussions that have taken place here so far. What is the Government doing? We don't have any reaction from the Government so far. (*Interruptions*)

[Translation]

MR. SPEAKER: I am listening to your unanimous views and the Government too is listening it.

(*Interruptions*)

MR. SPEAKER: What can I do in this case.

SHRI GEORGE FERNANDES: Mr. Speaker, Sir the question is of our unanimous views. Our views, views of the House, views of the majority, and views of the Government are not known. When the sitting of the House began this morning you told that you had invited the leaders of all the parties and got their views. You are not going to listen to the verdict of the court. (*Interruptions*) If the ruling party also joins us, all the people will have the same views.

SHRISATYA PRAKASH MALVIYA: We agree with the views that the post of the Speaker of the House is supreme. (*Interruptions*)

SHRI GEORGE FERNANDES: Then why the case is in the Court. Please listen to me seriously after the clarification of the honourable Minister. You and all of us have unanimously decided that we are not going to accept the verdict of the Court. Then why the Government is adamant in the court and is trying to convince the court to give such a

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verdict as it can enable it to stand against the Speaker of the Lok Sabha. It is very dangerous situation prevailing in the House today. You have told not to accept the verdict and you are asking the court to give such a verdict. What a mockery it is?

(*Interruptions*)

[English]

MR. SPEAKER: Shri Advani.

(*Interruptions*)

SHRI L.K. ADVANI: Sir, this is a very serious matter. What Shri Guman Mal Lodha told the House just now, adds a new and disturbing dimension to the whole problem because according to them, the Consultative Committee of Law and Justice was told this morning that the Government is of the opinion that these two provisions, these two clauses—six and seven—are invalid and *ultra vires*. (*Interruptions*) The Speaker's decision is final; it shall not be subject to the decisions of the Court. These two paragraphs of the Schedule are *ultra vires*. This is the Government's opinion. (*Interruptions*) If this is the instruction given to the Attorney-General, then, the entire debate which is going on here will lose the meaning. Therefore, it is imperative that on behalf of the House, Sir, you give a direction to the Government to stop the argument in the Court because those arguments are on the basis of this affidavit on the one hand and on the assumption that the paragraphs six and seven are *ultra vires* on the other hand. This House cannot accept it. (*Interruptions*)

DR. DEBI PROSAD PAL: Mr. Speaker, Sir, I think the Office of the Speaker should not get involved in this. Let the Government give a direction to the Counsel that they will not rely upon the affidavit, withdraw it and make their oral submission before the Court. Sir, you yourself should not get involved in this matter. Let the Government give a direction. (*Interruptions*)

MR. SPEAKER: The Law Minister wants to speak.

(*Interruptions*)

SHRI AJIT PANJA: Sir, we should not lose time. Upto 2 O'Clock, there is the recess. (*Interruptions*) If the Hon'ble judges insist on affidavit for withdrawal the Deputy Secretary has to it and file it. Kindly ask the Govt of expedite (*Interruptions*)

MR. SPEAKER: Now, the Law Minister. (*Interruptions*)

MR. SPEAKER: Order please. Please give a patient hearing to the Law Minister. (*Interruptions*)

SHRI SUBRAMANIAM SWAMY: If they do not want to hear me, then, I will not speak. (*Interruptions*) Sir, on this issue, if everyone has spoken, then I can respond.

SEVERAL HON. MEMBERS: Why?

SHRI SUBRAMANIAM SWAMY: No, on this issue only. (*Interruptions*)

PROF. MADHU DANDAVATE: Please clarify the affidavit. (*Interruptions*)

AN HON. MEMBER: You withdraw the affidavit. (*Interruptions*)

SHRI SUBRAMANIAM SWAMY: Prof. Madhu Dandavate has filed a similar affidavit in the Bombay High Court. (*Interruptions*) Sir, if they interrupt, then, I cannot speak. (*Interruptions*) There was no insinuation against Prof. Madhu Dandavate. He filed a petition in the Bombay High Court, arguing exactly the same point. So, we will quote from it very soon. (*Interruptions*) Sir, today I have asked the Attorney-General to come and meet me. He must be waiting for me. (*Interruptions*)

MR. SPEAKER: Let us hear the Law Minister with patience and order. Mr. Subramaniam Swamy.

(*Interruptions*)

SHRI SUBRAMANIAM SWAMY: Sir they must have the capacity to listen before they react... (*Interruptions*) ... Is the Speaker sitting here or sitting there? ... (*Interruptions*) ... sir, according to my information, arguments were being made by Mr. Ram Jethmalani and alongwith him, the side of Mr. V.P. Singh also. In view of what was being said in the House, from almost all sections, I will immediately call the people concerned to the Court and convey to them the need to take an adjournment till the Parliament has come to a decision.

(*Interruptions*)

SHRI JASWANT SINGH: (Jodhpur): Sir, I would like to make a simple submission.

(*Interruptions*)

SHRI VASANT SATHE: You give us an opportunity to discuss and then come to a decision. (*Interruptions*)

MR. SPEAKER: Mr. Debi Prosad Pal.

(*Interruptions*)

SHRI JASWANT SINGH: If you permit me to make a submission, I would say that it was the collective opinion of the leaders of the House. It was not a simple Adjournment Motion that was being discussed; it was the directive of the withdrawal of the affidavit. (*Interruptions*)

SHRI VASANT SATHE: Withdrawal of the affidavit will come after we have fully discussed the Adjournment Motion. It comes after we take a decision. So, have the discussion till then. (*Interruptions*)

SHRI JASWANT SINGH: Till the time Parliament comes to a decision, the question of withdrawal of the affidavit, the position of the Government and the case shall stand adjourned.

MR. SPEAKER: Yes.

(*Interruptions*)

SHRIDINESH SINGH: Mr. Speaker Sir, the time has come for us to adjourn for lunch also. (*Interruptions*)

MR. SPEAKER: Let us hear Mr. Debi Prosad Pal.

DR. DEBI PROSAD PAL: Sir, the issue now before the House...

(*Interruptions*)

[Translation]

MR. SPEAKER: Mr. Pal, you may speak after lunch.

[English]

We will now break for lunch and meet again at 2.35 PM.

13.33 hrs.

The Lok Sabha then adjourned for Lunch till thirty-five minutes past Fourteen of the Clock

The Lok Sabha re-assembled after Lunch at Thirty-eight minutes past Fourteen of the Clock

[MR. DEPUTY-SPEAKER *in the Chair*]

MOTION FOR ADJOURNMENT

Failure of Government to uphold provisions of Tenth Schedule of the Constitution—Contd.

[English]

THE MINISTER OF COMMERCE AND MINISTER OF LAW AND JUSTICE (SHRI SUBRAMANIAM SWAMY): Sir, before lunch, I had said that I would inform the Attorney General to go to the court and seek an adjournment till Parliament has completed its discussion. Accordingly, the Attorney-General went to the court and the sought an

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adjournment, but Shri Ram Jethmalani, advocate for Shri V.P. Singh, Shri Arun Jaitley and Shri Shanti Bhushan opposed the adjournment request of the Attorney-General and so, the court has decided to continue with the arguments.

SHRI L.K. ADVANI (New Delhi): The Minister of Law and Justice has told the House that while the Attorney-General sought adjournment in accordance with the decision taken here, the counsels for the other side opposed it and, therefore, there was no adjournment. I would like to know whether it is not true that the adjournment was opposed because the stay order against the Speaker would remain and their insistence was that the stay order be vacated, otherwise it would have meant compromising with the stay order. Did the Attorney-General press for the vacation of the stay order? (Interruptions)

DR. SUBRAMANIAM SWAMY: I am afraid, every time you bring up a new point. Matters are closed and you reopen them. ... (Interruptions)

SHRI BASUDEB ACHARIA (Bankura): How is it closed? Who said that? ... (Interruptions)

SHRI SUBRAMANIAM SWAMY: I did not say that this matter is closed. I said that every time the matter is closed, it is brought up again.

Now, let me tell you that before Lunch the only thing that was agreed to was that the Attorney General will go and seek an adjournment. There was no question of vacating the stay. (Interruptions)

MR. DEPUTY SPEAKER: I have allowed Mr. Fernandes only.

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Deputy Speaker, Sir, the matter raised in the morning that the case

which has been pending in the court should be discussed in the House and the leaders of all the parties have asked the speaker not to comply with any order of the court in this connection. Later on, hon. Member Shri Vasant Sathe also expressed his views and said that we should discuss this issue in the House. All the parties have expressed their views in the House but the ruling party has not clarified its opinion so far and the party supporting the ruling party has said that the role played by the ruling party in the court is not acceptable to it. There is no question of any ambiguity in this regard. All of us are very clear in our minds that the stand taken by the ruling party in the court is not acceptable to us. Shri Dinesh Singh has said this thing in very unequivocal terms. The Members in this section of the House had never been in two minds about this issue. It was decided that the Attorney General will ask some more time from the court. That time was not asked to stop the on going discussion, but was asked because, the court can not give any directive to the House or the speaker, while the discussion is going on. Shri Ram Jethmalani, Shri Arun Jetly and other advocates, who are pleading their case in the court has opposed this point. They are not opposing the adjournment. They are opposing that the court should be allowed to put restrictions on the powers of the Speaker. Therefore, it is necessary that the stay should be vacated. Otherwise this House will have to ask the Government to withdraw their affidavit to finish this issue.

[English]

SHRI VASANT SATHE (Wardha): Sir, I think we were really going well with this discussion. We know the spirit of the entire House. From our side Shri Dinesh Singh made it very clear that as far as constitutional provision is concerned, we are firmly of the view that the right of the Speaker shall not—as the law stands today—be questioned. Having said that, I think the discussion was going on well. Adjournment motion was to be discussed fully. One Minister did speak but he did not say anything about this matter. We have to hear the official view of the Gov-

ement either from the hon. Minister of Law or from the Prime Minister. That would have clinched the matter. But while the discussion was going on we were told that the Court is also hearing the matter. Arguments are going on in court. That would have created a very peculiar situation of confrontation later on. That is why I point out to the Speaker and other hon. Members also agreed, that we must have the hearing of the argument adjourned till this House takes a final decision on the adjournment motion. I think that was the spirit. Now what happened? According to the Law Minister, the Attorney General did seek an adjournment. This question of a stay is neither here nor there. The stay is about the finality. It will be decided whether arguments take place or not. We are also not here on the question of *vires*. *Vires* can always be questioned by anybody. It is the fundamental right of any person to question the *vires* of this Act or the Constitution or even the Government. People have that right to question. Now all that I am saying is that as far as this matter is concerned, let us not bring in the question of stay. I really do not know why those honourable lawyers have raised this point. All that we are asking is that today it should be adjourned so that by that time this matter would have been decided here. The stay is not going to adversely affect in any way. I do not know how they were advised to continue there and oppose the adjournment by bringing in an extraneous matter of vacation of stay. I think they have not helped. All I can say again is that they have not helped the House in continuing with this. I have no doubt in my mind, at present as the discussion stands, at least on our side we are absolutely clear that this affidavit that has been filed deserves to be withdrawn because it is violative of the provisions. Of course, we have to hear the Government's view too. But this is our view and this is what Dinesh Singhji said. Now, why are you frustrating the discussion and a final decision till we hear the Government? Now that the lawyers have opposed an adjournment and arguments are going on there, the best way for us is to continue with the discussions and conclude this matter as early as we can. Otherwise we will derail the

whole thing.

SHRI JASWANT SINGH (Jodhpur): Mr. Deputy Speaker Sir, I am entirely in agreement with my hon. friend Shri Vasant Sathe. Admittedly we have to hear the view point of the Government. But I submit to you that this stay is not an extraneous matter. When the hon. member Shri Vasant Sathe and others including Shri Advaniji recommended that the court must adjourn, the spirit and purpose behind seeking an adjournment and directing the Government to seek an adjournment was to see that there would not be a confrontation between the legislature and the judiciary. But the judiciary in pronouncing the stay has already brought about a situation of confrontation. It was precisely because of that only, in the morning all parties unanimously agreed that the Speaker shall not take note of whatever judicial pronouncement that might have taken place. Requesting the Government to have the stay vacated is an extension of the same philosophy. That is all.

SHRI SAIFUDDIN CHOUHDURY: (Katwa): It is a matter of common sense that when in the morning in the leaders' meeting, it was unanimously understood that the Chair should ignore the order of the court, it was for the Government to spontaneously ask for the vacation of the stay.

Secondly, this is not the question at that time. At that time the Law Minister was intervening and he wanted to speak but the adjournment for lunch was announced. At that time we wanted to say that there is no question of seeking an adjournment of the court but the affidavit has to be withdrawn. We are unanimous. This is the common feeling. Now there should not be any dubious play. We should not leave the question of affidavit with the passing or defeat of the adjournment. This is a serious matter. Please do not play any mischief. This is a wrong thing on the part of the Government. (Interruptions)

MR. DEPUTY SPEAKER: This was a discussion on what was said by the Law

Minister with respect to the adjournment of the proceedings of the Court. I think all the Members in the House are interested in a discussing the Adjournment Motion itself. I think those Members who want to say something on this point also may be able to say when they get up to speak on the Adjournment Motion also. Why I am saying this is that generally, the time allotted for discussing the Adjournment Motion is only two hours and we have taken more than two hours. I think, at least, the Leaders of the Parties, who would be interested in speaking on this interesting technical issue, they should get the time. If we discuss something which is not really the heart of the issue, then we are deflected. So, I would request the hon. Members to make their points on this point also when they get up to speak an Adjournment Motion.

So, I would request, please to bear with us and allow the regular discussion to continue.

DR. DEBIPROSAD PAL (Calcutta North West): Mr. Deputy Speaker, Sir, the issue for today's debate which is before the House is not only for upholding the dignity of the Office of the Speaker but also for upholding the supremacy of the House. This question has arisen because of the Stay Order which was issued by the Delhi High Court. The question which has come up before this House for consideration is whether the Speaker will accept this notice and comply with it. It is a matter of grave concern to this House majority. Every Member is also equally concerned for upholding the majority dignity and supremacy of the House and also of the Office of the Speaker. It is because the Speaker is the guardian and the custodian of the privileges of this House and any encroachment upon his powers will ultimately undermine the prestige and privilege of this House.

In a parliamentary democracy, we have to accept that the supremacy of the people is reflected in this House. The Members represent the people. Therefore, the supremacy of the House cannot be called into question.

cannot be interfered with by any authority, executive or judiciary, outside the House. It is one of the basic features of our Constitution; it is one of the corner stones of our Constitution. In a Parliamentary debates, when the Constitution was adopted, there was a point made, as to whether the judiciary or the Court should have a final say over the decision taken by this House.

At that time, Pandit Jawaharlal Nehru, in clear terms expressed the will of the House that there cannot be a super body or a super power over the House which represents the sovereign will of the people, that is the basic feature of our Constitution as much as the supremacy of the rule of law. Just as, if a Court decides a particular Statute or strikes down a particular law, the Parliament or this House, will not sit over the decision concerning the validity of that judgement. Parliament may amend the law; the House may amend the law, the House cannot consider whether the decision is a valid one, or not. That is the supremacy of the rule of law.

Similarly, when the House has taken a decision, the proceedings of the House are not subject to control and jurisdiction even of the Judiciary, however supreme they may be in the judicial sphere. That is the basic feature of our Constitution, and that has been embodied in Article 105 of our Constitution. We have adopted as the privileges of this House and the powers of the Speaker—until the law is codified by law or rules—the same privileges and powers as the House of Commons enjoys. Therefore, there is no denying the fact that the Speaker represents this House. His majesty and supremacy has to be accepted by all other authorities, so far as the proceedings of this House are concerned. No authority outside this House can question such validity. That is the law which has been embodied in our Constitution.

When we introduced the anti-defection law, the Government of Rajiv Gandhi introduced the tenth Schedule to the Constitution in order that the purity of our constitutional democracy can be maintained, in order that parliamentary democracy cannot be tar-

nished by the opportunists on grounds of expediency or personal interest, if I may say so, by defection. It was a scheme of our Tenth Schedule, it was a part of our Constitution that if any question does arise regarding whether there has been any breach, whether any particular Member is disqualified because of defection, the decision of the Speaker shall become final; and paragraph 7 of the Tenth Schedule to the Constitution speaks in clear and unequivocal terms that notwithstanding anything in this Constitution, the decision of the Speaker regarding the disqualification of a Member under the Tenth Schedule cannot be called into question in any court of law. Therefore, it has been the spirit and also the scheme of our Constitution that the question regarding the disqualification of a Member because of breach of the provisions of the Tenth Schedule to the Constitution is to be decided by the Speaker. This is notwithstanding anything in this Constitution. In other words, the different organs of the Government derive their power from the Constitution itself. If the High Court exercises its supervisory jurisdiction under Article 226 of the Constitution for the enforcement of its fundamental rights and other legal rights, if the Supreme Court exercises its supervisory jurisdiction for protection of the fundamental rights under Article 32 of the Constitution, that power is derived from the Constitution itself. And when the Constitution itself provides in the Tenth Schedule that notwithstanding anything in this Constitution, the decision of the Speaker regarding the disqualification of a Member under the Tenth Schedule cannot be called into question by any court, it envisages that the over-riding power has been given, has been vested in the Speaker, irrespective of, and notwithstanding any other provision in the Constitution.

15.00 hrs.

If therefore, the decision of the Speaker, whatever may be the decision, the House has to accept it, has to bow down to it. That is the supremacy and the dignity of the House and Office of the Speaker. If therefore, there is any interference with that power,

undoubtedly, such an interference cannot be tolerated; Unfortunately, when my left friend, Mr. Chatterjee was speaking, I found a spectra of the Congress haunted him every time; and whenever he spoke, he cannot complete his speech without accusing Mr. Rajiv Gandhi and the Congress.

SHRI SOMNATH CHATTERJEE (Bolpur): When did I do that?

DR. DEBI PROSAD PAL: Yes, you said so. The question we are debating affects not any particular political party; it affects everybody in the House. But the dignity of the House is to be protected; that is the constitutional democracy which we have to uphold.

There is an affidavit to which a reference has been made by my learned friends on the other side. I have gone through the affidavit. I must frankly confess that the paragraph 4 of the affidavit which says that the jurisdiction of the court, particularly of the High Court and the Supreme Court is not excluded by the introduction of paragraph 7 of the Tenth Schedule. I think that this submission is not correct and I am of the view that the affidavit should be withdrawn; the affidavit should not be relied upon in the course of the hearing before the Delhi High Court. The Government has to make its own oral submission without relying upon this affidavit. This affidavit in my submission undermines the prestige and the dignity of the Office of the Speaker because it accepts that it is subjected to the jurisdiction under Article 226 of the Constitution. In a matter like this, I am sure, it is not the intention of the Government to undermine the prestige and the dignity of this House, and of the Speaker. If any affidavit has been filed, which is not in consonance with the spirit and the letter of the Constitution, that affidavit has to be withdrawn; that affidavit cannot be relied upon. But that does not mean that the Government has any intention to undermine the prestige of this House, to undermine the prestige and dignity of the Office of the Speaker. (Interruptions) You can read it from the sense of the House itself. Sir, I must say so far as my party is concerned, it had always defended the supremacy of

[Dr. Debi Prosad Pal]

this House. It has always upheld the prestige and the dignity of the office of the Speaker. We do not mind what decision the Speaker will take regarding the issue which is now pending before Speaker but certainly it is our view that under no circumstances, the Constitution as it is today, the office of the Speaker and the dignity of this office can be undermined or can be whittled down by any interference or any authority even the judiciary itself. That will undermine the basic structure of our Constitution.

MR. DEPUTY-SPEAKER: You must conclude now. There are others to speak.

DR. DEBI PROSAD PAL: Therefore, Sir, in my submission, that if the affidavit is withdrawn or it is decided to be the censure motion cannot be supported. With this, I thank you.

SHRI INDRAJIT GUPTA (Midnapore): Mr. Deputy-Speaker, Sir, now this House has been debating this question since Eleven O'Clock in the morning and we are nowhere nearer any solution. I am glad, the Prime Minister is present now because it might expedite the process of reaching some decision on this issue. If what Mr. Lodha had told us earlier is correct, about what transpired in the meeting this morning of the Consultative Committee of the Ministry of Law,....

MR. DEPUTY-SPEAKER: That is not to be referred to in the House. We do not refer to it here.

SHRI INDRAJIT GUPTA: It has already been referred to. I cannot ignore it now. It should have been denied or contradicted. The Minister, according to him, said that we stand by it.

PROF. N.G. RANGA (Guntur): We need not depend on it now.

SHRI INDRAJIT GUPTA: All right, how can you get out like this, I do not know.

PROF. MADHU DANDAVATE (Rajapur): You can say, "through a reliable source".

SHRI INDRAJIT GUPTA: Anyway, Sir, now, we want to know and the long and short of it is, there is no need, in my humble opinion, for a very long and detailed discussion to continue on the same points over and over again, because an overwhelming majority of the members of this House, I do not say it is the unanimous view because the Government side has not spoken but the party which is supporting the Government, and without whose support the Government cannot exist, that party through its spokesman has made it abundantly clear that they are disassociating themselves most emphatically from that perverse document which is known as the affidavit. So, on this side of the House, of course, everybody is unanimous. Now, what requires to be found out and you should intervened for that purpose, is whether the Government should clarify its position regarding this affidavit. If it is their considered view that the affidavit is one which should be sustained, they stand by it, then, of course, this House will be faced with a completely new and critical situation and we will have to decide what to do. But if the Government is prepared to admit that the contents of that affidavit go against the whole letter and spirit of the Constitution and therefore constitute an assault on the supremacy of the House, and on the dignity and status of the Speaker, then a way-out has to be found and the Government has to find a way-out. I think it should not stand on prestige, if somebody has made a mistake, I believe, there has been a collusion. Who are the colludes in that, I do not know. Mr. Chatterjee referred to it as a concerted action. I am saying, there has been a collusion between some people, certain people—I do not suppose the Prime Minister is involved in that collusion. But a collusion has taken place to utilise the machinery of the Delhi High Court and one petty officer—junior officer, I do not mean petty in any bad sense—a junior officer of the Ministry, to file an affidavit which obviously he could not do without the express instructions of the Gov-

ement. That has been done.

And then, in the morning we had this unedifying spectacle of this House having to decide and supporting the Speaker in deciding that we would completely ignore any order or any stay order, anything which has been transmitted to the Speaker by the High Court. That is in keeping with all the traditional and norms of Parliament. It is true that during the tenure of the previous Speaker, on two or three occasions I remember, order came summoning him by the courts. He was ordered to appear before a court and rightly on those occasions also, the House decided and the Speaker decided that we will ignore those summons. But here something much more than a summon has been done. Here an order has been passed by the High Court imposing a stay order on the Speaker and asking him not to proceed further with the investigation into those cases which are pending before him and which, according to the law, he is the sole authority who is empowered to deal with that matter. I do not understand what the Government's stand is. If the Government feels that this Act requires an amendment, they should have brought in an amendment. They could bring a constitutional amendment saying that the real authority should not be the Speaker but somebody else, may be the Rashtrapati or the Election Commissioner or somebody, not the Speaker divesting him of the power. They have not done that. They have gone to the Court and through an affidavit filed on their behalf by the junior officer, they are seeking to challenge the very powers of the Speaker, which certainly the House is not going to tolerate. By "the House" I mean both sides of the House. I do not know how to call them, mini Government or Defectors' Government... (Interruptions) I do not want to speak for them because they have to say anything except one Minister has spoken, and he spoke for one hour, totally an irrelevant speech, nothing to do with what is being debated here absolutely and then throwing out challenges to everybody. "Challenge to Mr. V.P. Singh. Let him resign. I will resign. We will fight each other." That is not the issue here. 'Let us go and fight on the streets.'

Well, we may have to fight on the streets. At least I went to Sitamarhi. I know what will happen there. I hope he does not refer to Sitamarhi. Anyway, this is not the way to debate this very serious issue here.

Sir, the Prime Minister is here. I do not want to prolong my remark. I think by now they must have come to some decision, some conclusion and there is nothing wrong in admitting that this affidavit, whoever may have been behind it,—I do not know whether we will ever come to know who was really behind it unless somebody cares to admit—a wrong judgement was made. If that affidavit is withdrawn, then I am sure this House in its magnanimity will not pursue this matter further... (Interruptions)

SHRI GUMAN MAL LODHA (Pali): The Government should oppose the writ application.

SHRI INDRAJIT GUPTA: They have to oppose this writ application. I think, this is the most serious attempt that has been made in the history of Parliament, to mount an attack on the supreme rights of the Parliament, on the dignity of the Speaker and his status. Never before this type of thing had happened. It is a kind of an attempt by the back-door to bring about a constitutional coup. Somebody is trying to bring about a coup. Nobody has ever blatantly like this tried to divest the Speaker of the powers which are given to him and everybody in this House has no option but to say that the dignity and rights of the Speaker have to be upheld; otherwise the Parliamentary institution will be finished. Nothing will remain of this institution. Somebody has thought it fit to challenge this. Who is behind it? We want to know that also. We were given to understand that this was not a collective decision of the Cabinet. The matter did not go to the Cabinet. Somebody who is an authoritative person in the Government told us. We asked him, was it discussed in the Cabinet? He said: "no". Then, who took the decision. This decision was taken outside the cabinet by somebody else or some members of the Government or a member of the Government, who has landed

[Sh. Indrajit Gupta]

the whole country into this mess and made a ridiculous exhibition of the whole Parliament's privileges. Who is responsible for it? Somebody is playing a game of wrecking. He wants to wreck and scuttle the whole basis, the fundamental basis of parliamentary dignity and rights of the Speaker. If you do not want to reveal who it is, it is upto you not to reveal. People will come to their own conclusion and the matter will go on circulating throughout the country. It will not help the Government because if you do not admit what happened, when you give credence to all kinds of rumours, all kinds of stories and newspaper reports, which will go on all around the country and people will come to their own conclusion. It is far better to make a clean breast of the whole thing and admit how this thing came about and be frank enough now to say, we are prepared to withdraw that affidavit, and then the matter can be settled. So, I do not want to prolong my remark because my friends on this side have given detailed arguments.

I support fully the Adjournment Motion moved by Mr. Advani. We want to censure the Government for having done something which is very opprobrious and wrong. I hope that in case the Government is not prepared to meet us half way on this question, then that Adjournment Motion will have to be passed by this House.

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): Sir, at the outset, I wish to state that since morning this debate has been going on in this House. Far too many issues have got mixed up. As I understand, the limited issue was an affidavit filed by this Government in a case pending in a Delhi Court. On that issue, there can be two views. One view can be that there need not be an affidavit by the Government on an issue which has been essentially raised by certain M. Ps. fearing that they may lose their seats in Parliament. That is one extreme view. There is another view that an affidavit has to

be only concerning facts of case and not on an interpretation of law. There need not be any affidavit and any affidavit which is filed should not contain interpretations of law, as this affidavit contains. But far more fundamental issues have been raised by the Leader of the Opposition and by Dandavateji, whom I hold in high respect. From the limited issue of this affidavit, they have gone on to the anti-defection law and to the supremacy of Parliament and the authority of the Speaker. Sir, I am a very junior member of the Government and not even a Member of this House. I have been in that House only for two years. Certain colleagues of mine - Juswant Singhji is here - they will bear me out. At the outset, let me tell you on my own behalf that as far as the supremacy of Parliament is concerned, as far as the privileges of an individual M. P. are concerned, let there be no doubt in anybody's mind that the privileges and supremacy are not at the mercy of the Government in power - neither this Government nor any other Government. Parliament is higher than the Government. I do not understand why they should be unnecessary exercised. You are crediting as if this Government has got the right to abridge the powers of Parliament. It does not have it. If an affidavit is filed in a court of law, the propriety of that affidavit can be certainly discussed. But this is a totally unfounded fear that the judiciary can take that into account. I do not understand this commentary on judiciary. I am confident that no matter whichever Government comes, no matter whatever Government tries to take away the authority, the judiciary is very much there to protect the rights of the citizens and to interpret the Constitution correctly.

As far as the supremacy of Parliament is concerned, I do not think that this Adjournment Motion brought on this limited point should be expanded as if the supremacy of Parliament or the authority of the Speaker is in danger.

The second question is the anti-defection law. The fine distinction which is not realised is that the Speaker is supreme and the Parliament is supreme so far as its own functioning is concerned. Even the speeches

made by individual Members here enjoy the immunity. The newspapers publishing those speeches also enjoy immunity. All that is beyond the purview of the court. It is a sacred position in law. But, Sir, as far as the 10th Schedule of the Constitution is concerned, it is under challenge in at least two courts of law.....(Interruptions) Please have the patience to listen to me.....(Interruptions) I only beg of you to listen to me; you need not agree with me. Sir, the anti-defection law has been unanimously passed by both the Houses of Parliament. All the parties are a party to the passing of that law. But it is also a well-known position in law that even an Act of Parliament unanimously passed can be declared *ultra vires* by the Supreme court. Many past Acts, even Constitutional Amendments have been struck down. Prof. Dandavate referred that Parliament's exercise of power is absolute. I remember I was very young in those days. I had just come out of the college and I was a great votary of Mr. Nath Pai's Bill to make Parliament's power absolute. Mr. Nath Pai had moved a Bill, which was in public debate for a long time, that article 368 should be amended to make Parliament's right absolute. Subsequent amendments in 1974 and 1975 were made. There was a very famous Supreme Court case—and that is the last settled law as laid down by the Supreme Court in the Keshavanand Bharati case—that Parliament's power is absolute, except that Parliament does not have the right to change the basic structure of the constitution. That is a settled law. I do not see how that position can change. Howsoever we may debate, howsoever we may feel that Parliament has an absolute right, but the settled position of law is that the basic structure of the Constitution is beyond the amending power under article 368.

Sir, the Supreme Court has also held in other cases that a judicial review is an inherent basic structure of our Constitution. I can do no better than quote what Prof. Madhu Dandavate said in the Writ Petition which he had filed in the Bombay High Court in the case Prof. Madhu Dandavate Vs the Union Government.

SHRI GUMAN MAL LODHA: Sir, I am on a point of order. Prof. Madhu Dandavate cannot be an authority on this point. (Interruptions)

SHRI KAMAL MORARKA: Sir, I quote:

"The petitioner submits that it is well settled that judiciary is a basic and essential feature of the Constitution and no law passed by Parliament in exercise of its constituent power can abrogate it or take it away. The Petitioner submits that it is a basic principle of the rule of law that the exercise of power by any authority must not only be conditioned by the Constitution, but also be in accordance with law, and it is the judiciary which has to ensure compliance with the requirements of law by the other authority."

"By the impugned clause 7, the jurisdiction of all courts is barred in respect of matters connected with the qualification of the Members and at the same time no alternative Constitutional mechanism or arrangement for judicial review has been provided for. The impugned clauses 6 and 7 are accordingly violative of the basic structure of the Constitution. Clause 7 has, in fact, been declared as unconstitutional by a Full Bench of the Punjab and Haryana High Court."

SHRIGUMAN MAL LODHA: Which you have challenged in the Supreme Court. (Interruptions)

SHRI KAMAL MORAP.KA: Sir, Dandavateji has been my leader for a long time. I can do no better than quote him. I am in agreement with him. We have all passed the law, we are all party to the decision. It was discussed in this House even when the Bill was under debate, as to whether the final authority should be the Speaker or the Election Commission or the President of India or the court of law. And the collective wisdom at that time said that the power should be left with the Speaker and it should

[Sh. Kamal Morarka]

be unfettered. Even after passing the law, not only the ordinary citizens, but Dandavateji, who in the course of the debate had supported this Bill, he himself had thought it fit to challenge this law in a court of law. The matter is still pending. So, to get exercise over a matter which is *sub judice* is not proper. As the law stands, as this House is committed, the Speaker's powers are unfettered. But it is also equally a fact that proceedings are pending in two High Courts and after that in the Supreme Court, and I don't think it is the intention of this House to enter into confrontation with the court, which is germane to the problem which has arisen today.

Sir, the other feature that I would like to point out is, Mr. Hukumdeo Narayan Yadav made a speech which has been referred to by honourable Shri Indrajit Gupta and he said that the speech did not answer any of the issues. I agree with him, but what Hukumdeoji answered was not the adjournment motion, but the speeches that went before he spoke. The whole issue, the parliamentary supremacy, and then on Anti-Defection Act, they were all discussed. The matter is *sub judice*.

Sir, one final thing before concluding. If the Anti-Defection Act is to be implemented, if the power of the Speaker which we all cherish has to be kept in tact, leaders of Parliamentary parties and Legislature parties have also to behave with restraint. Sir, I have to humbly submit that the sudden expulsion of 25 Lok Sabha Members and five Rajya Sabha Members was not only arbitrary and capricious, but it was a highly irresponsible act on behalf of.....(Interruptions) Sir, listen to me. (Interruptions)

Sir, I was a Member of the Parliamentary party, I am yet to fathom what was wrong with the 25 which was not wrong with the other 32.

Sir, Mr. Indrajit Gupta says, a Constitutional coup was in the making. If there was an

attempt to scuttle the Tenth Schedule and the Anti-Defection Act, it was by this irresponsible action—I am using the most charitable expression. The design was much greater. There has been a deep calculation by expelling so many Members so that the others cannot call themselves a split. I want to conclude by saying that from this side of the House, there will be absolutely no problem as far as implementing constitutional provision is concerned. But those who have criticised us, please not that if the Anti-Defection Act was ever breached, the most shameless breach was by an animal called the 'Jan Morcha' which came out of the Congress party. (Interruptions)

[Translation]

SHRI RAM DHAN (Lalganj): You have been born out of it and now you are abusing it. You are abusing your own father. Once you used to request us to include you in the Jan Morcha, and you have been elected only due to it and today you are abusing it. He was afraid of loosing the contest. So, he fought election from two constituencies. Ballia and Maharajganj and won the election under the leadership of Shri V. P. Singh. (Interruptions)

[English]

SHRI KAMAL MORARKA: I conclude by saying the if the Anti-Defection Law, in its present form, has to be implemented, we have tried to legislate people into morality; we have also provided by numbers whatever the rationale, we have provided that if 'one-third' of the people disagree, they can form a split.

Sir, no leader of any party has any business to use in a colourable exercise of his power to see that 'one-third' does not take place by expelling people arbitrarily. This cannot be done. If this Act has to be implemented, the leaders of the parties have to behave more responsibly. The leader who could form 'Jan Morcha' with seven Members out of 400 Members is objecting to this one-third. With these words, I submit that on the issue of parliamentary supremacy, there

should be no controversy and we all agree with it.

MR. DEPUTY SPEAKER: I would like to bring to the notice of the hon. Members here in this House that we are discussing a very important issue—the powers and the jurisdiction of this House, the powers and the jurisdiction of the hon. Speaker and the powers and the jurisdiction of the judiciary. This is a very delicate area and we shall have to traverse it very very carefully. I do not think that the Members have committed any mistake in speaking, but if there are any oblique references which could not have been made, they would be examined with respect to the Speaker's jurisdiction, with the House's jurisdiction as well as the jurisdiction of the Court also and we will take an appropriate decision.

SHRI KHEMCHANDBHAI SOMABHAI CHAVDA (Patan): Sir, I am on a point of order. Those who are accused under the Anti-Defection Act and against whom case is lying before the Speaker, should not be allowed to take part in this debate.

SHRI KAMAL MORARKA: Sir, I have been relieved of that burden by Mr. V. P. Singh because I have been expelled by him.

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Deputy-Speaker, Sir, while commenting on the debate, which has taken place till now, you said that a situation of confrontation has arisen between the Judiciary and the Parliament.

Today morning, the Speaker said that he is not accepting the decision given by the court. But in my opinion, at present the situation of confrontation is more between the Executive and the Parliament than between the Judiciary and the Parliament because the affidavit which is being discussed here and on the basis of which the judiciary has given a verdict, was filed by some Executive body only. This issue has brought an important question before us, because this

is not the first time that such an issue has come before the Executive. Just now, an hon. Minister said how a Government or a person can give separate opinions on such issue. He also said that he has been actively associated with the Parliament and the Government for the last two years only. This question was raised earlier also when this issue was raised in Punjab just after an amendment was made in the Constitution. When this issue of Punjab came to the High Court, the Government took a stand that the court has no right to interfere in the matter. All the issues were under consideration there. The High Court took a separate stand on the issue and gave its decision accordingly. The Government has appealed to the Supreme Court in this regard and the case is pending there. Now these people have filed an affidavit in the court and their role in the High Court and after that in the Supreme Court is totally contradictory on the issue of Punjab. The lawyers are same. As Shri Morarka has just said that we are new in the Government and so have no experience. But how can it be so that the persons elected have no experience. Just some days.....(Interruptions).....Excuse me. I agree with you that you are less experienced. Inspite of having less experience, a stable Government is there and we will like to know about stand of this Government regarding the matter pending in the Supreme Court as the Hon. Prime Minister is also present here. The affidavit filed yesterday will be brought before the Supreme Court. The Government will say that their opinion has changed because they are less experienced. The court has the right to encroach upon the powers of the Parliament, it can usurp the rights of the Speaker of this House. Has the Government formed this opinion? I would like to know the Government's stand on this issue? It would have been better if the Minister, who had brought this amendment in the Constitution, while he was the Law Minister in the Cabinet of the former Prime Minister, was present here today to take part in this debate. I mean Shri A. K. Sen, who is a member of the present Cabinet also. He had moved that amendment, but it was presented to diffuse those situations which were mentioned in

[Sh. George Fernandes]

the President's address, on which our friend Shri Hukumdeo Yadav gave a powerful speech, here. During the President's address, it was expressed by the Government that it is going to formulate an Act to multy such encroachments.

In 1985, the Bill which defined the powers that were to be conferred upon the Speaker of the Lok Sabha, had been presented in this very House from the same seat by the then Minister of Law, Shri A. K. Sen. The Bill contained the views of the then Government, not merely of an individual. He had said that time.

[English]

Shri Ashoke Kumar Sen: With these words, I recommend this Bill with the further clarification that there may be disputes as to whether a man is really elected on a party ticket or whether he has really voted contrary to the mandate or, whether the mandate had reached him before he voted. All these decisions are being left, not in the hands of the court or the Election Commission, or the Governor, the President, as the case may be, but in the hands of the Speaker, or the Chairman of the particular House concerned, so that it will mean...

[Translation]

On this point he was interrupted also by Shri Jai Pal Reddy. He further said,

[English]

Shri Ashoke Kumar Sen: Once it goes outside the control of the House, it will take years and years, for the court to come to a decision, because there will be appeals and further appeals and the matter will be forgotten, like the Anti-defection Bills of the past. Therefore, if we mean business, they must give authority to decide this matter to the Speaker or the Chairman, of the House concerned, who has been elected by the majority voter of the House concerned.

With these words, I commend to the House the unanimous acceptance of this Bill.

[Translation]

Mr. Deputy Speaker, thus the discussion on that that Bill was over. I would like to read here the few lines that had been expressed about the Bill by the then Prime Minister before the discussion on that was over. He said that—

[English]

The Prime Minister (Shri Rajiv Gandhi):

"This Bill is the first step towards cleaning our public life."

"We will be taking other steps, electoral reforms and other reforms and you have my assurance, Sir, that we will carry the whole opposition with us in these forthcoming decisions that we will have to take."

[Translation]

The main sentence is that

[English]

"The Prime Minister (Shri Rajiv Gandhi): This Bill is the first step towards cleaning our public life."

[Translation]

I would like to read here the sentences that had been spoken regarding the powers of the Speaker by the then Minister of Law after the discussion on that Bill was over. I am doing this because we must be aware of the opinions in this House at the time of passing this Bill.

[English]

"Shri Ashoke Kumar Sen: The other questions are about the Speaker's authority."

[Sh. George Fernandes]

[Translation]

[Translation]

Since on this issue different views had been expressed during the discussion here in the House, a statement was made on behalf of the Government:-

[English]

Shri Ashoke Kumar Sen: The other questions are about the Speaker's authority. It was our clear intention from the very beginning that we are not going to allow this matter to be dilly-dallied and tossed in the courts of law or in the Election Commission's Office.

"If this Bill is to be effective and its defection is to be outlawed effectively, then, we must choose a forum which will decide the matter fearlessly and expeditiously. This is the only forum that is possible.

"With these words, I command the motion for consideration."

[Translation]

Mr. Deputy speaker, Sir, what about this the opinion of the House is quite clear. I would like to read out those few words which were said by the then Minister of Law before placing that Bill for the final voting in the House, to the knowledge of the hon. Members as we are sitting here today to decided this issue. He says that:-

Shri Ashoke Kumar Sen:- "On this hallowed day....." which was that one?

"The hallowed day—that was the martyrdom day of Mahatma Gandhi."

Shri Ashoke Kumar Sen:- "On this hallowed day....."

The hallowed day—that was the martyrdom day of Mahatma Gandhi.

The statement goes on:-

[English]

"Shri Ashoke Kumar Sen:- On this hallowed day, we are passing this great Bill. It will guide for ever the destiny of our democracy. If this Bill is passed, surely and surely, only a decent political life shall thrive in this country of ours for all times to come. It is extremely remarkable that this measure has gone through absolutely unanimously. It shows the strength of our nation and the strength of our solidarity and the resolve of our people, that, at all times of need, when the country needs the united effort of all of us, we forget our boundaries, we bury our hatchets and we cut across the party barriers and through the entire national life, one golden thread runs namely, this country shall not perish nor our democracy."

[Translation]

Mr. Speaker, Sir, this law, this amendment has got its importance.

[English]

PROF. MADHU DANDAVATE: He paid homage to the law and went there.

[Translation]

SHRI GEORGE FERNANDES: Mr. Deputy Speaker, Sir, the importance of this law is obvious from this Government's ill-efforts to amend it in its own interest. I am not surprised over this Government's act because we know that the affidavit filed in the court by Shri I. Babu Lal, the Deputy Secretary in the Ministry of Law, does not contain his own views. Rather the Suggestion had come from somewhere else. Some one went to the Chamber of the Speaker and threatened him to arrest if he did not give his decision in their favour. This game started with the Attorney General's appearance in the court to give his opinion about it. And thereafter an affidavit through a lower officer was filed in the court.

[Sh. George Fernandes]

In fact, the Government is in great trouble. We were very happy when the hon. Member, Shri Dinesh Singh on behalf of the Congress party made it clear here in the House that they would not do away with that law which they had passed in 1985 to use it as a great weapon not only to maintain the dignity of the House but also to safeguard democracy in the country. We were of the view that the Government would not dare to pull on this issue any longer, because we know that this Government can not remain in power without the support of its supporting party. It had been officially declared by that party but even then this Government has drifted the issue to reach the present state and made it more complicated. What would have happened in the Court, if an hon. Member of Congress party, our friend Shri Vasant Sathe had not pointed out this in the morning. Neither you nor we had in our minds that this issue is still pending in the court. Shri Vasant Sathe raised this point in the House and drew the attention of the Government towards this case which is still pending in the court. I want to congratulate Shri Vasant Sathe for pointing out this fact before the House. (*Interruptions*) Mr. Deputy Speaker, I know that it will be embarrassing for them. What can I do if Shri Sharad Pawar is still haunting their memory... (*Interruptions*)

Mr. Deputy Speaker, Sir, I would not take more time now, but I would like to say that all these things are being done to save the Government. The news about the intention of the ruling party which has been published in yesterday's 'The Hindustan Times', that the J. D. (S) will submit a petition before the President, is ample evidence of Government's motive. I know that someone from the ruling party will deny this charge by saying that this is not an official statement and it is simply a newspaper report. But my friend Shri Satya Prakash Malviya always tries to defend his party. As soon as this news appeared in the newspapers that President is being consulted regarding the powers of the Speaker, they started their efforts. It may be correct that they dare not go

to the President, but the letters have been sent by the Ministers to the President, at least I know about one such Minister who in his letter to the President has tried to win him over in his favour..... (*Interruptions*).....

SHRI RAM DHAN: Shri Bhagey Gobardhan..... (*Interruptions*)

SHRI GEORGE FERNANDES: I do not know as the Janta Dal (S) did not do all this openly. But I would like to know as to why they did not contradict the news if it was not true? Why did not they make it clear that they were not in a dilemma regarding the responsibilities and powers of the Speaker in the House? Why did they not claim that they respect the Speaker by their words as well as by their deeds? Why this was said by them? Mr. Deputy speaker, in our opinion, all these things are taking place in a planned way. Just now, my friend Shri Indrajit Gupta used the word, "Collusion" for this planning. But I am going a step further and would like to call it a "conspiracy.".....

Mr. Deputy Speaker, this is clearly a conspiracy under which the Speaker was threatened at first and after that they took it to the court of law and when their purpose was not served by all this they threatened to approach the President. All these efforts are aimed to get a favourable decision from the Speaker. This is least important whether the Government remains or not. I want to quote the remarks of a former Prime Minister and later leader of the Opposition. When he was in power, he once said to the Opposition that there days were over and they would never be elected again. But in a few years what happened to him, you know it very well. I am not saying this with any wrong motive as it is of no significance as to which party is in the Government but what is more important is that some basic principles which are associated with the Constitution to protect the cause of democracy in the country should never be violated by anyone. Mr. Deputy Speaker, Sir, we expect from this House to take some decision on this issue.

At last, I would like to draw attention to

Rule 7 in the Tenth Schedule of the Constitution of India.

[*English*]

"Bar of jurisdiction of courts-Notwithstanding anything in this Constitution.....

[*Translation*]

Be it article 105, 108,32, 226 or any other Article.

[*English*]

....."Notwithstanding anything in this Constitution no court shall have any jurisdiction in respect of any matter connected with the disqualification of a member of a House under this Schedule."

[*Translation*]

The matter ends there. I am quoting the Rule 8(3) which is related with it:

[*English*]

"The Chairman or the Speaker of a House may, without prejudice to the provisions of article 105 or, as the case may be, article 194, and to any other power which he may have under this constitution direct that any willful contravention by any person of the rules made under this paragraph may be dealt with in the same manner as a breach of privilege of the House."

[*Translation*]

Mr. Deputy Speaker, Sir, there has been a breach of privilege of the House. Law Minister, Attorney General and the person on whose behalf the documents are presented are responsible for it and ** I demand from this House that for the breach of privilege of this House.....(*Interruptions*)

[*English*]

SHRI VASANT SATHE: Nothing against the judges should go on record.

MR. DEPUTY SPEAKER: We will examine it.

(*Interruptions*)

[*Translation*]

SHRI GEORGE FERNANDES Please examine. My request is that action should be taken in this matter under the rules treating it as a breach of privilege. I support this Motion. (*Interruptions*).

[*English*]

SHRI RAJIV GANDHI (Amethi): Reference to the judges may please be removed.

MR. DEPUTY SPEAKER: I have said that we will examine it. I have already said that please let us not make references which will create complications.

(*Interruptions*)

SHRI SOMNATH CHATTERJEE (Bolpur): The question of privilege does not go up to the judges.

(*Interruptions*)

MR. DEPUTY SPEAKER: I agree with you. That will not form part of the record.

SHRI SAIFUDDIN CHOUDHURY (Katwa): We shall have a discussion on the judicial reforms later.

[*Translation*]

SHRI NATHU SINGH (Dausa): Mr. Deputy Speaker, Sir, Honourable Senior Members of this House have expressed

**Expunged as ordered by the Chair.

[Sh. Nathu Singh]

their views on this serious issue, but the subject which is being discussed here, has already been discussed many a time in various houses, inside and outside the House also. (*Interruptions*) After the discussion the supremacy of the Parliament has been maintained which has been accepted unanimously because our democracy is a Parliamentary one and in a Parliamentary democracy Parliament is important and powerful. So nobody can challenge the supremacy of Parliament and in this context honourable Mr. George has given the reference of a famous case of Keshav Singh. In this case the Judges gave a notice to the Speaker. Just now an honourable Member said that nothing should be said about the judges here. But in that case the notice have been served to judges for serving a notice to the Speaker, and they had been summoned after the sitting of the House.

Mr. Deputy Speaker, Sir, this unfortunate situation has arisen because our Government committed a minor mistake but in my opinion it is not a minor but it is a major blunder. Our Government submitted an affidavit in the court through the Attorney General and while submitting the affidavit he said that it was not his personal opinion. He said that it was not his personal opinion. He said that this was the opinion of the Government. He called the opinion as the opinion of the Government.

Honourable Prime Minister is present here. I would like to ask him if it was the opinion of the Government. If it is so, there can be no big crime other than that. If it was the opinion of your Law Minister, the Prime Minister should at once remove him, otherwise the Minister will spoil your entire Government. I am saying these words because issuing a court notice to the hon. Speaker has a great significance. This notice is not served to the speaker alone, but it should be treated to the whole of Parliament as well as to all the Members who are the representatives of the people. Thus this Notice should be treated as a Notice served to the people of the whole country. There can be no court

above the people in this democratic country. No court is above Parliament. So the notice has got no meaning for us. Therefore, I would like to demand that the judges who have challenged the Supremacy of the Parliament by serving notice to the Hon. Speaker, whether they have done so on the advice of the Government or not, they should.....as in U.P.(*Interruptions*)

[English]

MR. DEPUTY SPEAKER: Mr. Nathu Singh, I very respectfully submitted to the Members that let us not carry on the debate in such a manner that this matter will be further complicated. This House and the Speaker's position is very supreme. It has to be protected. At the same time, the position of the judiciary is also supreme. It is also our duty to see that their position is also to be protected. So, please refrain from making references in such a manner that I would be required to remove it from the records.

(*Interruptions*)

[Translation]

SHRI NATHU SINGH: Mr. Deputy Speaker, Sir, that is why I am saying this because we have got a separate spares of activity for the Judiciary and the Legislature. (*Interruptions*)

[English]

MR. DEPUTY SPEAKER: The Constitution is very clear on that point. There is no ambiguity. Please do not refer to that.

[Translation]

SHRI NATHU SINGH: That is what I am saying. So I would like to speak regarding the contempt of the House which has been caused by the Court's notice, and the House should take it seriously. It has become our convention whenever the Speaker, Parliament or State Legislative passes any law the court has power to challenge that law. If there is a case relating to the fundamental

rights of some person, the court can hear such a case.

This matter does not relate to anybody's fundamental rights. It is an internal matter relating to the Members of Parliament and the Speaker and no court on earth can interfere in this matter. My only submission is that no court can interfere in the jurisdiction of Parliament. It is an old convention that no court can interfere in the jurisdiction of functioning of Parliament. So the present Parliament should decide once for all that no such notice should be served to Speaker, Parliament or Legislature in future. We should make a decision today in this regard. Mr. Deputy Speaker, Sir, I would like to know whether the Government wants to withdraw the Anti-defection Act which was passed unanimously. Does the Parliament consider that law as wrong? If it is so, then who is responsible for this?

Mr. Deputy Speaker, Sir, today this is the crucial time for every Member of this House and today it has to be decided that nobody can challenge this House and no court can interfere in its jurisdiction. So I appeal to every member of the House to stand in support of the Speaker and we should think seriously about the conduct of the minister who has committed this blunder by getting submitted such an affidavit. The Minister has done so against the spirit of the anti-defection law and against the constitution. I feel that the Prime Minister is surrounded by "Swamis" now-a-days, and as long as he continues to be surrounded like that the Government will remain in trouble. (Interruptions)

Mr. Deputy Speaker, any Report is published in the newspapers today, the Government says that the Speaker will decide in the light of Anti-Defection Act but some persons say that this right should be given to the President and tomorrow you will say that this right may be given to the Prime Minister, this is the tendency of the Government. Today the Government says

something and the next day device it. How many times the statements will be re-repeated are? I appeal to the Prime Minister to dismiss that Minister immediately who is responsible for the whole issue relating to the questioning of the supremacy of Parliament. I won't ask for any Privilege Motion against him, I would only request to dismiss the concerned Minister. I request the entire House to break the Party barriers and support Mr. Speaker. I would request the Prime Minister that the affidavit should be withdrawn and an announcement may be made in the House that nobody would be allowed to interfere in the jurisdiction of the Parliament and the Government will have to agree to the decision of the House.

[English]

SHRI INDER JIT (Darjeeling): Mr. Deputy Speaker, Sir, what has happened is something very grave. Nobody is questioning the supremacy of the Supreme Court and its rights to review various Acts passed by this parliament. But, what has been done amounts to**** (Interruptions)

MR. DEPUTY SPEAKER: No, this will not form part of the record.

(Interruptions)

MR. DEPUTY-SPEAKER: Please be careful.

(Interruptions)

SHRI INDER JIT: Sir, I have said, what it amounts to. What has happened amounts to monstrous assault on the supremacy of Parliament, its esteem and its powers. Therefore, in my brief submission, I would merely like to say this that the Prime Minister should seriously consider withdrawing the affidavit, take a fresh look at it and make adequate amends. This is my first proposition.

My second brief proposition is that, in

**Expunged as ordered by the Chair.

[Sh. Inder Jit]

view of the situation which has developed, when this House adjourns, it should not be prorogued. In view of the fact that the case is pending before the High Court, a situation of confrontation could possibly emerge. Therefore, I would seriously propose that the House should not be provoked so that one does not have to go through the formalities of summoning the House again.

This is a very serious matter. I am glad that in the morning, the Speaker made a very clear statement of the decision of the Chair to ignore the stay order. The fact that the stay order has been ignored shows that the Government itself recognises the supremacy of Parliament and something wrong has been done. Therefore, I would appeal to the Prime Minister through you, Mr. Deputy Speaker, to take the earliest opportunity today itself to take a fresh look at the affidavit, make adequate amends or withdraw it totally.

DR. THAMBI DURAI (Karur): Mr. Deputy Speaker, today we are discussing about the dignity of the Speaker of this House. Our party is always consistent in respecting the dignity and decision of the Speaker. Whatever he says, we are always abiding by it. Recently also, we met our Speaker. One of our colleagues in our party defected to some other party. We approached our Speaker and sought the permission to take the necessary action. We never Janata Dal put any condition to him that within a certain period he has to take action as other parties like are now raising. It is left to the Speaker's discretion. We are always having faith in the wisdom of the Speaker and his decision. Whether you are calling us after some other time, how you are calling us, what is the procedure followed, whether our party gets priority now or it gets afterwards, we are not questioning including the time given by our party. We are always abiding by your decision and accepting your decision. We express our views.

Secondly, I want to say about the Anti-

Defection Law that the same House enacted this law giving the power to the Speaker to take a decision on the disqualification of the Member of this House. We are having full faith in him. Some Members from the Treasury benches mentioned about his decision regarding 25 Members. It is left purely to the Speaker's decision. We cannot question it. In the same way, how he is going to take a decision on this issue we cannot question it. Whatever he spells out, we are accepting that. We are not going to the court. Whatever stand we are taking here, we our party are taking the same stand in our legislature in Tamil Nadu. Our party is consistent in that. We are not having double games telling some Members to go to court as in Tamil Nadu and afterwards on the pretext of the decision of the court, saying the Presiding Officer should take certain decisions according to the convenience of the Government of Tamil Nadu. I expected Mr. Kamal Morarka would tell us what their line of thinking was. He only spelt out certain things regarding the individuality of the Members going to the court. He has the fundamental right. We cannot question the Member's right. Any member can go to the court. But we want to know the stand of the Government. That is another thing.

Regarding the Anti-Defection Law, one of our Members said, why are we giving so much power to the Speaker to take an early decision. It must not be prolonged. The spirit of the law, when enacted, was to see that democracy survived in our country. The democracy is more important. Indian democracy is the biggest democracy in the world. In order to strengthen democracy, we are having three tiers, that is, legislature, judiciary and executive. One cannot encroach on another. They have to see that everybody has his own way of functioning. That is the spirit of our democracy.

When Members are changing the side and if they are having one-third of the membership, we cannot call it a defection. It is a difference of opinion. In democracy, we have to respect the difference of opinion. If we want to force certain things, that cannot

be democracy. Minorities also have respect. When some members have difference of opinion, there is a provision of a split in the Act. Based on that provision, they may form their own group. And for this, we cannot say that they have defected. I am once again insisting that our party's stand is always consistent and we are not having double standards. As a Member of this House, I will see to it that the dignity of the Speaker is maintained. The Speaker has already said before the House that he is not going to take a serious note about the notices given by the Delhi High court and we thumped and encouraged him. We are not second to anyone to see that the Speaker's power will be taken away. There is no bar even now. He can take his decision in his own way and spell it to the House. Nobody is going to take the decision given by the judiciary seriously. But my only request is, as other Members have also requested, we want to know the stand of the Government as to what they are going to do in this matter. If there is any defect, as other Members are feeling, let them amend it and rectify it.

PROF. SAIF-UD-DIN SOZ (Baramulla):
Mr. Deputy Speaker Sir, I feel that I have a via media. But before that, I want to say that so far as anti-defection law is concerned, there can be no fetters for the authority of the Hon. Speaker and thus, I am happy that in keeping with the dignity of the House, he has decided not to take any notice of the orders of the Court. But I want to remind that in this august House, Jawaharlal Nehru who was the leader of this House for 17 long years wanted to establish a convention. Regarding the supremacy, *vis-a-vis*, the judiciary, it is known to everybody that this is the highest forum for making laws. This House is the law-making authority. Therefore, its supremacy is established, *vis-a-vis*, judiciary. I have seen in the debates that on many occasions, Pandit Jawaharlal Nehru reminded this House that the spirit of the Constitution does not want any confrontation between the judiciary and the Legislature and we cannot afford to have such a confrontation. Now, there is a question for us. By convention, we must not create conditions of

confrontation and therefore, I may request the hon. Prime Minister to amend the affidavit. As far as the question of split is concerned, I am convinced that it was a split. There is no question of defection. I am clear on that point. But my via media is that I will not suggest that the affidavit should be withdrawn-the Prime Minister must respect the convention and confrontation should be avoided. I would appeal to the hon. Prime Minister to rise in his seat and tell us or rather, assure us that he will amend the affidavit in such a manner that the question of confrontation will not remain and the authority of this House and the Speaker will be maintained.

SHRI RAJIV GANDHI (Amethi): Mr. Deputy Speaker Sir, such questions have been coming to this House almost right from the First Lok Sabha and I would like to joint the hon. Member in

16.09 hrs.

[MR. SPEAKER *in the Chair*]

Suggesting that these questions should not become confrontations whether they are between this House or the rights of this House and the judiciary or for that matter, between different sections of the House. These are issues on which unanimity is required. When we go back to into these 40 years of our democracy, we will find that right from Panditji's time, Indiraji's time and even during our Government, we had a clear division and we did not allow these issues to become grim. And if, at any point of time, we felt that the supremacy of the House would be encroached upon, we stood as one to protect it. We did not allow a third chamber to develop as Panditji had said.

Sir, this House represents the will of the people and the will of the people must be supreme in the functioning of this House. Nothing else must be allowed to come in the way.

The Bill that we are taking we are talking about was brought by our Government, but

[Sh. Rajiv Gandhi]

we had extensive discussions with all the opposition parties at that time and the Bill was suitably changed.....(Interruptions), and the form that came to the House was the form that was unanimously accepted by all sections of the House. We were very clear that the main thrust of the Bill was to bring about higher ethical and moral values into the functioning of our political system; it was to enforce some political morality and to bring about political stability. The Bill was unanimously passed. Today, there are questions raised, because a lot has happened since then. One learns from what happens in between and if there are doubts about the functioning of the Bill, the Bill should be changed, if required, but pending that change, we must stand with what is on the Statute Book and what is in the Constitution and there should be no change.

There are parts in the affidavit placed by the Government in front of the High Court which we believe are not according to the letter and spirit of the Anti-Defection law as we had passed in this House, and I am sure that the Prime Minister will look into this and whatever needs to be rectified will be rectified by the Government.

We should keep in mind once again the very delicate situation between the judiciary and the House and nothing that we do should look to the judiciary as if we are encroaching into their areas. Once more, I appeal that we do not divide the House on this issue; we stand as one and the dignity of the Speaker must be upheld. Sir, you are the custodian of the rights and privileges of this House, of all the Members and through the House, of the democratic system in our country.

Once more, I appeal to the Prime Minister to look into this in depth, rectify whatever needs to be rectified and I appeal to all sections of the House to stand together and help the Prime Minister to close this issue.

THE PRIME MINISTER (SHRI CHANDRA SHEKHAR): Mr. Speaker, Sir, I

have listened carefully to the speeches of the hon. members on this important issue. It has been a very useful debate; all aspects of this matter have been debated. I shall not like to go into the various points that have been raised. I shall only confine to the point that is vital in this debate.

I would like to make it clear at the very beginning that I am as much concerned as any other Member of this House to protect and safeguard the dignity and privileges of the Parliament and of the office of the hon. Speaker of Lok Sabha.

I entirely agree with the hon. Members that the Parliament is the supreme authority to decide its own proceedings and no court can have any jurisdiction or authority over the supremacy of the Parliament. This is not a matter on which there could be any difference of opinion. Mr. Speaker, Sir, it had never been the intention of my Government to lower the dignity and supremacy of this House. The Government will take all steps necessary to uphold the supremacy of the Parliament and will not yield to any interference with such supremacy. Mr. Speaker, I assure you, Sir, that necessary modifications will be made in the affidavit that is under question.

Mr. Speaker, Sir, Mr. Madan Lal Khurana should not have any doubts. The modification will be made and he should not have any doubt that there is any intention to interfere in the authority and dignity of the Office of the Speaker or that of the Parliament. (Interruptions)

SHRI NIRMAL KANTI CHATTERJEE: That is not at all important. Who is responsible for this? Why are you silent on that point? (Interruptions)

SHRI L. K. ADVANI: Mr. Speaker, Sir, at the very outset I must thank all the participants in this debate who broadly speaking have endorsed the pivotal point that I have made while moving this motion, namely that the affidavit filed by the Government of India before the Delhi High Court in respect of

disqualification issue was highly objectionable and it undermined the authority of parliament and dignity of the Office of the Speaker. I regard it as significant that two participants apart from the Prime Minister, who spoke on this issue did not refer very much to the affidavit because the other issues are not very germane and connected with the debate that we are having today. Had it not been for this affidavit, the whole issue may have been closed after the announcement made by the Speaker right at the outset that this House was not going to take cognizance of the Court order issued.

I wish the Prime Minister has been most explicit when he responded to the debate. But in view of the fact that it has been communicated to him—the offensive portion of the affidavit will not be allowed to remain—in this particular affidavit there is one clause which has not been referred to in the course of the debate which even goes on to insinuate that may be if the law stands today as it is, there may be an arbitrary decision. The word arbitrary has been used in one way. It is submitted that no organ of the State can be allowed to act arbitrarily under the provisions of the Constitution of India. Observations of this kind have naturally evoked a very strong reaction from all sections. I was re-assured when Shri Dinesh Singh spoke and later on when Shri Rajiv Gandhi spoke. I found that two senior leaders of the party which sustains this Government have an equally strong view about what I have said and they also feel that unless this particular affidavit is either withdrawn or suitably amended there will be no satisfaction.

Therefore, on the basis of the assurance given by the Prime Minister that the Office of the Speaker and his authority will in no way be undermined, will in no way be denigrated or devalued and the supremacy of the Parliament in so far as legislation is concerned will be preserved, in view of this categories assurance, I do not press my Adjournment Motion.

MR. SPEAKER: Has the hon. Member,

Shri Advani leave of the House to withdraw his motion?

SEVERAL HON. MEMBERS: Yes.

The motion was, by leave, withdrawn.

16.20 hrs.

PAPERS LAID ON THE TABLE

Reviews and Annual Reports of the National Handloom Development Corporation Ltd. Lucknow, North Eastern Handicrafts and Handlooms Development Corporation Ltd. Shillong for 1989-90 etc.

[Translation]

THE MINISTER OF TEXTILES AND MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI HUKUMDEO NARAYAN YADAV): I beg to lay on the Table:-

1. A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-
 - (a) (i) Review by the Government on the working of the National Handloom Development Corporation Limited, Lucknow, for the year 1989-90.
 - (ii) Annual Report of the National Handloom Development Corporation Limited, Lucknow, for the year 1989-90 along with Audited Accounts and Comments of the Comptroller and Auditor General thereon. [Placed in Library, See No. LT—1925/91]
 - (b) (i) Review by the Government on the working of the North

Eastern Handicrafts and Handlooms Development Corporation Limited, Shillong, for the year 1989-90.

(ii) Annual Report of the North Eastern Handicrafts and Handlooms Development Corporation Limited, Shillong, for the year 1989-90 along with Audited Accounts and Comments of the Comptroller and Auditor General thereon. [Placed in Library, *See* No. LT—1926/91]

(c) (i) Review by the Government on the working of the Cotton Corporation of India Limited for the year 1989-90.

(ii) Annual Report of the Cotton Corporation of India Limited, for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library, *See* No. LT—1927/91]

(d) (i) Review by the Government on the working of the National Textile Corporation Limited for the year 1989-90.

(ii) Annual Report of the National Textile Corporation Limited, for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library, *See* No. LT—1928/91]

(2) A copy each of the following papers (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (b) of item (1) above. [Placed in Library, *See* No. LT—1926/91]

(3) (i) A copy of the Annual Report (Hindi and English versions) of the Apparel Export Promotion Council, New Delhi, for the year 1989-90 along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Apparel Export Promotion Council, New Delhi, for the year 1989-90. [Placed in Library, *See* No. LT—1929/91]

(4) (i) A copy of the Annual Report (Hindi and English versions) of the Manmade Textile Research Association, Surat, for the year 1989-90 along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Manmade Textiles Research Association, Surat, for the year 1989-90. [Placed in Library, *See* No. LT—1930/91]

(5) (i) A copy of the Annual Report (Hindi and English versions) of the Silk and Art Silk Mills' Research Association, Bombay, for the year 1989-90 along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Silk and Art Silk Mills' Research Association, Bombay, for the year 1989-

90. [Placed in Library, See No. LT—1931/91]

Statement Correcting reply given on 30th August, 1990 to USR No. 3576 re. overcharging by taxi and rickshaw drivers in Delhi, etc.

[*English*]

THE MINISTER OF WATER RESOURCES AND MINISTER OF SURFACE TRANSPORT (SHRI MANUBHAI KOTADIA): I beg to lay on the Table a statement (Hindi and English versions) (i) correcting the reply given on the 30th August, 1990 to Unstarred Question No. 3576 by Sarvashri Arvind Tulshiram Kamble and Bhabani Shankar Hota regarding overcharging by taxi and auto-rickshaw drivers in Delhi and (ii) giving reasons for delay in correcting the reply. [Placed in Library, See No. LT—1932/91]

Reviews and Annual Reports of N.B.C.C. Ltd. Hindustan Ltd. for 1989-90 etc.

[*Translation*]

THE MINISTER OF URBAN DEVELOPMENT (SHRI DAULAT RAM SARAN): Mr. Speaker, Sir, I beg to lay on the Table:-

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

(a) (i) Review by the Government on the working of the National Buildings Construction Corporation Limited for the year 1989-90.

(ii) Annual Report of the National Buildings Construction Corporation Limited for the year 1989-90 along with Audited Accounts and Comments of the Comptrol-

ler and Auditor General thereon. [Placed in Library, See No. LT—1933/91]

(b) (i) Review by the Government on the working of the Hindustan Prefab Limited for the year 1989-90.

(ii) Annual Report of the Hindustan Prefab Limited for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library, See No. LT—1934/91]

(2) (i) A copy of the Annual Report (Hindi and English versions) of the National Cooperative Housing Federation of India, New Delhi, for the year 1989-90.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Cooperative Housing Federation of India, New Delhi, for the year 1989-90.

(iii) A copy of the Annual Accounts (Hindi and English versions) of the National Cooperative Housing Federation of India, New Delhi, for the year 1989-90 together with Audit Report thereon. [Placed in Library, See No. LT—1935/91]

Arms (Second Amendment) Rules, 1990

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): Mr. Speaker, Sir, I beg to lay on behalf of Shri Subodh Kant Sahay on the Table a copy of the Arms (Second Amendment) Rules, 1990 (Hindi

and English versions) published in Notification No. G.S.R. 994(E) in Gazette of India dated the 19th December, 1990 under sub-section (3) of section 44 of the Arms Act, 1959. [Placed in Library, See No. LT—1936/91]

Reviews and Annual Reports of Rashtriya Manav Sangrahalya for 1988-89, Central Institute of Higher Tibetan Studies Sarnath for 1989-90 etc.

[*English*]

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI BHAGEY GOBARDHAN): I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Rashtriya Manav Sangrahalya for the year 1988-89 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Rashtriya Manav Sangrahalya for the year 1988-89.
- (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—1937/91]
- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Central Institute of Higher Tibetan Studies, Sarnath, for the year 1988-89.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Institute of Higher Tibetan Studies, Sarnath, for the year 1988-89.

- 89. [Placed in Library, See No. LT—1938/91]
- (4) A copy of the Annual Accounts (Hindi and English versions) of the University of Hyderabad for the year 1989-90 together with Audit Report thereon under sub-section (4) of section 29 of the University of Hyderabad Act, 1974. [Placed in Library, See No. LT—1939/91]
- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Visva-Bharati Santiniketan, for the year 1988-89.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Visva-Bharati, Santiniketan, for the year 1988-89.
- (6) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above. (Placed in Library. See No. LT—1940/91]
- (7) A copy of the Report (Hindi and English versions) of the Committee for Review of National Policy on Education, 1986. [Placed in Library. See No. LT—1941/91]
- (8) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 40 of the Indira Gandhi National Open University Act, 1985.
- (i) G.S.R. 382 published in Gazette of India dated the 23rd June, 1990 making certain amendments to Statute 6A of the Indira Gandhi National Open University Act, 1985.

(ii) G.S.R. 405 published in Gazette of India dated the 30th June, 1990 making certain amendments to Statute 25 of the Indira Gandhi National Open University Act, 1985.

(iii) G.S.R. 406 published in Gazette of India dated the 30th June, 1990 making certain amendments to Statute 17 of the Indira Gandhi National Open University Act, 1985.

(iv) G.S.R. 310 published in Gazette of India dated the 19th May, 1990 framing Ordinance No. 2 for governing leave of all employees of the Indira Gandhi National Open University, including Teachers and other Academic Staff. [Placed in Library. See No. LT—1942/91]

Review and Annual Report of Central Warehousing Corporation for 1989-90

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AND CIVIL SUPPLIES (SHRI SARWAR HUSSAIN): Mr. Speaker, Sir, I beg to lay on the Table:-

(i) A copy of the Annual Report (Hindi and English versions) of the Central Warehousing Corporation for the year 1989-90 along with Audited Accounts under sub-section (11) of section 31 of the Warehousing Corporations Act, 1962.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Warehousing Corporation

for the year 1989-90. [Placed in Library. See No. LT—1943/91]

Notifications under All India Services Act, 1951; Review and Annual Report of Electronics Trade & Technology Development Corporation Ltd for 1989-90 etc.

[English]

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): On behalf of Shri Kamal Morarka I beg to lay on the Table:-

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (a) of section 3 of the All India Services Act, 1951:-

(i) The Indian Police Service (Pay) Third Amendment Rules, 1990 published in Notification No. G.S.R. 412 in Gazette of India dated the 7th July, 1990?

(ii) The Indian Police Service (Fixation of Cadre Strength) Second Amendment Regulations, 1990 published in Notification No. G.S.R. 429 in Gazette of India dated the 21st July, 1990.

(iii) The All India Services (Death-cum-Retirement Benefits) Amendment Rules, 1990 published in Notification No. G.S.R. 430 in Gazette of India dated the 21st July 1990.

(iv) The Indian Administrative Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1990 published in Notification No. G.S.R. 429 in Gazette of

India dated the 4th August, 1990.

(v) The Indian Administrative Service (Pay) Fourth Amendment Rules, 1990 published in Notification No. G.S.R. 480 in Gazette of India dated the 4th August, 1990.

(vi) The Indian Administrative Service (Fixation of Cadre Strength) Fifth Amendment Regulations, 1990 published in Notification No. G.S.R. 505 in Gazette of India dated the 18th August, 1990.

(vii) The Indian Administrative Service (Fixation of Cadre Strength) Sixth Amendment Regulations, 1990 published in Notification No. G.S.R. 506 in Gazette of India dated the 18th August, 1990.

(viii) The Indian Administrative Service (Pay) Sixth Amendment Rules, 1990 published in Notification No. G.S.R. 507 in Gazette of India dated the 18th August, 1990.

(ix) The Indian Administrative Service (Pay) Fifth Amendment Rules, 1990 published in Notification No. G.S.R. 508 in Gazette of India dated the 18th August, 1990.

(x) The Indian Administrative Service (Pay) Fourth Amendment Rules, 1990 published in Notification No. G.S.R. 509 in Gazette of India dated the 18th August, 1990.

(xi) The Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulations, 1990 published in Notification No. G.S.R. 510 in Gazette of India dated the 18th August, 1990. [Placed in Library. See No. LT—1944/91]

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

(a) (i) A statement regarding Review by the Government on the working of the Electronics Trade and Technology Development Corporation Limited for the year 1989-90.

(ii) Annual Report of the Electronics Trade and Technology Development Corporation Limited, for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—1945/91]

(b) (i) A statement regarding Review by the Government on the working of the CMC Limited for the year 1989-90.

(ii) Annual Report of the CMC Limited, for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—1946/91]

(3) (i) A copy of the Annual Report (Hindi and English versions) of the National Facility for Animal Tissue and Cell Culture, Pune, for the year 1989-90 along with Audited Accounts. (ii) Design and Technology, Srinagar, for the year 1989-90 along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Facility for Animal Tissue and Cell Culture, Pune, for the year 1989-90. [Placed in Library. See No LT—1947/91]

(7) (i) A statement (Hindi and English versions) by the Government on the working of the Centre for Electronics Design and Technology, Srinagar, for the year 1989-90. [Placed in Library. See No. LT—1950/91]

(4) (i) A copy of the Annual Report (Hindi and English versions) of the Regional Computer Centre, Calcutta, for the year 1989-90 along with Audited Accounts. [Placed in Library. See No. LT—1948/91]

(ii) A copy of the Annual Report (Hindi and English versions) of the Cancer Hospital and Research Centre, Gwalior, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Regional Computer Centre, Calcutta, for the year 1989-90.

(8) (i) A copy of the Review (Hindi and English versions) by the Government on the working of the Cancer Hospital and Research Centre, Gwalior, for the year 1989-90. [Placed in Library. See No. LT—1951/91]

(5) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Immunology, New Delhi, for the year 1989-90 along with Audited Accounts.

(ii) A copy of the Annual Report (Hindi and English versions) of the Satyendra Nath Bose National Centre Basic Sciences, Calcutta, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the National Institute of Immunology, New Delhi, for the year 1989-90. [Placed in Library. See No. LT—1949/91]

(9) (i) A copy of the Annual Report (Hindi and English versions) of the Wadia Institute of Himalayan Geology, Dehra

(6) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for Electronics

Dun, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Wadia Institute of Himalayan Geology, Dehra Dun, for the year 1989-90. [Placed in Library. *See* No. LT—1953/91]

(10) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Geomagnetism, Bombay, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Institute of Geomagnetism, Bombay, for the year 1989-90. [Placed in Library. *See* No. LT—1954/91]

(11) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Science Congress Association, Calcutta, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Science Congress Association, Calcutta, for the year 1989-90. [Placed in Library. *See* No. LT—1955/91]

(12) (i) A copy of the Annual Report (Hindi and English versions) of the Maharashtra Association for the Cultivation of Science, Pune, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Maharashtra Association for the Cultivation of Science, Pune, for the year 1989-90. [Placed in Library. *See* No. LT—1956/91]

(13) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Tropical Meteorology, Pune, for the year 1989-90.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Institute of Tropical Meteorology, Pune, for the year 1989-90.

(iii) A copy of the Annual Accounts (Hindi and English versions) of the Indian Institute of Tropical Meteorology, Pune, for the year 1989-90 together with Audit Report thereon. (Placed in Library. *See* No. LT—1957/91]

(14) (i) A copy of the Annual Report (Hindi and English versions) of the Indian National Science Academy, New Delhi, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian National Science Academy, New Delhi, for the year 1989-90. [Placed in Library. *See* No. LT—1958/91]

(15) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Indian Academy of Sciences, Bangalore, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Academy of Sciences, Bangalore, for the year 1989-90. [Placed in Library. See No. LT—1959/91]

(16) (i) A copy of the Annual Report (Hindi and English versions) of the Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore, for the year 1989-90. [Placed in Library. See No. LT—1960/91]

(17) (i) A copy of the Annual Report (Hindi and English versions) of the Technology Information, Forecasting and Assessment Council, New Delhi, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Technology Information, forecasting and Assessment Council, New Delhi, for the year 1989-90. [Placed in Library. See No. LT—1961/91]

(18) (i) A copy of the Annual Report (Hindi and English versions) of the Raman Research Institute, Bangalore, for the year 1989-90 along with Audited Accounts.

(ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Raman Research Institute, Bangalore, for the year 1989-90. [Placed in Library. See No. LT—1962/91]

(19) A copy each of the following papers (Hindi and English versions) under article 323 (1) of the Constitution:-

(i) Thirty-Ninth Report of the Union Public Service Commission for the year 1988-90.

(i) Memorandum explaining the reasons for non-acceptance of the advice of the Union Public Service Commission referred in the above Report. [Placed in Library. See No. LT—1963/91]

(20) A copy of the Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1990 (Hindi and English versions) published in Notification No. G.S.R. 623 in Gazette of India dated the 6th October, 1990 under article 320(5) of the Constitution. [Placed in Library. See No. LT—1964/91]

(21) A copy each of the following papers (Hindi and English versions) under sub-section (4) of section

3 of the Commissions of Inquiry Act, 1952:-

- (i) Report of Justice Kuldip Singh Commission of Inquiry (Volume-I and Volume-II (Part-I and II) appointed to inquire into certain land deals in Karnataka.
- (ii) Memorandum of Action Taken on the above Report. [Placed in Library. See No. LT—1965/91]

Report of the C.A.G. of India—Union Government—Mishra Dhatu Nigam Ltd.

[*Translation*]

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): Mr. Speaker, Sir, with your permission on behalf of the minister of state in the Ministry of Defence, Shri Lalit Vijay Singh I beg to lay on the Table a copy of the Report (Hindi and English versions) of the Comptroller and Auditor General of India—Union government (No. 2 of 1990) (Commercial)—Mishra Dhatu Nigam Limited under Article 151(1) of the Constitution. [Placed in Library. See No. LT—1966/91]

Reviews and Annual Report of the Fertilizers and Chemicals, Travancor Ltd. and Pyrites, Phosphates and Chemicals Ltd. for 1989-90.

[*English*]

THE MINISTER OF STATE IN THE DEPARTMENT OF RURAL DEVELOPMENT IN THE MINISTRY OF AGRICULTURE (SHRI RAM BAHADUR SINGH): I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619(A) of the Companies Act 1956:-

- (1) (i) Review by the Government on the working of the Fertilizers and Chemicals

Travancor Limited for the year 1989-90.

- (ii) Annual Report of the Fertilizers and Chemicals Travancor Limited for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—1967/91]
- (2) (i) Review by the Government on the working of the Pyrites, Phosphates and Chemicals Limited for the year 1989-90.

- (ii) Annual Report of the Pyrites, Phosphates and Chemicals Limited for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—1968/91]

Statement Indicating the Results of Market Loans

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE AND DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DIGVJAY SINGH): I beg to lay on the Table a statement (Hindi and English versions) indicating the results of market loans floated in August and November, 1990. [Placed in Library. See No. LT 1969/91]

16.21 hrs.

MESSAGES FROM RAJYA SABHA

[*English*]

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

(i) 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 7th January, 1991, has passed the enclosed motion referring the Representation of the People (Amendment) Bill, 1990, to a Joint Committee of the Houses and to request that the concurrence of the Lok Sabha in the said motion and the names of the members of the Lok Sabha to be appointed to the said Joint Committee may be communicated to this House.

Motion

"That the Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1950 and the Representation of the People Act, 1951, be referred to a Joint Committee of the Houses consisting of 45 members; 15 members from this House, namely:—

1. Shri Hansraj Bhardwaj
2. Shri Madhavsinh Solanki
3. Shri Ghulam Nabi Azad
4. Shri Madan Bhatia
5. Shri Bal Ram Singh Yadava
6. Shri H. Hanumanthappa
7. Shri Subramaniam Swamy'
8. Shri Anant Ram Jaiswal
9. Shri Moturu Hanumantha Rao
10. Shri Ashwani Kumar
11. Shri Shabbir Ahmad Salaria
12. Shri Ram Jethmalani
13. Shri V. Gopalswamy
14. Shri Parvathaneni Upendra: and

15. Shri Dinesh Goswami

and 30 members from the Lok Sabha;

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

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

that the Committee shall make a report to this House by the last day of the first week of the 160th Session; and

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Joint committee."

(ii) 'I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 7th January, 1991, has passed the enclosed motion referring the Acquired Immuno Deficiency Syndrome (AIDS) prevention Bill, 1989, to a Joint Committee of the House and to request that the concurrence of the Lok Sabha in the said motion and the names of the members of the Lok Sabha to be appointed to the said Joint Committee may be communicated to this House.

Motion

"That the Bill to provide for the prevention and control of the spread of Human Immuno Deficiency Virus (HIV) infection and to provide for specialised medical treatment and social support to, and rehabilitation of, persons suffering from Acquired Immuno Deficiency Syndrome (AIDS) and for matters connected therewith and incidental thereto, be referred to a Joint Commit-

tee of the Houses consisting of 30 members; 10 members from this ~~House~~, namely:—

1. Shri Kapil Verma
2. Miss Saroj Khaparde
3. Shri S. S. Ahluwalia
4. Shri Prabhakar B. Kore
5. Dr. Jinendra Kumar Jain
6. Dr. R.K. Poddar
7. Shri J.S. Raju
8. Dr. Narreddy Thulasi Reddy
9. Shri Dineshbhai Trivedi; and
10. Shri Mohinder Singh Lather

and 20 members from the Lok Sabha;

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

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

that the Committee shall make a report to this House by the first day of the 158th Session of the Rajya Sabha; and

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Committee.

(iii) 'I am directed to inform the Lok Sabha that the Cantonments (Amendment) Bill, 1990, which was passed by the Lok Sabha at its sitting held on the 28th December,

1990, has been passed by the Rajya Sabha at its sitting held on the 7th January, 1991, with the following amendment:—

Clause I

That at page 1, line 3, for the figure "1990" the figure "1991" substituted

I am, therefore to return herewith the said Bill in accordance with the provisions of rule 128 of the Rules of Procedure and Conduct of Business in the Rajya Sabha with the request that the concurrence of the Lok Sabha to the said amendment be communicated to this House.'

16.22-3/4 hrs.

CANTONMENTS (AMENDMENT) BILL, 1991

Returned by Rajya Sabha with Amendment

[English]

SECRETARY GENERAL: Sir, I lay the Table the Cantonments (Amendment) Bill, 1991, as returned by Rajya Sabha with amendment.

16.23 hrs.

ESTIMATES COMMITTEES

Eleventh Report and Minutes

[English]

SHRI JASWANT SINGH (Jodhpur): I beg to present the Eleventh Report (Hindi and English versions) of the Estimates Committee on Ministry of Finance, Department of Economic Affairs (Banking Division)—Manpower Requirements in the Nationalised Banks and Minutes of the sittings of the Committee relating thereto.

16.23-1/4 hrs.

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND SCHEDULED TRIBES

(I) **Third Report**

[*English*]

SHRIN.J. RATHAVA (Chhota Udaipur): I beg to present the Third Report (Hindi and English versions) of the Committee on the welfare of Scheduled Castes and Scheduled Tribes on Action Taken by Government on the recommendations contained in their Forty-Seventh Report (Eighth Lok Sabha) on Reservations for and employment of Scheduled Castes and Scheduled Tribes in Eastern Railway.

(ii) **Reports of Study Groups and Statement**

SHRIN.J. RATHAVA (Chhota Udaipur): I beg to lay on the Table a copy (Hindi and English versions) each of the following:—

- (1) Report on the Study Tour of Study Group-I of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on its visit to Calcutta, Tatanagar and Madras during October, 1990.
- (2) Report on Study Tour of Study Group-II of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on its visit to Jaipur, Ahmedabad, Bombay and Nagpur during October-November, 1990.
- (3) Statement showing action taken by Government on the recommendations contained in the Forty-third Report (Eighth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and

Scheduled Tribes on Reservations for and employment of Scheduled Castes and Scheduled Tribes in University Grants Commission and Central Universities and admission and other facilities provided to Scheduled Caste and Scheduled Tribe students.

16.24 hrs.

**SALARY, ALLOWANCE AND PENSION
OF MEMBERS OF PARLIAMENT
(AMENDMENT) BILL***

[*English*]

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): Sir, I beg to move for leave to introduce a Bill further to amend the Salary, Allowance and Pension of Members of Parliament Act, 1954.

MR. SPEAKER: The question is

“That leave be granted to introduce a Bill further to amend the Salary, Allowance and Pension of Members of Parliament Act, 1954.”

The motion was adopted

SHRISATYAPRAKASH MALVIYA: Sir, I introduce the Bill.

SHRI L.K. ADVANI (New Delhi): Since yesterday and day before, we have been debating the issue of Thomson Press. I am told that the workers of the Thomson Press were severely beaten up this morning and therefore they have gone on strike. The Thomson Press is still closed. My colleague

[Sh. L.K. Advani]

Shrimati Subhashini Ali tells me that the power connection has not yet been restored. The assurance given to this Parliament even by the Prime Minister is not honoured and the State Government keeps on defying it. How can things go on? Shri Bhajan Lal is here. He may perhaps be better informed. What has he to say? The information which I received just now says that the workers of the Thomson Press were severely beaten up this morning. Some workers and one manager were injured during the attack. Some people came in police vans and attacked the workers. There is a complete strike in the press. No action has been taken by the Government. (*Interruptions*)

SHRI BASUDEB ACHARIA (Bankura): This is a very serious matter. (*Interruptions*)

SHRIMATI SUBHASINI ALI (Kanpur): Mr. Speaker, Sir, you will recall that yesterday when the Prime Minister gave us an assurance, I had reminded him that the workers need protection also. But he refused to comment on that aspect of the whole problem. Today, we have been told that a Police Jeep brought Goondas to the premises and those Goondas beat up the workers of the Thomson Press belonging to the HMS Union and the electricity has also been not restored. The result is that the Works are completely closed and no work is going on there in spite of the assurances given by the Prime Minister on the Floor of the House yesterday evening.

Therefore, I would like the Government to make a statement on this. (*Interruptions*)

SHRI BASUDEB ACHARIA: The Home Minister is here, he can make a statement on the assault on the workers. (*Interruptions*)

[Translation]

SHRI MADAN LAL KHURANA (South Delhi): Mr. Speaker, Sir, this a very serious matter. I request you to send a Committee of 4-5 hon. Members of Parliament, for an on-

the spot inquiry so that the whole House may know that which officer has misled the House and how in the presence of the police, hoodlums were brought to attack the press personnel and the Committee should submit the detailed findings to the House by tomorrow morning. The place where this incident took place is just 15 Kms. from Delhi. It is very sad that even after the assurance given by the Hon. Prime Minister, such an incident took place there... (*Interruptions*) ...

SHRI RAJVEER SINGH (Aonla): Mr. Speaker, Sir, when the Hon. Prime Minister assured that the electricity supply will be restored, then how come the hoodlums under the police protection attacked the press personnel. After the assurance given by the Hon. Prime Minister, the situation should have come under control there. At-least the sanctity of the House and dignity of the Prime Minister should be honoured... (*Interruptions*) ...

SHRI RAM DAYAL JOSHI (Kota): Mr. Speaker, Sir, there people were beaten also... (*Interruptions*) ...

SHRI BHAJAN LAL (Faridabad): Mr. Speaker, Sir, whatever the leader of opposition has said I fully agree with that and I would like to say that the situation there is even worse than what has been stated. Through you, I would like to submit that a Committee of the House should be appointed to investigate the atrocities being committed there. (*Interruptions*) ...

Sir, in Punjab, situation has deteriorated a lot. Yesterday night itself in two villages—Gill and Dhillon—members of a particular community were forced to come out and were gunned down by the terrorists. Situation in Punjab is very bad... (*Interruptions*) ...

MR. SPEAKER: Mr. Bhajanlal, please be seated. I am calling Shri Subodh Kant Sahay

(*Interruptions*)

SHRI BHAJAN LAL: Mr. Speaker, Sir, members of a particular community were forced to come out from their houses and were gunned down. The situation has become very dangerous. Through you, I would like to request the Government to take stern steps to install confidence among the people of that state, so that they could believe that the Government is taking strong action to protect their lives... *(Interruptions)* ...

[English]

MR. SPEAKER: Let us hear the Minister of State for Home.

(Interruptions)

SHRIMATI SUBHASINI ALI: I wanted him to yield for a minute. Delhi Union of Journalists have given us a Memorandum just now that this sort of harassment in Haryana and in Sirsa District has been going on for the last two months. All sorts of false criminal cases are being registered against journalists in the districts of Haryana, especially in Sirsa and the District Administration is calling these journalists, threatening them, intimidating them and harassing them in every way possible.

They have given a Memorandum to the Prime Minister. I would like the Home Minister to refer to this issue also.

[Translation]

PROF. VIJAY KUMAR MALHOTRA (Delhi Sadar): Mr. Speaker, Sir, a little while ago Mr. Bhajan Lal raised a matter about yesterday's killings in Punjab in which 12 persons were gunned down creating a reign of terror in the minds of the persons living there, who as a result are thinking of fleeing in lakhs from the state, but the Government is silent. The Government has committed a mistake by saying that the police should not resort to firing on the terrorists. As a result thereof the morale of the terrorists has been boosted and the situation there is worse than that prevailing during the last 10 years. Just like Kashmiris people are fleeing from Punjab

also. The Government should inform the House about the action being taken to curb the terrorist activities Punjab. Even though a full fledged debate is stated on this issue at 5.00 P.M..... *(Interruptions)* ...

MR. SPEAKER: Please sit down. Mr. Subodh Kant Sahay has to speak on a specific question...

(Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): As per the assurance given by the Hon. Prime Minister and the information available with us, they worked the whole night for restoration of electric supply and I have personally contacted the Senior Journalist of 'India Today', who was present there. They were doing their job whole night. Today, during early hours also a violent incident took place there and on that issue, strong reaction of the hon. Member if justified. In my opinion, it is shameful on the part of the district administration, which has proved to be totally irresponsible and continuously this type of incidents are taking place there... *(Interruptions)* ...

SHRI MADAN LAL KHURANA: He is holding the district administration responsible and charging them for not taking any action... *(Interruptions)* ...

SHRI SUBODH KANT SAHAY: I do not agree with the people shedding crocodile tears for the cause of that press, as once I have also been associated with the employees of that particular organisation. I am only saying that if the district administration is aware of the anguish expressed by the Home then it should feel ashamed of its own misdeeds. I assure that as soon as the House adjourns for the day, I will personally look into the matter... *(Interruptions)* ...

16.32 hrs.

JAMMU AND KASHMIR CRIMINAL LAW AMENDMENT (AMENDING) BILL*

[*English*]

MR. SPEAKER: Now Mr. Subodh Kant Sahay.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): I beg to move for leave to introduce a Bill further to amend the Jammu and Kashmir Criminal Law Amendment Act, 1983. (*Interruptions*)

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Jammu and Kashmir Criminal Law Amendment Act, 1983."

The Motion was adopted

SHRI SUBODH KANT SAHAY: I introduce the Bill.

16.33 hrs.

STATEMENT GIVING REASONS FOR IMMEDIATE LEGISLATION BY JAMMU & KASHMIR CRIMINAL LAW (AMENDMENT) ORDINANCE, 1990

[*English*]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Jammu and

Kashmir Criminal Law (Amendment) Ordinance, 1990. [Placed in Library. See No. LT 1969A/91]

(*Interruptions*)

MR. SPEAKER: Now Prof. Soz.

PROF. SAIF-UD-DIN SOZ (Baramulla): Sir, I am on a point of order. I had given notice against the introduction of the amending Bill, regarding the J & K Criminal Law Amendment Act.

[*Translation*]

MR. SPEAKER: I have not received your Notice. He has already introduced. You know the rules.

PROF. SAIF-UD-DIN SOZ: I know the rules. I have given the notice according to the rules.

[*English*]

I have given notice.

[*Translation*]

MR. SPEAKER: You have not given.

PROF. SAIF-UD-DIN SOZ: I have given.

[*English*]

I have given notice against the introduction of the Bill by the hon. Minister, Mr. Sahay.

MR. SPEAKER: He has already introduced it.

...(*Interruptions*)...

[*Translation*]

MR. SPEAKER: Mr. Soz, the Bill has already been introduced. Please take up this

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matter afterwards. Be seated please, I will tell you later on.

...*(Interruptions)...*

SHRI NATHU SINGH (Dausa): Mr. Speaker, Sir, I have given the Privilege Motion. ...*(Interruptions)...*

MR. SPEAKER: I will not listen.

...*(Interruptions)...*

16.35 hrs.

MATTERS UNDER RULE 377

[*English*]

MR. SPEAKER: The House shall now take up matters under Rule 377. Shri C.P. Mudala Giriappa—not present. Shri Peter Marbaniang.

[**MR. DEPUTY SPEAKER** *in the Chair*]

(I) Need to accord sanctions for Shillong bye-pass on National Highway No. 40

SHRI PETER G. MARBANIANG (Shillong): National Highway No. 40 passes through the city of Shillong which is already very congested with vehicular traffic. The highway connects the States of Tripura, Manipur, Mizoram and Assam (coachar Valley). The Government of Meghalaya has submitted to the Central Government plans and estimates to construct the bye-passes of the highway to avoid congestion in Shillong city. However, no sanction has been accorded till date I urge upon the Central Government to accord sanction for the Shillong bye-pass in 1990-91 financial year.

(II) Need to restore sleeper coaches in passenger train running between Kottavalasa and Bailadila

SHRI K. PRADHANI (Nowrangpur): There is a railway line from Kottavalasa to Bailadila which runs through Koraput district of Orissa and Bastar district of Madhya Pradesh. There is a mixed train running on this line, with an electric engine, for the last 15 years. As this is the only passenger train on this tract covering large areas many passengers avail of this train mostly for Bhubaneswar and northern India. They, however, find it difficult to get reservation from Waltair either for Bhubaneswar or Delhi as the train terminates at Waltair. There were two sleeper coaches in this train which were attached to East Coast Express to facilitate the passengers to avoid 2nd Class Reservation at Waltair. I do not know the reason why these coaches have been discontinued causing hardship to the passengers travelling to long distances who have to obtain further reservation from Waltair.

I draw the attention of the Hon'ble Railway Minister to restore two combined coaches, 1st Class and 2nd Class Sleepers, one for Bhubaneswar and another for Delhi to be attached to the passenger train running on this railway line by detaching them from passenger train and tag them to East Coast Express and Link Express for Bhubaneswar and Delhi respectively. This will avoid harassment to the long distance passengers travelling to State and Union headquarters respectively.

SHRI NATHU SINGH (Dausa): I have given notice for a Privilege Motion. *(Interruptions)*

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

*(Interruptions)****

M. DEPUTY-SPEAKER: You please understand that if you have given a notice for a Privilege Motion, it is only with the consent of the Speaker that you can raise it. The hon. Speaker was sitting here. He did not give his consent for raising it or not raising it, I do not know. So, you cannot raise it like that, please.

SHRI MANDHATA SINGH (Lucknow): But the rule also provides that even if the Speaker does not allow it to be moved, the notice has to be read before the House. I gave a notice under Rule 222...

MR. DEPUTY-SPEAKER: I am not allowing you. It cannot be done like that.

15.39 hrs.

MATTERS UNDER RULE 377—Contd.

(iii) Need to declare Kot city as a 'B' grade city

[Translation]

SHRI DAU DAYAL JOSHI (Kota): Mr. Deputy Speaker, Sir, Kota city is known as the industrial capital of Rajasthan. Its present population is more than 6 lakh 30 thousand. Because of such enormous population, Rajasthan High Court issued an order in an appeal four months ago that the local elections should be conducted there only after the city Council is converted into Municipal Corporation. It may be remembered that Municipal Corporation is declared only when the population exceeds 5 lakhs. When the former Government announced the "B" class cities the population of Kota was 3 lakhs 50 thousand with the addition of 10%. The population rose to 3 lakh 57 thousand because previously the population was less by 3 thousand. That is why, Kota was not declared as "B" class city. Now the Kota city has been declared as "magnate" city which signifies its importance. Therefore, it is requested through this motion that Kota may be declared as "B" class city as early as possible.

(iv) Need to construct a railway line between Fatehpur and Etawah in Uttar Pradesh

SHRI KESHARI LAL (Ghatampur): Mr. Deputy Speaker, Sir, maximum rural area of Kanpur village and Fatehpur under my constituency is still extremely backward. The area is suffering from acute shortage of means of transportation communication. With the result, we have made no headway in the development of this area and the financial position is not remarkably improved. If the means of transportation and communications are properly developed in this whole area, economic condition of the people of that area will definitely improve along with its all round development.

So, I request the Government that a comprehensive survey of that area may be conducted as early as possible to construct a railway line between Fatehpur, Bindki, Jahanabad, Ghatampur, Bhognipur, Sikandara, Auraya and Itawah on Kanpur-Allahabad railway line, and the necessary action may be expedited after the survey, so that the developmental work is initiated meaningfully.

(v) Need to implement Damodar Action Plan

[English]

SHRI SANAT KUMAR MANDAL (Joyanagar): Before the Damodar Valley Project was conceived to harness the mighty Damodar River by building dams on its for flood control, irrigation and power, it was called as the Bengal's River of Sorrow. Flowing through this country's industrial heartland, the pollution in the Damodar is rapidly approaching high-water mark and it is high time that an elaborate programme to clean the river on the lines of the Ganga Action Plan is formulated and implemented. The waste discharged into the river Damodar presently falls under three heads—organic or municipal waste, inorganic or industrial waste and particulate matter. All this waste together contaminates the water in the river.

It also poses environmental hazards apart from toxicity caused by industrial waste, mining, etc. It is an ominous sign that the organic waste content has crossed the danger mark. The major polluters of the river are fly ash, coal fines and shale released by thermal power stations, coal washeries, coke even batteries and mines, in addition to the industrial waste discharged into the river.

I, therefore, urge the Union Government to save this river which next to the Hoogly, is the second life-line of West Bengal by launching upon a Damodar Action Plan without any further delay. I would also submit that the West Bengal Government may be associated in the formulation and implementation of this much needed plan.

(vi) Need to change the name of Bombay of Mumbai in all languages

SHRI VAMANRAO MAHADIK (Bombay South Central): The name of the metropolitan city of 'Bombay', was recently changed to 'Mumbai'. However, the Government notification in this regard says that the name 'Mumbai' shall be used in Hindi only.

There are historical reasons for demanding the change in the name of the city of Bombay to Mumbai. This has been the long standing demand of the people of Maharashtra especially that of Bombay. The people have time and again participated in the struggle for achieving their aim. Moreover, the name of one city cannot be different in two languages. The language may change, the pronunciation may change but the name should be the same. The names of many cities were changed in the recent past, e.g., Trivandrum to Tiruvanthapuram, Cochin to Kochi but the same style has been maintained in all the languages.

A large number of representations have also been made to the Ministry of Home Affairs for the change of name to 'Mumbai' in

all languages. If the demand of the people is not accepted in the near future, it may give rise to more agitations for achieving this cherished goal....*....

MR. DEPUTY-SPEAKER: What was not given in writing may not form part of the record.

(vii) Need to set up Sugar Mill in Sidhauli Tehsil, District Sitapur, U.P.

[Translation]

SHRI RAM LAL RAHI (Misrikh): Sir, I would like to draw the attention of the Government through you to Sidhauli Tehsil in Sitapur district of Uttar Pradesh which is industrially backward. There is no big industry in Private sector or cooperative or Government sector in the Parliamentary Constituency of Misrikh and its surrounding areas. IN the absence of any big industry neither there is any development in this area nor the unemployed people are getting jobs. The small, big and marginal farmers continue to be victims of poverty unless they produce cash crops. They do not produce it because there is no market for their produce There can be a better crop of sugar-cane in this area but there are no sources of its consumption. So the peasants grow very less sugar-cane, whereas better crop of sugar-cane can be produced on every inch of land. There is a need of setting up a sugar mill at Ataria or Daudpur under Sidhauli Legislative Assembly Constituency. Because there is no sugar industry around Daudpur and Ataria. Both the places are situated on G.T. Road No. 24 and linked with the railway line.

We demand from the Government that action may be initiated to set up sugar industry in Government or Co-operative sector or issue letter of intent for inviting private entrepreneurs to set up sugar mill at Ataria or Daudpur.

*Not recorded.

(viii) Need to take necessary steps to cope with the situation caused by "Kar Seva" in Ayodhya and Faizabad

SHRI MITRA SEN YADAV (Faizabad): Mr. Deputy Speaker, Sir, I would like to draw the attention to the prevailing diffused situation of Faizabad Lok Sabha Constituency. The so called Kar Seva movement being launched under the auspices of B.J.P. and Vishwa Hindu Parishad has totally disrupted the life of people specially in Faizabad city and Ayodhya and generally in the entire area for the last two months.

National Highway No. 28 remains totally closed from 10 a.m. to 4 p.m until the Kar Sevaks end their Satyagraha. With the result thousands of trucks carrying food items and other material from Punjab, Haryana, Delhi, Uttar Pradesh to Eastern and North Eastern States (like Bihar, West Bengal, Assam and Manipur) are detained by Police at a distance of 50 kms. on both sides from Ayodhya and Faizabad, obstructing the movement of vehicles on a large scale. With the result the prices of essential items are soaring up. So much so, the non-movement of diesel and fertilizers badly affected the Rabi crop.

All the business, industry and commerce in Ayodhya and Faizabad are at a standstill because of Kar Seva Movement.

The entire Government set up and economy have been badly affected. I requested that the Government should pay its attention to the problem and provide security to the people and the effective steps should be taken to maintain the tensionless atmosphere.

(ix) Need to set up a bench of Madhya Pradesh High Court in Rewa, Madhya Pradesh

SHRI YAMUNA PRASAD SHASTRI (Rewa): Honourable Mr. Deputy Speaker, Sir, prior to 1948, Rewa city was the capital of erstwhile princely State of Rewa and also continued to be the capital of Vindhya

Pradesh after its formation. There was a high court till the middle of 1950. During the month of November 1956, Vindhya Pradesh was merged in new Madhya Pradesh. The then Government gave an assurance that all the pre-merger facilities available to the people of the provinces merged in Madhya Pradesh would be continued. So the High Court at Rewa should have been allowed to continue in accordance with this assurance but the same facility was discontinued. Due to the reason, the people of far flung areas of Rewa region such as Devsar and Singrauli of Sidhi district and Vainivari of Shahdole district are deprived of getting justice.

Hence, I request the present Government to set up a Division Bench of Jabalpur High Court in Rewa city of Madhya Pradesh.

PROF. MAHADEO SHIWANKAR (Chimur): Mr. Deputy Speaker, I would like to know whether the session is coming to an end tomorrow. Prior to that, the previous Government had given an assurance that Legislative Development Board would be set up for the development of Vidarbha, Marathwada and Konkan, but nothing has so far been done in this regard. All these three regions are still backward. While the assurance had been given to the these regions by the administration...*(Interruptions)* ... I would like to know whether the Government intends to set up Development Board for Vidarbha, Marathwada and Konkan and whether it is the policy of the Government and if it is so, the details thereof, because tomorrow is the last day of the Session.

16.53-1/2 hrs.

BUSINESS OF THE HOUSE

[English]

MR. DEPUTY-SPEAKER: Discussion under Rule 193 on the situation in Punjab is postponed to tomorrow. We will not discuss

it at 5 O'clock. We may take up other business.

16.54 hrs.

EXTENSION OF THE SITTING OF LOK SABHA

[English]

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): In order to complete the essential items of Government business it may now be essential to have a sitting of the House on Friday, the 11th January, 1991. That being the extended sitting, there may not be the usual Question Hour or the Private Members' Business on that day.

[Translation]

SHRI YAMUNA PRASAD SHASTRI (Rewa): Mr. Deputy Speaker, Sir, if the House is to sit on Friday, there must be the Private Members' Business positively... (*Interruptions*) ... Something wrong is going on daily and the Private Members' rights are being transgressed. Hence, the Private Members' Business must be taken up that day; the remaining business may be taken up afterwards.

MR. DEPUTY SPEAKER: Shastriji, generally, Members do not come prepared so we do not take it up.

[English]

I think, the House agrees with the suggestion of the Parliamentary Affairs' Minister.,

SOME HON. MEMBERS: Yes.

16.55 hrs.

STATUTORY RESOLUTION RE. DISAPPROVAL OF RESERVE BANK OF INDIA (AMENDMENT) ORDINANCE, 1990; RESERVE BANK OF INDIA (AMENDMENT) BILL
AND
RESERVE BANK OF INDIA (AMENDMENT) BILL, AS PASSED BY RAJYA SABHA

[English]

MR. DEPUTY-SPEAKER: Now, we are taking up items Nos. 20, 21 and 22 together.

The time allotted is two hours. Members shall have to be very brief in order to see that we are able to complete it today.

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Deputy Speaker, Sir, I beg to move—

"That House disapproves of the Reserve Bank of India (Amendment) Ordinance 1990 (Ordinance No. 7 of 1990) promulgated by the President on 15th October, 1990."

Sir, the Reserve Bank of India (Amendment) Ordinance, 1990 which has been placed here and which is going to be replaced by an Act, was not required to be promulgated. My second submission is when this Ordinance would be converted into an Act, the situation in the country would be worse. It would enable the Government to sell the gold and to print the currency notes in an arbitrary manner which may cause price hike and inflation. So the Government should not increase the price of gold. This step would prove fatal for the Indian economy.

Mr. Deputy Speaker, Sir, this is the universal principle that the paper currency is released in proportion to gold deposit. But here the situation is reverse. The paper currency will exceed the stipulated proportion leading to excessive money supply which may invariably increase the prices. Yesterday also, we were discussing the price-rise. More money supply may lead to more inflation.

Mr. Deputy Speaker, Sir, through you, I would like to say to the hon. Finance Minister to consider all the aspects before taking any further step in this direction. The steps you are going to take today, had already been taken by the Governments of Brazil and Argentina and due to these steps their entire economy was totally disrupted. So, let this ordinance not be enacted into a law keeping in view the present price-hike in the country. The Government should not be empowered to raise the prices of gold and thereby to

[Sh. Girdhari Lal Bhargava]

issue excess currency in the market. The inflation, caused by the increased prices of reserved gold upto 20 times, would affect the country in the long run and no Government either of today or of the future would be capable to check the damages caused by this step. Therefore, I request the Government to make an effort to increase the reserve of gold instead of raisin its prices. This can be done through permitting the Indian immigrants to bring gold in to the country. This would also help to reduce the smuggling. Mr. Deputy Speaker, Sir, through you, I would like to say to the Government that its policy of raising the gold-price and relasing extra currency in the market will add fuel to the fire as the country has already been suffering from the problem of price hike. You will not be in a position to check it... (Interruptions) ...

16.58 hrs.

*At this stage, a visitor form the public
Gallery fell down on the floor of the House*

[English]

MR. DEPUTY SPEAKER: One minute Bhargavaji...

(Interruptions)

MR. DEPUTY SPEAKER: Let him be taken to the doctor please...

(Interruptions)

MR. DEPUTY-SPEAKER: Members may not collect there please...

(Interruptions)

MR. DEPUTY SPEAKER: May I request the Members not to collect there please? The Security staff will take him to the doctor in the Central Hall. Leave the gentleman and let them take him to the Central Hall...

(Interruptions)

17.00 hrs.

MR. DEPUTY-SPEAKER: Now, hon. Members may take their seats, please.

(Interruptions)

[Translation]

MR. DEPUTY-SPEAKER: Take him to Central Hall.

(Interruptions)

MR. DEPUTY-SPEAKER: Take him carefully. Bhargavji, you may continue. (Interruptions)

[English]

MR. DEPUTY-SPEAKER: Members may please take their seats. Don't stand in the gangway.

Now, Shri Girdhari Lal Bhargavaji may continue.

SHRI GIRDHARI LAL BHARVAGAVA: Mr. Deputy Speaker, Sir, finally, I would like to submit that today prices are touching the sky in the country and with the right to increase the prices of gold, the Government would have a right to sell the gold and to print more and more paper currency. It will further increase the prices. Again I would like to submit that there was no need of promulgating this Ordinance. You have given me the right to speak on the subject in the capacity of mover of the Motion for dis-approval and Motion for eliciting the public opinion. I hope that the Hon. Minister would reply to all my points and would abandon the right to increase the prices of gold.

[English]

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA): Sir, I beg to move:

"That the Bill further to amend the Reserve Bank of India Act, 1934, be taken into consideration."

601 *Stat. Res. re. disapproval PAUSA 19, 1912 (SAKA) R.B.I. (Amend.) Bill and 602 of R.B.I. (Amend.) ordinance, 1990, R.B.I. (Amend.) Bill, as passed by R.S.*

The Hon. able Members are aware that or foreign exchange reserves consist not only of currency reserves but also SDRs and gold held by the Reserve Bank of India. While the valuation of SDR and currency reserves the governed by established financial procedure and changed from time to time, section 33 (4) of the Reserve Bank of India Act, 1934, had originally provided for a fixed value for the gold held by RBI at a rate of 0.118489 gms. of fine gold per rupee. This means valuation of 10 gms. of gold at Rs. 84.396. The result of such a rigid position was that the gold held by RBI was of late valued at 1/26th of the international market price giving unrealistically low figure of the value of the reserves held by RBI. This is particularly disadvantageous of India while making inter-country comparison.

Considering the outdated nature of the fixed valuation procedure of gold and the urgent need to make a realistic expression of the gold held by RBI, it was decided to change the valuation procedure. The procedure now contemplated would enable the RBI to change valuation from time to time reflecting broadly the changes in international price and never exceeding it. This procedure would enable not only realistic valuation but an appropriate comparison with many countries.

The hon. Members may like to note that the amendment contemplates enabling provisions to allow flexibility for periodic revaluation. It places the prevailing international price as the ceiling and thus gives no scope for arbitrary valuation. It will be in a position to capture the effect of changing international price of gold.

As a result of the proposed amendment the value of gold held by us will be comparable with other countries, such as Thailand and Brazil which value their gold at a little over 100 per cent of the international price, of Pakistan and Ghana which value a little over 90 per cent and Argentina and Peru which value at a little over 80 per cent.

I beg to move:

"That the Bill further to amend the Reserve Bank of India Act, 1934, as passed by Rajya Sabha, be taken into consideration."

Every scheduled bank is required to maintain with the Reserve Bank a percentage of the average DD balance of its total demand and time liability as reserve. This is usually referred as 'Cash Reserve Ratio'. Section 42 of Reserve Bank of India Act enables Reserve bank of India to exercise effective control over the growth in liquidity with a view to secure monetary stability in the country. The Reserve Bank uses its mechanism to control liquidity in the economy by waiving the CRR as and when circumstances require. At present, the RBI deducted through the scheduled banks for maintaining the above ratio limited to a maximum of 15 per cent. Most of the banks are already maintaining CRR at levels, very close to the present statutory limit of 15 per cent. The proposal in the Bill is to amend the relevant section suitably to empower the Reserve Bank of India to specify a higher limit upto 20 per cent for this purpose. It is expected that the Reserve Bank of India will enhance the limit with due caution to control the excessive liquidity as and when required.

Sir, I trust these Bills will receive the unanimous support of the House.

MR. DEPUTY SPEAKER: Motions moved:

"That this House disapproves of the Reserve Bank of India (Amendment) Ordinance, 1990 (Ordinance No. 7 of 1990) promulgated by the President on the 15th October, 1990."

"That the Bill further to amend the Reserve Bank of India Act, 1934, be taken into consideration."

"That the Bill further to amend the Reserve Bank of India Act, 1934, as passed by Rajya Sabha, be taken into consideration."

Mr. Girdhari Lal Bhargava, you have suggested amendments. Are you moving.

[Translation]

SHRI GIRDHARI LAL BHARGAVA: I have suggested for the disapproval of ordinance.

[English]

MR. DEPUTY SPEAKER: We are taking up items 20, 21 and 22 together. You have already moved your resolution and then you have suggested amendment at the consideration stage also for circulation in item no. 21. So, are you moving your amendment?

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

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 5th April, 1991." (1)

MR. DEPUTY SPEAKER: Shri Gulab Chand Kataria.

Prof. Rasa Singh Rawat.

PROF. RASA SINGH RAWAT (Ajmer): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 10th April, 1991." (3)

SHRI AJIT PANJA (Calcutta North East): Mr. Deputy Speaker, Sir, there are three items which have been taken up together I am basing my arguments on the Reserve Bank of India (Amendment) Bill, 1991. The amendment as it appears, looks very simple. But, in fact I do not know whether the Government has properly applied its mind. The Ordinance had already been issued. Though we have to support this Bill, I would like to bring certain salient features to the notice of the Government. The Reserve Bank of India Act, 1934, in the preamble and the statement

of objects stated clearly that this Act, if I may quote:

"Whereas it is expedient to constitute the Reserve Bank of India to regulate the issue of bank notes and keeping of reserves with a view to securing monetary stability in India and generally to operate the currency and credit system of the country to its advantage;

And Whereas it is expedient to make temporary provisions (I am emphasising the words—temporary provisions) on the basis of existing monetary system and to leave the question of monetary system best suited to India to be considered when the international monetary position has become sufficiently clear and stable to make it possible to frame permanent measures."

Sofar as this Act is concerned, it appears that this Act has gone into amendments for 73 times since 1934. But the whole object of the Act, when it was passed and thereafter adopted after independence, was that this is a temporary measure and permanent measure would be found out and the whole thing to be looked into afresh.

After the 73 amendments are put in, as it has been done if you compare with the amendments with the other portions of the Act which is for the establishment of Reserve Bank of India, with the intention and the objective to secure the monetary stability in India and generally to operate the currency and credit system, I do not think after all these long years since 1934, we go on amending this Act piece-meal as a fire fighting measure whenever required and not to come to the permanent measures which was thought of at that time when 1934 Act was considered and passed. The Preamble itself makes it a temporary provisions. Therefore, it is the golden opportunity and right opportunity at this time for the Government to consider and to bring a whole some new Act, repealing the old Act and making the new Act suitable according to the

object of the old Act, of 1934. That is to frame permanent measure in order to get sufficient clarity. By 1991, at this stage, the object for which the Government thought of amending the provisions as they are now thinking of international market fluctuation, that object was also thought of in 1934 when the Original Act was framed, when it was stated that the question is to be decided on the basis of existing monetary system best suited to India to be considered when the international monetary position has become sufficiently clear. Sir, international monetary position has now become sufficiently clear At least, the present amendment shows that they want to bring international fluctuation, increase or decrease, to be taken into consideration. I quote from the very object and reason: "It is to ensure realistic reflection of levels of foreign exchange reserve without any loss of time". I do not think when it was thought of amending this Act, the main object of the Act was looked into. Therefore, I insist that a permanent measure must be brought in and piece-meal solution will not solve the country's monetary problem. It may be that because of this very reason, we are having various difficult situations so far as the foreign exchange reserve is concerned and also various monetary dealings are concerned.

As we all know, this is trying to touch the gold. Gold has been the symbol of wealth in all the great civilisation and there is a record. Encyclopaedia Britannica states:

"It is estimated that the greater part of the gold won from the earth in the last 10,000 years would still be accounted for in the banks and government vaults and in the widely distributed wealth of ornament, jewellery and other artifacts throughout the world."

This is the item of metal, which no other possession in all time has been so zealously and effectively guarded. Therefore, it is necessary to look into in detail the various measures that are put in.

From the amendment that is sought for

in the Objectives, it is stated that 0.118489...

MR. DEPUTY-SPEAKER: Can you avoid reading that which has been circulated?

SHRI AJIT PANJA: I am not reading. I am putting some portions of it. This is the gramme. It looks that this is the amount fixed up in 1934. It is not so. It appears that this was amended by the act of 1968 by Section 26 w.e.f. 1st of February, 1969. In fact, in 1934, it was thought that 2.88 grains were used at that time so far as gold is concerned. Regarding grains, that is, the content, not the grammes or the weight. This was brought in 1968. From 1968 to 1991, is it a fact that international monetary position was not considered at that time? This is sought to be brought in by the Government now and with an emergency, so much so, that they had to bring in an Ordinance, to bring this provision in force.

The Government is alarmed about the foreign exchange reserve. In order to show to the people that the foreign exchange has gone up, they want to make this calculation. The Bill itself admits that this will increase 140 times of the domestic price and 126 times of the international price. Therefore, immediately the foreign exchange reserve has artificially gone up to 40 times more so far as domestic price is concerned and 26 times more so far as international price is concerned.

The hon. Minister will please take note that such type of artificial creation of country's wealth might backlash on us and we should not take one point out of this entire Act and create a position as if we are having good foreign exchange reserve.

It may be that this provision might help us in getting IMF loan or other things. But will the hon. Minister—he was not there when the Ordinance was passed—go into the details of the effects that are coming in?

The next point is about the gold coin and the gold bullion. The amendment provides that so far as the gold coin and gold bullion is

[Sh. Ajit Panja]

concerned, for the purposes of this Section, gold coin and gold bullion shall be valued. Now it is international price.

I give the definitions of gold and it is subject to correction by the hon. Minister. Gold coin and gold bullion has not been defined so far as this Act is concerned. If the gold coin and gold bullion has not been defined so far as this Act is concerned, what have we to go by?

We have to go by the ordinary dictionary meaning. Each dictionary, like the Chambers and other dictionaries, gives a different meaning so far as gold is concerned. 20th Century Chambers dictionary says:—

"Heavy yellow metal."

Then it is again stated:—

"One of the precious metals used for coin."

A different idea has been given by the Encyclopedia Britannica:—

"Gold is an extremely dense, valuable, bright, yellow metal, with a resplendent luster."

If we fall back on the ordinary dictionary meaning, there is a difference between Oxford, Chambers and Encyclopaedia Britannica in the meaning of the word gold.

If I possess a gold coin, how that is to be valued under the law according to the international price? What is the definition of gold coin? How much gold it is? It appears that purity of gold is reported as fineness parts of gold for 1,000. Pure gold is called 24 carat, whereas allow gold may be 12, 14, 16, 22 etc carat depending on the percentage of gold in the alloy. A 12 carat gold alloy is 50% gold.

Therefore, if I have or if the Government has got gold coin and gold bullion, how will the international price be valued? How will you determine what kind of gold is this and which carat? There is no definition so far as

this Act is concerned. If we fall back on the General Clauses Act, if we fall back on the dictionary meaning, there is no definition. Therefore, this has to be clarified. Otherwise, the artificial system of taking international price into consideration and the domestic price into consideration will create such type of a capital for the country, such type of a wealth which will be a colossal hallucination so far as our country's economy is concerned.

I come to the next point. 'Security' has been brought in. I looked in vain whether the term 'security' has been defined so far as this Act is concerned, this being a special statute. There is no such definition so far as the 'security' is concerned. I would submit that the Government should consider how the gold coin and gold bullion should be valued; how this security shall be valued at a price not exceeding the international market price for the time being obtaining? What type and which type of security is this if the Act itself doesn't state? The object is that it is a temporary provision. The final provision has not yet clicked. Therefore, regarding the definition of the entire Act, unless the Government applies its mind, it will not be able to attain its objective as is sought for. Merely amending all these provisions will not be able to achieve the results.

Sir, so far as this entire Act is concerned, as far as the rupee coin is concerned, rupee coin has been defined in Section (2) sub-Section (D). If the rupee coin is defined and gold coin is not defined, how are you going to interpret and in what manner? At that time, the legislature thought it fit to define the rupee coin because they were considering the 1934 position. But so far as the gold coin and the gold bullion is concerned, the definition was never thought of. It is remaining blind so far as the definition is concerned. I checked it up. So far as this Act is concerned, if we take this Act and compare it with the object clause in my submission this will be absolutely unworkable so far as the Government is concerned. It appears also that during Shri Rajiv Gandhi's Government since 1985 to 1989, the value of gold seized was Rs. 624.07 crores. That much worth of con-

traband gold was seized. After it was seized, its value went up in such a manner that in 1987 its value was Rs. 65 crores. In 1988, it shoot up to Rs. 200 crores. In 1989—provisional figure which is found from the Annual Report of the Ministry of Finance—it shoot up to Rs. 259.55 crores. The total amount during the five years has gone up. It has broken all the historical records. The value of gold seized was Rs. 624.07 crores. How is the Reserve Bank going to value it? The Revenue Department through their various machineries like the Customs and other agencies collected and seized the gold. The law is that it should be deposited with the Reserve Bank. This was done during the five years of the Rajiv Gandhi's Government. There was a clear decision taken at that time. I hope the hon. Minister is aware of such a decision. A decision was taken tent the question of what is going to happen to this gold which is seized? A decision was taken that the gold worth Rs. 624.07 crores would be accounted for in the earning of the Revenue Department. This was a clear decision which was taken at that tie. It appears that the decision has not been given effect to. This much amount of gold is seized by our able officers by getting hold of the smugglers and this will not be reflected in the Revenue Account. The Reserve Bank takes it. But no credit is given to the Government Department which is doing all the work i.e. the Revenue earning Department. Therefore, your revenue shows—ex-figures—624 crores of rupees. As I told earlier, this decision was taken during the Government headed by Shri Rajiv Gandhi. It was decided that the gold confiscated by the Customs, DRI etc. should be deposited with the Reserve Bank of India and shall be credited as a Revenue credit. But the decision unfortunately has not yet been implemented. I hope that this decision will be implemented. I feel this decision has to be implemented. If piece-meal amendment is brought in without looking into the reality, it will not give a correct picture so far as the country is concerned.

17.25 hrs.

[SHRI LASHWANT SINGH in the Chair]

Therefore, I conclude by saying that the framers of this Act, which is old as 1934, thought, at that time, that this was a temporary provision and even thought of bringing in a permanent Act when the international price picture became stable. This Government must immediately bring a permanent statute combining all the things together and making it contemporaneous with the 1991 position of Indian economy and comparing it with the international monetary system. Otherwise, if we want to solve this by a fire-fighting measure, this has to be done immediately because this is an Act by which the entire monetary system is calculated and devised. The Government has thought it fit to issue this Ordinance. With these words, I support this Bill.

[Translation]

✓ PROF. RAM GANESH KAPSE (Thane): Mr. Chairman, Sir, I would like to request the hon. Minister not to pass this Bill in a hurry. It should be passed after a serious consideration, because this decision is not going to have its effect on the revenue of the current year and the public-life, but it is also likely to have its effect in the coming 20 years. We have to decide first as to whether we shall follow the path adopted by Brazil and Argentina or shall we make such efforts that our economic condition may not deteriorate further? The hon. Minister should reply to this point. I hope that in view of his responsibility of protecting the interests of the public as well as that of the country, the Minister will not further insist on enhancing the price of gold. And the proposal to enhance the price of gold will be dropped.

Mr. Chairman, Sir, by enhancing the price of gold the Government will be authorised to print more currency notes and to sell greater quantity of gold, which may lead to higher inflation. Only yesterday we were discussing here about price-rise which has risen very much. One of main reasons for this price rise in inflation. Is the Government of the view that the existing price-rise and inflation should further go up? I request the Government to take the common man's

[Prof. Ram Ganesh Kapse]

plight into consideration before taking any such step so that the public may get some relief and may have the feeling that the Government is doing something for them.

Mr. Chairman, Sir, through this Amendment Bill the Government is going to increase the price of gold by 20 times, which will serve no purpose except enhancing the rate of inflation. The Government should take all possible steps to augment its stock of gold in the treasury. But the Government is not acting in that direction. The Government is thinking about the present benefit only and it is not thinking about its implications in the next 20 years. If keeping in view the present situation only, this Amendment Bill is passed, the country will be adversely affected by it in the coming 20 or 30 years. We should not overlook this point that the problem of inflation and price-rise which we are facing today is the result of the errors committed during the last 20 years. Sir, through you, I would request the hon. Minister once again not to pass this Bill in a hurry. I hope that he will take a wise step regarding this Bill after giving it a serious thought.

[English]

SHRI AMAL DATTA (Diamond Harbour): Mr. Chairman Sir, the objects and reasons which have been circulated to us and what the Minister stated did not really give us a clue as to what will be the increase in the value of gold and bullion held by the Reserve Bank because of the increase in price which the Parliament is going to allow if this Bill is passed.

SHRI AJIT PANJA: It is not so; domestic 40% and international 20%.

SHRI AMAL DATTA: This is the rate. The total effect of the increase—whatever has already been done, the increase has already taken place—has not been given. So we have a right to know what is the total effect of this quantum jump in the evaluation which it appears from the objects and rea-

sons against what was fixed in 1934. We do not know how much gold and bullion is being held by the Reserve Bank and therefore we do not have any means of evaluating the effect. I hope the hon. Minister will give us the figures.

It is said that the recent developments in the Gulf region has made it necessary to revalue the gold reserves of the Reserve Bank. But I don't know how the Gulf region has made it necessary to revalue the gold reserves of the Reserve bank. But I don't know how the Gulf situation has necessitated it. The Gulf situation is certainly very bad; but it has been like this for the last six or seven years, probably longer. In fact the situation has been deteriorating steadily over the years and so the actual foreign exchange debt of this country today is nearing one lakh crore of rupees. Some of it may be due to the fall in the value of rupee also.

So it is not merely the Gulf situation; it is the fact that the Government and the country have been living beyond their means or they have not been able to create the means that they require. There has been a failure in both the domestic front as well as the international economic front. We can cover up temporarily our precarious position; make it a little brighter than what it actually is. Suddenly people will say that India's foreign exchange reserve has gone up from Rs. 5000 crores to Rs. 10000 crores or something like that. Therefore, it may be easier to persuade the IMF to give us a little more money. Because they first see whether the debtor has got the ability to pay back or will create the ability to pay back. How that ability is to be created is not the concern of the IMF. But anyhow some sort of affluence has to be flaunted for the purpose of getting the loan which we are in dire need of because we are not able to take the measures which are necessary, which have been staring us in the face for years. We have gone in for creating a situation which has landed us up in today's situation. One thing which remains to be seen is that this amendment which is sought for the pricing of gold says that price not exceeding the international market price for

the time being obtaining shall be substituted. How often is the revaluation going to be made? It is very important and it should be a part of the statute; it should not be left to the executive to decide that this month we shall revalue it because the international price has gone up and then when the price goes down we don't revalue it, we keep the value at the highest peak point until the next peak is again reached.

There is therefore a lacuna in the Bill. I hope the Minister will take notice of it and put the dates of a particular year on which the revaluation is to be made. It cannot be left to the executive for the time being to substitute their own judgement or their own whims on this situation.

The second Bill is regarding the increase in the cash reserve ratio of banks which the Minister has correctly said is 15% now and has almost been reached for quite some time.

There is no further room for the Reserve Bank to restrict creation of credit by the banks, whose credit creation it is supposed to control. What is the purpose of the control of credit creation? It is certainly to see that the prices do not go up and inflationary situation can be contained by not only restricting demand through restricting credit creation, but also channelising credit to productive channels where through short gestation periods, supplies can be increased as the price increases. The Reserve Bank does no such thing; the Reserve Bank does not even selectively control credit. It has given certain guidelines; those guidelines are practically immutable and unchangeable. What is it doing now is this that the inflationary situation is with us for the last few years. It has to restrict flow of credit to consumption as such, consumer durables in particular and more specifically, luxury consumer durables. It has not only not done anything, but also, during the last few years, the scheduled banks, nationalised banks and State Bank have been going into this channel. The Reserve Bank of India is keeping its eyes closed. So, there is enormous creation

of credit. Everybody knows that the consumer durable markets are sustaining by hire purchase, bank loans etc. In fact, I am told that 90 per cent of the Maruti cars are purchased on bank loans. One bank which dominates the field first is the first City Bank. Now, other banks are following suit. Similarly, purchase of two-wheelers have also been financed by the banks. I am not against people buying cars. But, people who could have bought cars two years later, would have waited, if the situation has not been created, if the psychology has not been created that, "Don't wait; why do you wait?; you take now whatever you like, which otherwise would have taken five years hence, six years hence or ten years hence." That is the situation which creates inflation. This is exactly the psychology which has been created by the Reserve Bank, failing to do its duty in relation to the bank expansion of credit in the consumption sector. Not only the standard chartered banks and other foreign banks, but even the State Bank of India has gone for personalised banking, which is a means of telling people—who have a good fixed income or—that, "You borrow; why do you restrict your life-style?; you come and take money from the banks and pay it back later". This is the way, the psychology has been created over the years and the Reserve Bank of India has done nothing to contain it. It cannot be done now, by merely increasing the cash reserve ratio from fifteen to twenty per cent. The whole thing has to be tackled by the Government which also cannot keep its eyes closed any more.

The other thing is that companies, business houses have been taking money. They have been taking money for one avowed purpose and using it for another purpose. There is no way of monitoring as to whether the borrowers, particularly the big borrowers are taking and utilising the money for the purpose for which they have obtained it. No monitoring is done at all. It is the Reserve Bank's duty to see that the banks do monitoring and it has to superintend monitoring. It has not done anything at all. These are the things which I wanted to say.

[Sh. Amal Datta]

I support Mr. Panja when he said that a new look has to be given to the Reserve Bank of India Act and a comprehensive amendment has to be brought in. But these things I am speaking about can be done even within the present powers, structure and framework of the Reserve Bank itself. Now, because Reserve Bank and other banks have kept their eyes closed to how the money was being spent by the big companies, many of them have gone into liquidation. Many of them have gone into reckless methods of spending money and gone into liquidation. These debts have now been written off or most of them are in the way of being written off. At least the banks are not wanting to go to court and recover them. In any case, the court system in this country has collapsed. Even if the banks went to court, it will take ten years or twenty years to get a decree which can be executed and then nothing will be left. But what has happened in the meantime? A psychology has been created that the banks' debts once taken need not be paid back. That is the psychology for which the banks themselves are responsible and Reserve Bank with its duty to monitor the activities of other banks is most responsible. Unless these things are checked, you will not get far with C.R.R. A decision has been taken—all of us are parties to that—that up to Rs. 10,000 or whatever is the money, the debts will be written off. Practically everybody, in course of election campaign, promised that if he comes to power, he will see to it that this would be done. And ultimately such a decision has been taken in this Parliament. I do not know to what extent that decision has been implemented at all. But the psychology has been created now that the banks do not want to give loans to the smaller people. In fact, it started with the bigger people's default. An expectation was raised. The expectation sought to be satisfied but was not satisfied. But because of that attempt, the smaller people are not getting any loan. I speak from my personal experience. I see that the people who could have gone for farming or some other primary activities in the rural sector are going to the banks and just driven away. For

loan of Rs. 5,000 or Rs. 10,000, nobody wants to talk to them or look at them. They say: "you will never pay back. You will go to the Government." And they will waive the loan. What are we going to do about it? The whole thing has been a creation of the big business. Now it is the small people who are suffering but the Government cannot do anything at all. It is helpless.

Moreover, we mooted and spread the idea of the nationalised banks' social obligation, to cater to the entire country. This is what we were hearing about and we were talking about and we thought these are things have by now been taken for granted in the entire Indian polity. Today, we find the Reserve Bank has given directive that, no, bank office should be opened until it is viable. In what period of time? What is the time-frame in which the bank offices become viable? If we do not see that, then what will happen is that the banks are not going to open offices in rural areas at all. The idea was that 17,000 people will be covered by one bank office. That was the way, the bank were to be opened. May be the figure would have been lowered further, I do not know. But today the Reserve Bank says, no, the banks should not open office which will not be viable, which means that they are going to concentrate in big cities, in urban areas and not go out to the rural areas at all.

The other thing is that if this is a means for controlling inflation, then, I think, you are sadly mistaken, because it is the Government which is at the root of creating the inflation. The Government must control its deficit finance. There must be a ceiling on Reserve Bank by law on the extent to which the Reserve Bank can lend to the Government and the Government can borrow from the Reserve Bank. There must be such a limit. This is something, we must all start thinking. This is not something which may be brought in this Bill but the Government must start thinking and take measures as quickly as possible because otherwise there is no way of containing inflation and price rise. More than that, perhaps it is the Government's overall borrowing which should be limited as

it was envisaged in the Constitution. That has not been done. It has been talked about by the last Government, by Shri V.P. Singh's Government, but nothing concrete has been done as far as I am aware. Maybe some papers were prepared at that time. So, I request the Minister and this Government to seriously think and take steps to see that Government's borrowing from Reserve Bank is limited and the Government's overall borrowing power is limited under the Constitution by invoking Article 292 of the Constitution. These are the overall remedies and strategy to contain inflation to fight price rise. These are some of the steps which are essential and they should be worked out.

With these words, I conclude.

[Translation]

SHRI TEJ NARAYAN SINGH (Buxar): Mr. Chairman, Sir, I support this Bill and I think I am not wrong if I say that such an Amendment placed before us for the consideration is first of its kind in the post-independence era. As far as I know, the price of gold in our country is the same as had been fixed by the Reserve Bank in 1934. It is altogether a different matter that the price of gold in our country's open market is the highest all over the world. That is why the people in our country procure gold from foreign countries and sell it at higher rates within the country. I would like to say that such an approach is not going to solve this problem. If the Government is facing shortage of gold, the Government should confiscate the gold in the possession of the Royal families in the country which are keeping huge quantity of gold in their possession. During the Emergency period, 18 Maunds of gold had been seized by the Government from the Royal families. I am sure that none of the royal families might be possessing less than two quintals of gold. I would request the hon. Minister to undertake raids for confiscating gold after taking all the legal steps in this regard. If there is shortage of gold in the country, Government should search the premises under the law. The land in excess of the ceiling is acquired by

the Government under the Ceiling Act; similarly excess quantity of gold should also be confiscated by the Government. Such process will strengthen the Government and there will not be any need for the enactment of legislation of this kind.

Secondly, I would like to submit that there are large deposits of gold in our country. According to my information gold is extracted only at one place in our country. The Govt. should undertake survey at various places so that deposits of gold could be located. There are gold deposits not only under the land but also under the water at various places in the country. The Government should undertake expeditious steps to find out gold deposits in a large number so that our country might be strengthened.

The Government should enforce control on sale and purchase of gold under the laws. At the same time, the Government should not take such steps as a result of which the smugglers in the country may make easy money. According to my information, in 1978 the Government had auctioned five hundreds Maunds of gold which was purchased mainly by the smugglers. Thought the status of the Government went down, yet the status of the smugglers went up. Therefore, such an action should not be taken. I would like to urge the Government that in order to solve this problem, the Government should take such actions which may not put the Government in any crisis. I would also like to add that while increasing the price of gold which is in possession of the Government, it should see to it that it does not lead to increase in the market-price of gold. There is apprehension in the public mind that with the increase in the price of gold kept by the Government in the Reserve Bank, there might be further increase in the market price of gold. It may be an insignificant issue in other countries, but in our country the rise in gold price is interpreted narrowly as a sort of interference in religion of the people as on many religious occasions of our country, golden-ornaments are essentially worn by the people. In rural areas there is one such

[Sh. Tej Narayan Singh]

festival 'Jeevatiya' when women irrespective of their economic condition have to wear essentially the ornaments of gold. On this occasion, all the persons whether rich or poor cherish a desire to wear gold ornaments. There are many such customs and traditions in our country. I, therefore, urge the Government that it should take all precautions to see to it that increase in the price of gold kept in the R.B.I. does not have any effect on the market price of gold. If open market price of gold goes up due to increase in the price of gold in possession of the Government, the Government's image in the public will be tarnished.

I would, therefore, urge the Government that it should enact a separate legislation to control the price of gold which has increased considerably in the open market. The said legislation must be strictly enforced in order to lessen the people's burden. This is a fact that the price of gold in our country is much higher than those in other countries, because gold is treated as an important material by the Indian families especially by the women, whereas in foreign countries neither the women give much importance to it, nor does there exist any such custom when wearing of gold is essential.

We, therefore, support the Government's stand of raising price of gold kept in the treasury provided the open market price of gold is not affected and the public does not feel any burden.

Finally, I would like to suggest that the Government should enact a legislation for the seizure of gold which has been cornered by some persons in the form of black-money so that the Government is strengthened.

SHRI JAG PAL SINGH (Hardwar): Mr. Chairman, Sir, though I support the Reserve Bank of India Amendment Bill 1990-91, yet I would like to put forward certain suggestions regarding this Bill. Sir, all over the world, the economic condition of any country is assessed on the basis of the gold stock

possessed by it. But despite the fact that our country has large deposits of gold, the value of our currency in the International market is constantly falling. Perhaps we might be having inadequate stock of gold in our country. As the Minister of Finance might be knowing it well that the Government of India is able to produce only 20 tonnes of gold as against its requirement of about 200 tonnes in the country. Hence it is clear that 180 tonnes of gold is brought in the country through smuggling from other countries. The data shows that the Government of India is able to seize only about 18 to 20 tonnes of smuggled gold out of 180 tonnes per year. There is a gap of Rs. 1157 in the price of gold in our country and the International markets since 3.9.90. So it is quite natural that our country's market attracts the gold-smugglers in a large number from other foreign markets.

Therefore, I would like to ask the hon. Minister to take stern measures to rebuild our economy that has been shattered very badly during the last 11 Or 12 months of Shri V.P.Singh's Government. The reasons which you have stated for bringing this ordinance are not completely true. Such has become the condition of our country in the International market or in the International Relations that none, be it the I.M.F. or the World Bank, is ready to give loans gracefully to us due to our sick economy. Their views are also correct to some extent, because our Government has not been able to manage the economy well. Our Government has been taking loans of thousand Crores of rupees from the International Monetary Fund and the World Bank. The Government of India is not in a position even to reduce its deficit or to evolve a strong economic structure in order to provide social justice in the country.

Mr. Chairman, Sir, I would like to submit that the purpose of this Amendment Bill cannot be fulfilled until the Government adopts stern measures to seize the smuggled gold that is brought every year in the country worth about Rs. 162 crores. Through this measure, the stock of gold as well as the foreign exchange reserve in our

country may be increased. Further, I would like to say that the Indian immigrants living in the foreign countries, who earn incomes through their hard labour may be given some relaxation in bringing gold into the country. On one hand, you are ready to provide the concessions to the industrialists for earning the profits at the cost of the foreign exchange, but you do not allow our Indian immigrants to bring gold with them in the country. You may fix some limit of ornaments one may bring in the country. You may levy proper custom duty also on that, if you consider it necessary. Thus, gold brought by them will be legal and it will increase the Government's revenue as well as our foreign exchange reserve. And it will check smuggling also.

Mr. Chairman, Sir, in order to serve the purpose of this Amendment Bill there are only two options left for the Government. It should either produce legal gold or seize illegal gold. This Amendment Bill to control the price has been moved here after 1934, 1958 and 1968. But I am doubtful about its outcome.

I am once again pointing out to this factor which is an important aspect of Indian economy. I do not think that the Reserve Bank has ever been motivated to serve the purpose of providing social justice. It is for the Government to see whether it has served the purpose or not. It is the sole responsibility of the Central Government to review its basic Industrial policy. Today, almost all the Bank whether it is Reserve Bank or other Banks are serving mainly the interests of the capitalistic section of the society in the country instead of achieving the goal of social justice. I am not aware of the mentality of the management of the Banks and I do not know whether it is feudal or capitalistic one. But there is certainly an alliance between capitalism and the feudalism in the country and I am of the view that the Banks can break this alliance effectively. But till date the Banks have not taken any effective step to provide social justice to crores of people who are living below the poverty line in the country. I, would

therefore like to request you that Government should consider the question of changing the policy and the fundamental structure of Banking and industry in order to improve the economy of the country.

Mr. Chairman, Sir, so far as the question of gold is concerned, first of all, the smuggling of gold must be checked. In our country only 20 tonnes of gold is produced and about 18 tonnes of smuggled gold is seized a every year by the Government. But when remaining 162 tonnes of gold is smuggled in the country from abroad, it will naturally lead to higher rate of inflation in the country and it will be very difficult to control the black-money. Today, there is parallel economy of black-money in the country. This amendment Bill will serve its purpose only when the parallel economy of black money is eliminated.

With these words, I support this Amendment Bill.

18.00 hrs.

SHRI GUMAN MAL LODHA (Pali): Mr. Chairman, Sir, through the discussion that is going on about the Reserve Bank of India Amendment Bill, I would like to draw the attention of the hon. Minister towards the world economic system which emphasizes that any country must release currency in a certain fixed proportion to the reserve of gold it possesses. But unfortunately in our country, on one hand, the gold reserve is diminishing day by day, but on the other hand, paper-currency through the machines is being printed on a very large scale. As a result, inflation and prices are increasing by leaps and bounds. After the price-rice, the price-index and the Dearness Allowance also increase. It is a vicious circle which is damaging the economy of our country. I support the views expressed by other Members. We should pay attention towards the overall economy and the Reserve Bank should regularly monitor the entire economy including Banks so that Bankings system and other financial institutions may function well. During the last many years, several

[Sh. Guman Mal Lodha]

Banks by distributing loans in an irregular manner have caused a great damage to the economy of the country. For example there are many Banks like the United Commercial Bank, the Bank of India and the Canara Bank which are known for the great scandal of improper fundings. All such irregularities took place, because the Reserve Bank did not properly discharge its responsibility of monitoring these Banks. Further, I would like to say that the proper arrangement must be made in all the Banking Institutions. A long span of time has passed, but the employees of the Rural Banks did not get the benefit of the National award. All the Bank employees should be given the third benefit of the pension as the employees of the L.I.C. and other national organisations are given this benefit. Perhaps, the State Bank and one or two other Banks provide such benefit to their employees. But the employees of other Banks after the retirement remain hand to mouth and face the problems alongwith their families, because there is no such facility of pension for them. So the third benefit must be given to them also. Hence, the Reserve Bank after proper monitoring should plan a package-deal to benefit the employees, labourers and low-salaried persons.

Abolition of the Gold Control Act is a good step for our economy, because with the implementation of this Act many defects had developed in our national economy. But at the same time, some steps must be taken to eliminate the parallel economy. I would request the hon. Minister to clarify about the rumours spreading in the whole country including the Banks about the demonetisation under which currency notes worth Rs. five thousand would be exchanged for Rs. five hundred by the Government. Now, I conclude my submission.

[English]

SHRI HET RAM (Sirs): Mr. Chairman, Sir, the Bills which have been brought forward by the hon. Finance Minister are quite good. He has also clarified the posi-

tion regarding gold. The position in India is totally different, if you compare it with other countries. Gold price in India is very low as compared to other countries. The rates may increase but not the quantity. The total value of gold reserve in the country may go up to Rs. 5,000 crores. It may give an impression that we are having more reserves, if you see from the angle of India currency. But the international price of the gold may remain same.

Now, let me talk about reservation. If something happens and there is crisis in the international market, then how are you going to solve this problem? Do you have any mechanism to stabilise our economy? Our economy is in very bad shape. I want to ask you whether we are in a position to satisfy international community. When the price of gold is coming down, what mechanism are we having to satisfy the international market that we have sufficient reserves at our credit?

As far as Second Bill is concerned, the 15 per cent reserve which is there is sufficient. It is because we have a total deposit which is 100 per cent with the banks, and out of that 100 per cent, it is only 15 per cent which is deposited with the RBI. So, still 85 per cent remains.

As far as advances in most of the banks are concerned, they are stagnant; they are bad. They may go to about 20 per cent to 50 per cent. But it depends upon bank. In some banks, a situation has arisen wherein they are called as sick banks. There are also rumours that some such banks may be merged with other banks so that they may sustain the economic position. When the situation is that the banks are not in position to pull on with this 15 per cent reserve money which is deposited with the RBI the rate of interest which the RBI is paying to the banks is very low. Now what the situation in most of the banks in public sector- and R.B.I. also govt. agency. No use of C.R.R. by R.B.I. as these banks should have self discipline, it is not in a position to deposit this 15 per cent money which is to be deposited, it is going to borrow the same from the open

market at very high rates of interest. That will definitely affect Banks adversely their profit. The main purpose of creating C.R.R. was that it will control inflation. But it is not able to control the inflation as the deposit is from market borrowing.

18.07 hrs.

[DR. THAMBI DURALI *in the Chair*]

15% money have already been deposited in the RBI but it is not able to maintain the same. Now, the profits of the Bonus will go down as liquidity goes down.

As far as inflation is concerned, it is not the bank deposits which is creating inflation, but it is the black-money which is out of our control, that is creating inflation.

Neither the RBI nor the Government are able to control the black money. This is one thing is destabilising our economy and not the liquidity of the banks.

I would request the hon. Minister that instead of going for schemes like SLR and CLR, you should control the circulation of blackmoney in the country. These schemes are very minor ones.

With this request, I support the Bill.

[Translation]

SHRI HARISH RAWAT (Almora): Mr. Chairman, Sir, I support this Bill which has been moved in order to fulfil the urgent needs of the country. Through this Bill, the hon. Minister has proposed to be stow powers on the Reserve Bank to revalue the gold reserve and thereby be re-assess the foreign exchange. I think this is a normal process and I would like to the hon. Minister that in the present circumstances, the very firm policies are required to be formulated, because he has taken the charge of the Finance Minister in such a crucial phase when the economy of the country is passing through a period of crisis, and not just through the transition period, due to the wrong poli-

cies adopted by the previous Government in the economic sphere. It would be disastrous for the whole country if the people lost faith in our economic set up. I think that the financial institutions or the Banks and especially the Reserve Bank may play a very important role in resolving this crisis. I would like to suggest that the whole of the Reserve Bank Act is required to be thoroughly examined it appears to me that more powers should be given to the Reserve Bank so that it may regulate and monitor effectively the working of the different Banks. Thus the Reserve Bank will serve as an effective weapon of giving valuable suggestions as also creating any hurdles for Government particularly when it intends to take any such step which might damage the economy. Functioning of Banks could also be improved thereby. We had realised in the recent past that some of the financial measure taken by the previous Government have created problems for your Government. I think any Government which will present the budget in future will be liable to face unpopular reaction, unless some miracle happens. I am afraid that you will be able to retrieve the situation. Economic situation of our country is so bad that the Government will be forced to take unpopular steps. I, therefore, request you to give serious thought to this issue.

Mr. Chairman, Sir, many of the Nationalised Banks, barring a few are not in good condition. Some Banks are not having commercial transactions on a sound footing, because these banks under the pressure of the Government have opened new branches in the rural areas. That is why, three Banks are not functioning well and their financial position is in a bad shape. In my opinion, the Bank-Managements are mainly responsible for such financial crisis which these Banks are facing as they bother a little about providing proper facilities to the ordinary public. Due to all this, doubts have arisen about the functioning of other Banks as well. I, therefore, would like to request the Finance Minister to empower the Reserve Bank to intervene in the working of these Banks and Government should also take effective steps to keep effective control over such Man-

[Sh. Harish Rawat]

gements which due to their own faults, tarnish the image of the Banks.

Mr. Chairman, Sir, now I would like to give a small suggestion about Uttar Pradesh also. This is very unfortunate that there is not even a single head-office of any Nationalised Bank in this province despite being the largest one in population. Even the number of the zonal office is quite inadequate in this province. As a result, the financial working in Uttar Pradesh is also on a very low key. The Head offices of all the Nationalised Banks are located either in Bombay or in Calcutta. There is one Bank by the name of Allahabad Bank in Uttar Pradesh. Even the Head Office of the Allahabad Bank is located in Calcutta. I do not complain as to why its Head Office is located in Calcutta. But I certainly request you to ask the Nationalised Banks to open at least some more regional and zonal offices, if it is not possible to open Head Office in the different areas of Uttar Pradesh so that the people of that province may be benefited thereby. Long back Uttar Pradesh Government had submitted a proposal for constituting a U.P. based Bank after merging all the small Banks like the Bareilly Bank and the Nainital Bank there. I would like to request that this proposal must be graciously considered by your Ministry.

I welcome this Bill once again.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Chairman, Sir, I have some objections regarding the reasons which have been given for moving this Bill in this House. The hon. Minister of Finance has said in "the statement of objects and reasons" that we have to take certain decisions to show the world that regarding the foreign exchange especially in the matter of the balance of payments our condition is not so miserable as it appears after the gulf-crisis. I have objection that it is not needed as the world is well acquainted with the fact as to how India had fixed its gold-price during the last many years as I think it was done 25-30 or 30-40 year back. Whether the world market

or world Bank; International Monetary Fund or Gulf Countries were not aware of our helplessness in this matter or did they not know about it that how we fix our gold prices? It is not so. It will not solve the problem. But I am still not so desperate to say that there is no solution to this problem. An hon. Member of the Congress Party just now has gone out after expressing his hope over this paper mathematics that the new Minister of Finance will correct all the errors committed by the Viswnath Pratap Singh Government during the last one year.

Mr. Chairman, Sir, this position has deteriorated over a period of time. The Minister of Finance himself will accept that we have been acquiring huge foreign-loans since long in order to satisfy our extravagance and luxury. (*Interruptions*) During the last 5-7 years the loans which have been waived off. (*Interruptions*)

SHRI HARISH RAWAT: You declared that the loans will be waived off and according to that declaration the loans of the hundred persons in each district were waived off and as a result now not only two thousand but there are more than ten thousand of twenty thousand people who are asking for waiving off their loans in each district and they are not repaying the loaned taken by them. (*Interruptions*)

SHRI GEORGE FERNANDES: That also will be done and it will be better if you ask the Deputy Prime Minister about this. It is going on, Rawat ji, do not worry about it. (*Interruptions*)

SHRI HARISH RAWAT: You created such a problem to which you had no solution.

SHRI SHOPAT SINGH MAKKASAR (Bikaner): It was their responsibility to implement their manifesto.

SHRI GEORGE FERNANDES: Mr. Chairman, Sir, it would have better if we could have used the external debt for the development purposes in the country. We

would like to ask the former ruling party which is supporting the present Government and pulling the strings from the background should try to analyse this problem because this is not only the question of that party but it is the question of the whole nation. Today, with regard to the question of foreign exchange we have reached to a very dangerous position. I would like to request to the Government to think over it with a new approach in order to overcome the severe crisis which the country is facing regarding foreign exchange. In this context, I would like to cite an example. A car being manufactured under the licence from Suzuki company of Japan in Gurgaon near Delhi. Every year crores of rupees are being drained out to a foreign country due to this car.

Thought it has been named 'Maruti' but it is completely a Suzuki car. Every part of this car is imported from there and only assembly is done here. Only about two thousand workers are working there but if my information is correct foreign exchange worth rupees two hundred fifty to three hundred crore goes to Japan on this pretext only. This Suzuki car is causing this much loss of foreign exchange to the country. In my opinion, our country can do away without Suzuki Van but is certainly not in a position to afford a loss of such a huge amount of the foreign exchange just in order to satisfy the luxury of the few handful persons. In the last 4-5 years Congress Government has entered into agreements with the various multinational companies. Such as Maggi soup, ash-brow, children's toys etc. are the few example of it. The Madras Rubber factory made an agreement with a multi-national company which manufactures toys according to which the 40 percent of its profit would have to be paid in the form of the foreign currency to that company based abroad. In the same way the contract for the commodities was made with a Swedish company. There were a number of such contracts. During the last 4-5 years, different contracts were made with approximately one thousand foreign companies. But none of them was for any big machinery or say such thing for which

higher technology is required. All these contracts were made for manufacturing such luxurious items are used by only ten percent people rather to say only few people of the country can afford to use those.

SHRI BHOGENDRAJHA (Mudhubani): Not ten percent. It would be hardly one percent.

SHRI GEORGE FERNANDES: Let it be 10 percent because we are of the view that in India there are about 7-8 crores people, the so-called medium class, who are indulged in building their status by wandering around the high class people. I would like to put a special question before the hon. Minister of Finance. He may counter my question about the agreement made by this Government with pepsi cola as some of the Members told that the present Government had to continue the contract made by the previous government. I would like to say to him that all such contracts which are not at all in the interest of the country must be terminated immediately as today our country is facing acute shortage of foreign exchange. All such agreements or contracts which are not in the interest of the country should be terminated and in this way foreign exchange may be saved. All such arguments which are given to support the investments by the Pepsi Cola, coco-cola, foreign companies making toys and that these investments will be helpful in India's progress and development are totally baseless. Therefore, I would like to say to the Minister of Finance who has moved this Bill in the House that all the unnecessary contracts made with the foreign companies must be terminated immediately. Mr. Chairman, Sir, in this context I would like to mention another thing which is related to the responsibility of the Reserve Bank of India. There are many problems, such as the problem of Punjab, Kashmir, Assam and the naxalite movement in Andhra Pradesh before the country. We often discuss on Bihar.

SHRI K.D. SULTANPURI (Shimla): You say about Tamilnadu.

SHRI GEORGE FERNANDES: Yes, add Tamilnadu also. The main issue associated with all these problems is of exploitation. The structure of the Reserve Bank has become a means of continuous exploitation. All the villages or the backward areas of the country are ignored by it. I would like to place an evidence of it before you. Here in my hand are the datas of the Public Sector Banks' Deposits and credits in the Reserve Bank. The credit ratio upto March 1990 of Uttar Pradesh which is one of the poorest state of our country, is 46.3%. The revenue received from that state, the savings of the poors has been diverted in the development of the Metropolis civilization. This point has been raised at different levels before the Reserve Bank of India and the Ministry of Finance but the Government has never bothered to interfere in this matter. The same is the case with other states also. The credit is 45.5 percent in Punjab, 37.8 percent in Bihar and 51 percent in Bihar. Same is the case with Assam also. The money of the poor and backward states is diverted on the development of the other prosperous states. In the same way the most backward areas of a state are neglected in order to give extra attention to the other developed areas of the same state. Thus there is a wide gap between the developed and the backward areas of the country due to such prevailing imbalanced system. So I would like to request the hon. Minister of Finance, as a discussion is going on the Reserve Bank of India though in different context, but it is the responsibility of the Reserve Bank to remove the disparity in the developmental structure. Therefore, I would like to request that the deposits the savings in the rural areas should be utilised in those areas only and development work of that area should be done by the savings of the people of that area. Government must decide in this matter.

Mr. Chairman, Sir, I will conclude my speech after saying that besides other things the Reserve Bank has to monitor the functioning of all other Banks also.

THE MINISTER OF HUMAN RE-

SOURCES DEVELOPMENT (SHRI RAJ MANGAL PANDEY): Should the Government of India do anything or not if a state does not have money for further development?

SHRI GEORGE FERNANDES: I want to say that money saved in a state should be used in the development of that state first. As for example, if Rupees 500 crores have been saved by the people of Azamgarh district, it should be utilised in that district only, not in Bombay or Delhi. Further, I want to say that you have no right to up bring the capitalists of the country at the cost of the farmer's interests. The Government has no right to develop the urban civilization and avoiding the rural development. There are no roads in different areas of Assam, Bihar and Rajasthan but in Delhi, they are constructing roads and bridges in every three months. I oppose such imbalance situation.

SHRI SHOPAT SINGH MAKKASAR (Bikaner): We find that in Delhi very smooth roads are constructed whereas Rajasthan lackes badly in the matter of roads.

The Reserve Bank is supposed to supervise also the entire Banking system functioning in the country. I would like to ask the hon. Minister of Finance certain questions as to how far the Reserve Bank has cared to fulfil this responsibility? Is it not true that the Banks of the Public Sector in the country have not reconciled their accounts for the last ten years? Is it not true that these Banks have wasted crores of rupees during the last 5-10 years? Is it not true that the officers of these Banks right from the Chairman-cum-Managing Director to the lower levels are indulging in Curruptr practices? In this context I would like to mention the name of a particular Bank and ask the Minister of Finance whether he did not ask the Chairman-cum-Managing Director of the Vijaya Bank to resign while vigilance and C.B.I. inquiry against him was in progress? Are the people today not hankering after entering into these Public Sector Banks? They have done much harms to these Banks. They are behaving like feudal-lords. How was it possible for those who

were recruited as lower rank officers in these Banks to amass crores of rupees? I hope that the hon. Finance Minister would take a special note of the three issues which I have plated before him and he would take some firm decisions in this regard.

[English]

SHRI YASHWANT SINHA: I am extremely grateful to all the Members who have participated in this discussion. I have greatly benefited from the suggestions which have been made. I must confess right in the beginning that I am greatly intrigued by the points which hon. Mr. George Fernandes has raised. And when I come to that I will explain why I am intrigued.

What is sought to be done through these amending Bills is very simple. The first relating to the gold reserve is an enabling provision which will enable the Reserve Bank to value the gold which it holds as reserve in line with the reality obtaining in international market especially the London Metal Exchange. As you are aware, the value of the reserve prior to this Ordinance which was brought on the 15th of October, 1990 was only Rs. 287 crores. As a result of the formula which has been incorporated in this Bill and was enacted through this Ordinance which is even 10 per cent less—it is not 100 per cent of the international prices; it is only 90 per cent of the international prices—it has gone up on 30th November, 1990 to Rs. 6627.43 crores. Now the point is, not that we have over-valued it, not that arbitrary valuation is taking place, not that somebody is playing around with these figures artificially for the purpose of unduly impressing the rest of the world. What we are trying to do is to bring it in reality with international prices because what had happened earlier was that the value of the reserves under the provisions of the existing Act were artificially depressed. And that is the distortion which is sought to be corrected through this amending Bill.

Now why I am intrigued by the remarks made by hon. Mr. George Fernandes is that this Ordinance was passed by a Govern-

ment of which he was a Cabinet Minister. It was enacted on the 15th of October, 1990.

So, if anybody is guilty of undue haste in bringing such a legislation, it is the then Government and the Cabinet, of which Mr. George Fernandes was responsible Minister I hope...

(Interruptions)

SHRI BHOGENDRA JHA: But do you mean to say it was guilt?

SHRI YASHWANT SINHA: I am not saying that. I am saying that Mr. George Fernandes has said in his speech that it is only a show and that everybody knew what the real value of the reserves was. By artificially now revising it, we are just putting up a show before the world. And this he is saying about in enactment which was brought by his own Government. He has said he read the Object and Reasons of the Bill and said that he took objection to the reference to the Gulf crisis. I am surprised. I do not know whether Mr. Fernandes attended the Cabinet meeting in which this matter was discussed, subsequent of which the Ordinance was enacted. I do not know whether he read the Cabinet Note which was prepared. I do not know whether he briefed himself before he came to this House this evening to talk on this Bill. But if he had done his home work, I am sure he would not have raised this objection because the reference to the Gulf crisis and the fact that we were bringing this amendment, consequent upon the Gulf crisis, was something for which we are not responsible. It is something which they themselves had decided and, therefore, I am intrigued.

SHRI BHOGENDRA JHA: You were also a party to that. You belonged to that party.

SHRI YASHWANT SINHA: You were also a party to that, they were also a party to that. But I was not. I was not a member of the Cabinet fortunately, nor were you, nor were they.... (Interruptions)

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur): This does not make any difference as to when this ordinance was proclaimed. The points which I have raised can be said while remaining in the Government and outside also. This ordinance is superficial and it will not solve our problem in any way. The quantity of our gold-reserves is the same as it had been in the past. At present we don't have even Rs 257 crore. Then how it has gone upto Rs. 6627.43 crore. So, there is nothing to worry about it.

SHRI YASHWANT SINGH SINHA: I am not in the confusion. I have simply narrated some facts here in the House to make the position clear.

[English]

That was the only intention with which I made those remarks. Now, Sir, if we had been convicted, when we came into Government, that this was a useless piece of legislation which need not be carried forward, then we would have allowed the Ordinance to lapse. Quite frankly, we did not think so because while the international experts and wizards, knowing the formula by which the Reserve Bank of India values its reserves, would perhaps know what is the true value of our reserves, as far as the general public is concerned, in India and abroad, they would not be aware of it. It will be very difficult for anyone to imagine, for instance, that India still values its reserves on the basis of something which is 20, 30, 40 years old. No country in the world is today doing it on that basis. I have information about what other countries are doing, not only developed countries but also developing countries. I also read it in the initial speech which I made before the House. We are only falling in line with the rest of the world. We are trying to bring ourselves in touch with the reality as it exists today.

A number of other points were raised. Let me make one point very clear- because from this side Mr. Bhargava and Mr. Lodha

made the point that this is going to add to inflation that it is not even remotely connected with inflation. If I know my economics, even the rudimentary, elementary economics, then mere revaluation of the reserves in line with international prices-a reserve which remains with the Reserve Bank of India, which is not used- is not going to contribute in any way to inflation. Inflation is there because of other reasons and we can discuss that.

But just as it will not regulate traffic in Connaught Place, it will not touch inflation at all. So, let me be very clear about it that this revaluation is not going to have any impact on inflation. (Interruptions).

[Translation]

PROF. RASA SINGH RAWAT: Sir, I had made a suggestion to circulate the Bill for eliciting public opinion what happened to that suggestion.

[English]

MR. CHAIRMAN: Your amendment is already circulated.

(Interruptions)

SHRI YASHWANT SINHA: Mr. Ajit Pnja made a very valuable speech and raised many issues. He is not here just now. But I would like to say that we have noted, because the suggestion did not come from him, it came from many other quarters in this House that the Act has become very old, it has been amended a number of times and that there was need to bring about a comprehensive new Bill to regulate the RBI and make it more effective. We have taken note of that suggestion and I will certainly go back and have a look at it. But he also said that a decision had been taken about confiscated gold. Gold is confiscated and annual valuation takes place every year, we know what quantity and what value of gold we have captured. In 1990, for instance, we had confiscated gold worth Rs. 665 crores at domestic prices. What happens is that this gold does not automatically go into the

vaults of the Reserve Bank. It is not added on to the reserve, it is held on Government Account. It is only when it will be transferred, in case it is transferred, to the Reserve Bank of India that to that extent the amounts will get reflected in the Revenue Account of the Government of India. But I have taken note of that suggestion. There are various ways in which this confiscated gold can be used, for instance, it is being used to supply the much needed raw material to the goldsmiths for making ornaments through the State Bank of India for export purposes. So, if any point of time the Government comes to the conclusion that we have sufficient stocks of confiscated gold which ought to be transferred to the reserve held by the Reserve Bank of India, then at that point of time that such a transfer will take place and that value will get reflected in the Revenue Account of the Government of India.

As far as the questions in regard to the definition of bullion and coin system is concerned, we follow the international definition. Fine gold is regarded as 99.99 purity. Thus, for everything there is an international definition and we follow that definition. So, there is absolutely no confusion in regard to that.

Various suggestions have been made about how we should regulate gold permitting NRIs to bring gradually. These are not germane to the issue that we are discussing, but certainly we have heard these suggestions and we will take note of them.

Now, Sir, I think, as far as the Ordinance which we now seek to bring as a Bill before the House and which we seek to enact as a law is concerned- as far as that Ordinance is concerned, it is very simple; as far as the general picture is concerned, in regard to foreign reserves, it is not a secret from this House, from the people of India that reserves have been falling steadily, somewhat sharply, ever since we were hit by the Gulf crisis and are determined, we have repeatedly said unlike the previous government which said, 'The coffers are empty'- that was the swan song which went on and on, we are not

saying that, we are careful, we are saying, we have a difficult situation, but there is no need for panicky just as Rs. 287 crores worth of gold actually could be valued at Rs. 6,067 crores, similarly with all the assets that we have in this country and especially as the Prime Minister is fond of saying, 'we have the human resources in this country', if anybody thinks that this country is bankrupt, then there is no more foolish phantom thought than that. This country is a solvent country, this country is capable of standing on its legs, and this country will stand on its legs, we shall overcome the temporary difficulties that we have. Therefore, there is no question of empty coffers, there is no question of panic, there is no question of despair, we shall live with hope and we shall overcome. So, let me assure Mr. George Fernandes..(Interruptions)

SHRI GEORGE FERNANDES Sir may I ask one question to the hon : Is it not true that the total assets of the Government of India are less than the total outstandings of the Government of India? If the Government of India were a corporate body, it would have gone liquidation. The Managing Director of the corporate body may be billionaire, but he may send his company into liquidation. Today, the outstandings of the Government of India, both foreign and domestic, are more than the assets of the Government of India.

MR. CHAIRMAN: Your question is different. If the Minister wants to answer, he can do so. But what he said was about the national wealth.

SHRI YASHWANT SINHA: Sir, Mr. George Fernandes has been a Minister much longer recently than me. I am sure he has computed the value of assets and the liabilities and I am sure he knows the answer. But, I was saying that we are not looking at the assets of the Government of India; we are talking of the viability of the whole nation. Then, we are not merely concerned with the assets held by the Government; we are talking of national assets. As far as national assets are concerned, they are many times

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more than any liability that we have nationally. Let us be quite clear about it and therefore, as I said, I am quite confident that we shall overcome the temporary difficulties in which we are now and this country shall move forward.

SHRI NIRMAL KANTI CHATTERJEE (Dumduum): But that does not contradict the fact that the Government coffers are nearly empty.

SHRI YASHWANT SINHA: If you want to start a discussion on that, let me tell you very clearly let us put this at rest once and for all. I was also one of them; when we were shouting that the Government coffers are empty, the foreign exchange reserves were at a reasonable level- Mr. George Fernandes is sitting here- the foreign exchange reserves continued to remain at that somewhat comfortable level until September when as a result of the Gulf crisis, they started declining. If we are looking at the fiscal deficits, Is we are looking at the budgetary deficit, we have finished the previous year with a deficit of something like Rs. 11,000 crores which was not unprecedent, because this year if we had not taken these steps and if we do not take more such steps in future in regard to controlling the expenditure, let me tell you the deficit with which we would have been faced this year would really have made this nation look absolutely bankrupt. So, when we are talking of bankruptcy, when we are talking of coffers, what exactly do we mean? We mean what is exactly in our foreign exchange reserves; we mean what is the budgetary deficit and we are referring to our loans.

SHRI NIRMAL KANTI CHATTERJEE: It is a very simple thing. When we talk about Government coffers in terms of international balance of payment in reference to our import bills, it is two weeks reserves that we have got. I remember, when I was in Rajya Sabha and Mr. Pranab Mukherjee was the Finance Minister, we asked him as to how much reserves we have now. His answer

was that it would come for at least three months' import. This is what the position described. There is no reason for panic because of the national wealth. But, at the same time, that does not mean that we have a right to equate the Government's situation with the situation of the nation. These are two different things.

SHRI YASHWANT SINHA: I do agree that we cannot equate to situation of the Government with the situation of the nation. Let me make it very clear that we held through out the whole of 1989-90 and until September, 1990, the foreign exchange reserves were in the range of anything between Rs. 5,000 to Rs. 6,000 crores. The monthly figure kept on varying. But, when the National Front Government came into power in December, 1989, the foreign exchange reserv were such that there was no need for a talk is of empty coffers and let me tell you with a full sense of responsibility that the enormous amount of damage which has been done to India's credibility abroad as a result of this empty coffers talk is incalculable. I am saying this with a full sense of responsibility.

As I said, this Reserve Bank gold re-evaluation being in line with reality, is a legislation which had been brought through an Ordnance by the previous Government. We feel it should be realistic. So, we are supporting it. We have brought it before the House. I am very glad it has received the support of practically every section of the House except the Party which has brought it as an Ordinance and, I am a sure, on second thoughts, Mr. George Fernandes will also fall in line and will support this. I have unanimous support as for as this Bill is concerned.

The second Bill which has been passed by the Rajya Sabha and which is under consideration before this House relates to another enabling provision. It relates to raising the cash reserve ratio of the banks from 15 to 20%. This again is a very simple legislation. 24 out of 28 public sector banks in this country already have a CRR of 15%.

As you know, one of the main reasons for inflation is money supply. My colleague, Rao Birendra Singh has replied to the debate which has taken place in this House to which many hon. Members have referred. One of the many reasons is increased money supply and, therefore, even if the CRR is at 15%, there is a feeling that money supply is increasing. This year we have taken stern steps to restrict money supply and, I am sure, we will be able to keep it under check. It has become essential to enable the RBI to take it up to 20%, if they feel. As you know, RBI is an autonomous organisation. RBI independently gives advice to the Government of India. RBI independently comes to its own conclusions in regard to the health of the economy. It has certain statutory functions and it is within that that we are now enabling the RBI to be able to raise the CRR, if they so feel, to 20% as against the present limit of 15%.

A number of other points have been raised in regard to the functioning of the banks. I touch upon a few.

It was said that there is not enough being done for the rural sector. Let me tell you that expansion of bank branches is enormous. In 1989-90, for instance, the total number of bank branches which were opened was only 1,518 out of which 1,376 branches were opened in the rural areas so that the commitment to the rural sector is continuing absolutely without any dilution. I do not think it is a case of anybody in this House, either sitting on that side or this side, that there should be any dilution either in regard to the number of branches which are being opened in rural areas or in regard to various kinds of credit which is being made available.

SHRI NIRMAL KANTI CHATTERJEE:
That is agreed. But, will the RBI guideline not hamper further expansion in the rural side in terms of viability? That is the point.

SHRI AMAL DATTA (Diamond Harbour): I had very specifically made the point that the Reserve Bank has now

revised from the earlier position that there should be branch to cover a particular number of population. They have now given a directive that all branches, opened in future must be viable by themselves. That will slow down the speed of opening banks in rural areas.

SHRI YASHWANT SINHA: I am aware the policy is that for every 15 to 25 villagers, there should be a rural branch. If there has been any dilution in this stand, I shall go back and check and correct it, if it is necessary. But, let me tell you one thing that, with the CRR which is at present at 15% and the SLR, a total of 53.5% of the banks' money is now under the control of the Reserve Bank of India and of the balance which is available to them for lending, 40% is to be reserved for the priority sector. Therefore, as far as that is concerned, there is going to be absolutely no dilution. This will mop up a little more if the Reserve Bank of India feels that such a step becomes necessary and, let me assure the hon. Members, that this is quite clearly an anti-inflationary step, because the more money we keep in reserve, prevent it from going into circulation, the less will be the pressure on prices. So, Sir, as I said, this again is a very simple legislation enabling the Reserve Bank of India to be able to raise the CRR limits. A number of points have been raised again by Shri George Fernandes in regard to Credit Deposit Ratio and the RBI's control over the bank and all that. It is a long continuing point and it is a long continuing struggle. I am all for improving the Credit Deposit Ratio especially for the rural sector, especially for the backward States and it shall be my endeavour as long as I am the Finance Minister to make sure that the various banks serve the needs of the poor in the rural areas, in the backward areas. That will continue to be my endeavour.

SHRI AMAL DATTA: As far as loan is concerned, no credit should be given to luxury consumption areas. What is your view?

SHRI YASHWANT SINHA: I would make the point that 53.5 percent of the banks' money is being controlled by the re-

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serve Bank of India through CRR and SLR. of the balance, which is 46.5 per cent, 40 per cent is being reserved for the priority sector. So, there is only 6.5 per cent left. Let me make it clear..

SHRISONTOSH MOHAN DEV (Tripura, west): I fully agree with you. But the point Mr. Amal Datta has made is a very valid point. In this House all sections of the Members have raised it that in view of the fact that loans up to Rs. 10,000 has been written off, there is a tendency on the part of the banks not to give small loans to the small farmers as new loans. On this issue, will the Minister say something? Is the Minister aware of it? If it is so, will corrective steps be taken?

MR. CHAIRMAN: Let him answer the questions one by one.

SHRI NIRMAL KANTI CHATTERJEE: Sir, out of the 53 per cent, the residual part of that is 40 per cent and not the total of it. The Minister is making a mistake there. (Interruptions)

SHRI BHOGENDRA JHA: The next Budget is coming soon. The Minister has to chalk out his policy from now onwards. I would like to know from him whether the Reserve Bank is giving any guidance to the bank branches throughout the country to yoke its money for productive endeavours to produce goods and materials and not merely for trading and hoarding purposes. Whether it is going to be your policy?

SHRI YASHWANT SINHA: Let me assure the House that there is no question of any bank being given unbridled freedom to indulge in profiteering or to enable others to indulge in profiteering. If there is any loophole, we shall, through the Reserve Bank of India or directly, try and curb it. But let me make one point very clear. As far as foreign investment is concerned, Shri George Fernandes has talked about Maruti and the Pepsi coming here. I remember when I was a Member and sitting in the Opposition in the

Rajya Sabha I had also made a fiery speech against pepsi Cola coming into the country. We had hoped that when Shri George Fernandes, a person like him would join the Government as a Cabinet Minister, he would throw Pepsi Cola out as he has done in the case of Coca Cola. But that did not unfortunately happen in the 11 months that he was in power.

[Translation]

SHRI GEORGE FERNANDES: I had stopped its service in the trains. What I want to say is that today you are in a position to do so. It is because while commenting on the Industrial policy, the Prime Minister had expressed his views regarding investment of capital entirely by the foreign investors due to that Industrial Policy.

SHRI YASHWANT SINHA: There after George Saheb has also said that multinational companies are coming to manufacture commodes and other consumer goods. Foreign capital and foreign techniques have been brought to this country so as to manufacture these items. Sir, so far his question is concerned, our policy is very clear that no foreign technology or foreign investment is needed in the area of manufacturing consumer goods in this country. If at all, there is any need of foreign technology or foreign investment, it is in the priority sector and any such priority will be fixed by us only and not by foreigners.

There is yet another point which I would like to touch. When there was the Government of the National Front with George Saheb in the Council of Ministers, it had announced its Industrial Policy. We had strongly opposed the policy inside the party. At that time neither George Saheb had resigned from the Party nor opposed the policy. (Interruptions)

[English]

* *

SHRI BHOGENDRA JHA: Are you going to change the Industrial Policy?

SHRI SONTOSH MOHAN DEV:
New policy is coming. The Minister has said it.

[Translation]

SHRI GEORGE FERNANDES: Mr. Chairman, Sir, I would like to know whether the Government has announced a policy in the House that the foreign companies would not be allowed to enter the consumer sector. I would like to mention the names of 3-4 companies. The 'Gustans Berg' which is a Swedish company and manufactures commodes was invited to the country by the Government of that party which is now supporting your Government. Maggy Soup, Hash Bro Toys, Maruti vehicles and Pepsi are among them. Will these companies be driven out according to their policy?..(Interruptions)

[English]

MR. CHAIRMAN: I will not allow like this.

[Translation]

SHRI YASHWANT SINHA: I would like to submit that the present Government has no such policy under which foreign companies who have already been permitted would be asked to wind up their establishments in the country. Please do not ridicule that point. No such step has been taken during eleven months....(Interruptions)

I would like to say...(Interruptions)...

[English]

SHRI YASHWANT SINHA: I am not yielding how. I have yielded enough. I have to close it now. (Interruptions)

DR. BIPLAB DASGUPTA(Calcutta South): What are you going to do now? (Interruptions)

MR. CHAIRMAN: I cannot allow this kind of a debate. If anyone wants to ask a

specific point, I have no objection. But you can not force the Minister to say something now itself.

(Interruptions)

MR. CHAIRMAN: When you are proceedings like this, he has also a right to speak.

(Interruptions)

SHRI YASHWANT SINHA: Sir, it has been said on behalf of the Government on a number of occasion that we propose to bring a new Industrial Policy. We shall do it. We shall take Parliament into confidence. We shall place it before Parliament. I can only say at this stage that the new Industrial Policy will be much more in consonance with the national needs, with the national objectives, with the national aspirations than the useless policy, the disastrous policy which the previous Government had brought. With this note now, would appeal to the House to support and pass this Bill.

[Translation]

SHRI DAU DAYAL JOSHI (Kota): I would like to point out that due to their banking policy a number of banks in the country have reached the stage of bankruptcy. Among them, especially the United Commercial Bank....(Interruptions)... Due to the support in the West Bengal, they are keeping the UCO Bank alive. But the New Bank of India has reached the stage of bankruptcy and it is going to be merged with other banks. Please let me know as to how the Government is adopting dual policies in this regard. The New Bank of India is going to be merged while the United Commercial Bank is being given the benefit.

SHRIGIRDHARILAL BHARGAVA: The hon. Minister tried his best to explain the Bill. In fact, the Bill is very brief. It has far-reaching effects. Gold is the symbol of prosperity in this country. Especially in our country, gold is everything for a woman. It has not been stated as to what effect it will

[Sh. Girdhari Lal Bhargava]

have. It is certain that this Bill will cause price rise, increase inflation and black-marketing. On every currency note, it is printed on behalf of Government of the R.B.I. that "I promise to pay." If the Government keeps gold reserve less than the required quantity and prints notes disproportionate to gold reserve, people will lose faith in the currency. On every currency note, a promise is being made that, "I promise to pay" etc. If the government wants to lose that confidence, it is altogether a different matter. History has been witness to it and ours is a poor country. The hon. Minister cited the instances of Brazil and Argentina. But at the same time, he must admit that increasing the printing of notes by 20 times would give rise to inflation and have far reaching effects. Your Government will get this bill passed but the coming Governments will have to face great difficulties and those will not be able to check to the negative effects which would occur in the long run. Therefore, every effort should be made to raise the level of gold reserve. Non-resident Indians should be allowed to bring gold with them and to deposit that in the country. You can increase the tax on such deposits. I would, therefore, like to request the Government to withdraw the Bill and not to thrust it on the poor people of the country.

[English]

SHRI GEORGE FERNANDES: Sir, I am on a point of clarification. I want to say only one sentence. The hon. Finance Minister made a point that.

[Translation]

During the tenure of Shri Vishwanath Pratap Singh's Government the country suffered a great economic set-back. He further said that the country has suffered a great loss in every international field. This is not correct. I would like to explain in one sentence only.

[English]

MR. CHAIRMAN: I don't want to re-open it. Now that stage has gone.

SHRI GEORGE FERNANDES: I have to make a clarificatory statement because there is a charge made and I must clarify it. (Interruptions)

MR. CHAIRMAN: I shall now put the Resolution moved by Shri Girdhari Lal Bhargava to the vote of the House. The question is:

"That this House disapproves of the Reserve Bank of India (Amendment) Ordinance, 1990 (Ordinance No. 7 of 1990) promulgated by the President on the 15th October, 1990."

The motion was Negatived

MR. CHAIRMAN: There are two amendments moved to the consideration of the Bill. One is by Shri Girdhari Lal Bhargava and another by Prof. Rasa Singh Rawat.

[Translation]

SHRI DAU DAYAL JOSHI: Mr. Chairman, Sir, my question has not been replied... (Interruptions)

[English]

MR. CHAIRMAN: Nothing will go on record without my permission....

(Interruptions)*

MR. CHAIRMAN: Is Shri Girdhari Lal Bhargava withdrawing his amendment?

[Translation]

SHRI GIRDHARI LAL BHARGAVA: If they do not agree, I am withdrawing my amendment.

*Not recorded.

649 Stat. Res. re. disapproval PAUSA 19, 1912 (SAKA) R.B.I. (Amend.) Bill and 650 of R.B.I. (Amend.) ordinance, 1990, R.B.I. (Amend.) Bill, as passed by R.S.

[English]

MR. CHAIRMAN: Has Shri Girdhari Lal Bhargava leave of the House to withdraw his amendment?

SEVERAL HON. MEMBERS: Yes, Sir.

Amendment No. 1 was, by leave, withdrawn.

MR. CHAIRMAN: Is Prof. Rasa Singh Rawat withdrawing his amendment?

[Translation]

PROF. RASA SINGH RAWAT: I would like to submit that gold is dear to crores of people living in the villages and towns because it signifies the marital status of women in the country. As such, I would like to know from the Government whether with the passing of this Bill, the prices of ear and nose rings and other gold ornaments will not go up. It should not happen that with the passing of this Bill price of gold may go up and inflation may rise further. With this I withdraw my amendment.

[English]

MR. CHAIRMAN: Has Prof. Rasa Singh Rawat leave of the House to withdraw his amendment?

SEVERAL HON. MEMBERS: Yes, Sir.

Amendment No. 3 was, by leave, withdrawn

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Reserve Bank of India Act, 1934, be taken into consideration."

The Motion was adopted

MR. CHAIRMAN: The House shall now take up clause by clause consideration of the Bill.

There are no amendment to clauses 2 and 3.

The question is:

"That Clauses 2 and 3 stand part of the Bill.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

MR. CHAIRMAN: There is no amendment to Clause 1.

The question is:

"That clause 1, the Enacting Formula and the Long Title stand part of the Bill.

The motion was adopted.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

MR. CHAIRMAN: The Minister may now move that the Bill be passed.

SHRI YASHWANT SINHA: I beg to move:

"That the Bill be passed."

SHRI GEORGE FERNANDES: Sir, I will not take more than 60 seconds. I shall exercise my right to make a speech at the third reading stage. (Interruptions)

MR. CHAIRMAN: I have no objection in it. At least, you should have given in writing that you wanted to say something at the third reading stage.

(Interruptions)

MR. CHAIRMAN: You have already spoken also.

(Interruptions)

SHRI GEORGE FERNANDES: Sir, I would not take much time. The only point which I want to make is this that in so far as this Bill is concerned, I am supporting it. But, at the same time, I want to draw the attention of the Finance Minister to the fact that the total liability of the Government of India is, Rs. 3,56,000/- crores as of date, as against the total assets of Rs. 2,35,000/- crores as of date; and so, the net liability- which means that the Government will have to go to the state of bankruptcy- is Rs. 1,21,000/- crores. Sir, my colleague and former Finance Minister Shri Madhu Dandavate told the country that we are in a state of bankruptcy. I am sure the hon. Finance Minister will understand the significance of what he was saying. Thank you very much, Sir.

MR. CHAIRMAN: Mr. Minister, do you want to say something?

SHRI YASHWANT SINHA: No, Sir.

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted

MR. CHAIRMAN: Now, we are talking up the Second Bill.

The question is:

"That the Bill further to amend the Reserve Bank of India Act, 1934, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted

MR. CHAIRMAN: The House shall now take up Clause-by-Clause consideration of the Bill.

Clause 2

MR. CHAIRMAN: There is no amendment to Clause 2.

The question is:

"That Clause 2 stand part of the Bill,"

The motion was adopted

Clause 2 was added to the Bill.

Clause 1

Amendment made

Page 1, lines 3 and 4,-

for "(Amendment) Act, 1990"

substitute "(Second Amendment) Act, 1991." (1)

(SHRI YASHWANT SINHA)

MR. CHAIRMAN: The question is:

"That Clause 1, as amendment, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

MR. CHAIRMAN: The question is:

"That the Enacting Formula and the Long Title stand part of the Bill"

The motion was adopted

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

MR. CHAIRMAN: The Minister may now move that the Bill, as amended, be passed.

SHRI YASHWANT SINHA: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

653 *Stat. Res. re. disapproval PAUSA 19, 1912 (SAKA) R.B.I. (Amend.) Bill and 654
of R.B.I. (Amend.) ordinance, 1990, R.B.I. (Amend.) Bill, as passed by R S.*

The motion was adopted

19.13 hrs

MR. CHAIRMAN: The House stands adjourned to re-assemble tomorrow at 11 a.m.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, January 10, 1991/ Pausa 20, 1912 (Saka).
