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15.48 hrs

Title: Discussion regarding situation arising out of alleged mismanagement of affairs of Satyam Computer Services Limited.
(Discussion concluded)

MR. CHAIRMAN : The House shall now take up Item 45.

Hon. Members, the discussion on situation arising out of the alleged mismanagement of the affairs of the Satyam Computer Services Limited has been admitted in the names of Shri Basu Deb Acharia and Shri P. Karunakaran. Shri Basu Deb Acharia has requested the hon. Speaker to allow Shri Rupchand Pal to raise the discussion on his behalf. The hon. Speaker has acceded to his request. Now, hon. Member Shri Rupchand Pal will initiate the discussion.

SHRI RUPCHAND PAL (HOOGHLY): Sir, at long last, this House has got the opportunity to discuss this multi-crore, multi-dimensional - what should I say - fraud-plus or scam-plus or super scam. I do not have the vocabulary to describe this super scam.

It is not an aberration as claimed by the Minister. The Minister had said that it is an isolated case. It is a telling commentary on the gaping holes in the system. The whole galaxy of institutions, regulators, Government agencies, and all concerned, is in the dock. Politicians are in the dock. Key functionaries in the Government of Andhra Pradesh as others related to the Government are in the dock. So, I thank you, Sir, that at long last we have been given this opportunity to discuss this issue.[\[KMR70\]](#)

[\[s71\]](#)

In the past, we had discussed the scam of Harshad Mehta variety, Ketan Parikh variety, of the Rupan Panchal IPO scam and many other scams. ...*(Interruptions)*

MR. CHAIRMAN : Nothing will go on record.

*(Interruptions) â€¦**

SHRI RUPCHAND PAL : These institutions were assigned by the Constitution and Parliament specific responsibilities. They have failed miserably. Be it the capital market regulator, SEBI; be it the RBI; be it the different banks; be it the other agencies including the Income-Tax Department, Enforcement Department and a lot of others about whom I shall mentioned in the course of the deliberations.

On 7th of January, the whole nation was shocked to know that a confessional letter has been written by the CEO of the fourth IT major, who has 185 clients, many of whom are Fortune 500 companies, who was an icon, who was the person allowed to sit by the side of Mr. Bill Clinton, when he came, while Ratan Tata, Mukesh Ambani and others have been sitting in the audience. That icon discovered as a conman. Is it that suddenly it has happened? He has admitted, "I have been doing all these falsification of accounts, siphoning of funds, manipulation. I have been doing all these for the long seven years." Not that, it was suddenly discovered. The person's name came as long back during the days of Ketan Parikh's time. Subsequently, Income-Tax Department, in 2002, it was discovered that Raju had been using accounts opened in the names of relatives, parents, in-laws, brothers and cousins to divert money and carry out insider trading. It was their Government in 2002.

MR. CHAIRMAN: Should we name the person who is not present inside the House? You can say as CEO.

SHRI RUPCHAND PAL): Whose name I am taking, Sir? Yes, I am naming one lady inspector, her name is given here, it is well known to the nation. It is written that the lady who had detected the massive tax evasion and irregularities. Instead of look into the issue, she was transferred. It was their Government. CBDT was

*Not recorded

there. This man has bungalows and villas, even Nizam would have envied, in 63 countries. Massive mansions in 63 countries. He has more than 2,000 pairs of shoes, even Imelda would have envied such a situation. He has been doing all these manipulations, siphoning of funds, all the crimes possible for a white-collar criminal, had been committed by him. Now, what has happened? After this exposure on 7th of January, 2009, till today, although the Prime Minister has said that the whole fraud would be exposed; the nature of the fraud would be investigated and within three months time, the offenders would be punished appropriately. What has happened till today? It is more than six weeks now. [\[s72\]](#) There is nothing – there is no progress at all. The Minister of Company Affairs is responsible for two agencies – Serious Fraud Investigation Office and the Registrar of Companies. They have their responsibilities. SFIO did not have any access to investigate and interrogate the CEO of Satyam. It was a conspiracy – I charge that it was a cover up conspiracy made by the key functionaries of the AP Government – the CID had appropriated the whole responsibility – Satyam Chief surrendered on his own and he was given judicial custody. It had been discussed as 'protective custody and not preventive custody'.

Now, he is enjoying 7-Star luxury. A criminal who has duped thousands of the shareholders, who has looted money, who has siphoned public money, is enjoying 5-Star and 7-Star luxury, and the SFIO did not have access to it, because it is a complex fraud. The CID of AP has no wherewithal to go deep into it; but still it appropriated the authority; they did not even cooperate with SEBI. There was insider trading. That means, just before the 7th of January confession, 92 lakhs of shares changed hands in one day. Actually the transfer or sale of shares was of the order of Rs.2.45 crore. Was it done by one single individual? No. There was insider trading. There lies the tragedy.

The Executives, the Vice-Presidents sold lakhs and lakhs of shares just before this confession. Even the present CEO – the tragedy or the irony – has done this. I am reminding the Minister present here. He said, what can be done? It may be that the person may sell. Even the present CEO, Mr. Murthy, I am naming and if you like, you can delete – he has been made the CEO – has been involved in insider trading. He has also sold his shares; now, he is the CEO.

The names of the Board of Directors, famous names, celebrities, former Cabinet Secretary, very important names from the International Business Schools are there. Independent Directors are there. The very concept of having them there is different.

Once a Public Sector Chief commented – you are subjugating us to such control, without any level playing field. We are a public sector undertaking; the Government is delaying in the matter of appointment of Independent Directors and you are saying, we are subjected to the CAG, we are scrutinized by the Parliamentary Committee, we are under the jurisdiction of CBCE, CBI, everything. You are looking at us only. Where is your Independent Director? They are just *Navrathnas*. It is a statement made by one of the most important Chairman of the public sector undertakings – that, SEBI is with us in respect of Independent Directors in such a manner and the Government is sitting idle. What are they doing? If it is the Executive Chairman, then 50 per cent will be Independent Directors. Who are these Independent Directors? Who appoint them? They are celebrities. After what has happened in Satyam, daily, Independent Directors, the celebrities are resigning from different Boards. [\[p73\]](#)

16.00 hrs (Shri Varkala Radhakrishnan in the Chair)

They have no responsibilities, but they were supposed to be the watch dog to protect the interest of the small investors. They are enjoying life. Money was being given and because of huge fees being given to them, they remained silent. We do not have any idea. The Government decided to absolve them. Why is this concept of Independent Directors? They are appointing their own distant relatives and very freely picking up people. Who were the Independent Directors during all these seven years? I am told that in case of some people, their passports have been seized. Who were the Independent Directors on the Board of Satyam? I know them. But I am not naming them. There were important people. There was the former Cabinet Secretary; key professors of important business schools, famous and reputed people. He had set up more than 358 companies and many of them were fictitious and vanishing companies. Money was only transferred from the IT sector to the real estate sector. 17,000 acres of land was given in certain areas by the Andhra Pradesh Government. Prestigious contracts worth Rs. 38,000 crore in the power and irrigation sector was given to them. Even the Chief Minister's favourite drinking water scheme, namely, the Krishna Drinking Water Scheme was given to them. Not only projects from power and irrigation sector, even the prestigious Hyderabad Metro was given to them. Shri Sreedharan, the renowned personality who is associated with the works of Delhi Metro had made a complaint to the Planning Commission saying that the way in which the whole plan is sought to be changed by the Andhra Pradesh Government is not acceptable. But nothing has happened. The Central Government did not intervene. The Planning Commission did not care for it. It was done by one company, namely, M/s Maytas Infra, a subsidiary of M/s Satyam. Actually there are two such companies, one is M/s Maytas Infra, a listed company and the other is M/s Maytas Properties. Contracts worth hundreds and thousands of rupees were given in violation of all norms. If the person doing all these things is considered to be the *Raja* of corruption, who can say it is not correct? There is a saying going on in Andhra Pradesh about this *Raja* of corruption. There is a nexus. There is an important political functionary whose name is coming again and again in all the land deals. The name is common, the address is common. He is a political leader. Who is that person? They should know better. Nothing has happened. I am charging this Government that they are engaging in a cover up operation. First, all the papers were taken away by the CID. The SEBI and others were not allowed to interrogate. Only after the intervention of the Supreme Court, SEBI was given some opportunity to interrogate the discredited Satyam Chief. But it was the primary responsibility of SEBI to do what CID tried to do. The CID did not co-operate. The Chief Minister said as to what can be done in such a situation. [\[R74\]](#) He said that he is requesting and writing to the hon. Prime Minister to give the case to the CBI. Ironically, a news item was published in the national newspapers on the same day. When was it published? It was when the Supreme had commented in the Mulayam Singh case that CBI is working at the behest of the Law Ministry of the Central Government. Almost at the same time, a court had commented on the Nithari killing by its judgement. The people of this country are well aware that CBI has totally tarnished its image because of its malfunctioning and corrupt practices as has been demonstrated by the arrest of the DSP. at Kolkata who had been engaged in the Tagore's Nobel Medal investigation and in the Singur case and all such other cases. He was caught red-handed in the Kolkata street by the CBI officers themselves while taking bribe. It is all known about CBI and in such a situation, yesterday, a news item has come about CBI. It is said there that they have been given the assignment and that they have been told to investigate into the issue. But there is no room available in Hyderabad where we can set up an office. There is no telephone available, there is no space available where we can put all the records collected. ...(*Interruptions*) The State Government is cooperative by not giving the CBI any space to run the

investigation. This is the charge made by the CBI itself. I am not making any charge. The CBI is under you. It is not under me. CBI is making the charges like where can they have the room, the space where they can keep all the records. It is a farce and mockery of democracy. ...*(Interruptions)*

SHRI ARUNA KUMAR VUNDAVALLI (RAJAHMUNDRY): Is it the press article which you are quoting? Can you tell us the name as to who has said it? ...*(Interruptions)*

SHRI RUPCHAND PAL : When I am speaking here, I am speaking with authority that it has come in the press. If you have any information to the contrary, you can quote and refute my charge. I am charging. If you have any information to the contrary, you can quote and refute my charge. I am charging. You can say that space has been made available, rooms have been made available or a house has been made available and that the CBI is happy that they are going to start the investigation.

SHRI KINJARAPU YERRANNAIDU (SRIKAKULAM): So far the State Government has not issued any denial. ...*(Interruptions)*

SHRI RUPCHAND PAL : I am doing it on the basis of my own information. I am speaking it on the basis of my own information. If there is any information to the contrary, you are at liberty to refute it and put it on record. ...*(Interruptions)*

MR. CHAIRMAN: Nothing will go on record except the speech of Shri Rupchand Pal.

*(Interruptions) â€**

SHRI RUPCHAND PAL: Please leave it to me. Why are you appropriating the responsibility of the Minister? You are yet to be a Minister*(Interruptions)* If you come back in the Fifteenth Lok Sabha, you may be....*(Interruptions)*

MR. CHAIRMAN: Shri Pal, only your speech will be on record.

*(Interruptions) â€**

SHRI RUPCHAND PAL: Sir, I shall address only the Chair. I will not listen to them.

Sir, 18 banks have their exposure and what about Know Your Customer? Money is pouring into the banks. In whose account, what account, where from the money has come? If I go to the bank, even as a Member of Parliament, they ask my photograph, the address, EPIC, etc.? It is just like the IPO scam. They are going with the voter list to a slum and just open accounts in fictitious names.

Nowhere in the world such self-regulation is done in the case of a key audit body. PricewaterhouseCoopers, particularly, is involved in fictitious [\[of 5 crore\]](#) accounts, and opened just charge to RBI first Bank Punjab, The BO, Citibank, HDFC, ICICI are involved in this. What has happened is the RBI is not saying names like the assets of the CBI and Upti is PricewaterhouseCoopers. There, the auditor got a very bad name because of the Chattering Accounts involved in anything Global Trust Bank already. They were banned. But after three years the RBI had withdrawn the ban. I did ask the RBI as to why they did it. They asked: "What can we do?" The Indian Chartered Accountants The Income Tax Department knew from 2002 that tax evasion is taking place. No step has been taken from that day from the NDA Institute, the ICAI, is the self-regulatory body. They are supposed to look after that. We have written to them about this Pricewaterhouse Coopers and about their misdeeds. But they have not replied, they have not taken cognizance of the offence and they have not acted upon it. So, what could we do? We have withdrawn the ban. At some level there was connivance, at the Board level and at other levels. Otherwise, such a super scam could not have taken place. It has tarnished our name, it has tarnished the country's name. It is a stigma on the corporate India. It has endangered the livelihood of more than 50,000 employees. Moreover, it has affected hundreds and thousands of small investors who had put their money in good faith. It has put a question mark on the institutions.

If the statutory body, which is considered to be a watchdog, behaves in such a manner; if the Independent Directors, who are celebrities, act in such a manner, what will happen to this country? Placing of shares was going on even after what has happened. There should be full disclosure of placing of shares. I am saying that this is not an isolated case because the UK Noble Research Group is saying that 500 such Indian companies are involved in such falsification of accounts. This is the report of the UK Noble Research Group. There is another report. What is that report? It is the report from Shri Pai, who was given the assignment to investigate into the Harshad Mehta case. He is an income-tax expert. He has commented, in the backdrop of Indian money stashed in the Swiss banks, that more than fourteen billion dollars is stashed in Swiss banks. The largest amount in the Swiss banks is the Indian money. He is commenting that only 25 per cent of the profit is shown by the Indian corporate sector.

What has happened in the case of Satyam? There is an Enforcement Directorate. There are villas in 63 countries. Money has been collected or falsely accumulated through the Mauritius route. [\[MSOffice76\]](#) There is a Mauritius connection also. There is a Mauritius company also. That is also under the investigation, but nothing has come out. The Enforcement Directorate is making so many comments and all these things. It has global dimensions. The US class action has taken place is a different story. Some lobbies are pressurising that there should be a distress sell of Satyam. We are opposed to that. That is a different story. The Government is coming out with a salvage package, but the Government's more concern should be the credibility of the institutions. One company may come and one company may go, but the institutions and the systems that they have set up over the years, this very system is in

question. There are gaping holes in the system. There is a feeling among the people that deliberately there is a connivance to allow these gaping holes to be used; otherwise how could this man, who was caught as long back as 2002 by the IT investigator, was allowed to loot public money from 2002 to 2009? It is not new.

Sir, I now refer to land deals in Andhra Pradesh. The contracts were given in 14 States. How could it happen without the assistance, cooperation and help of the powers at Delhi? Without that it could not have happened. In 14 States, contracts, major contracts, irrigation, roads, power, railways, airport, port and what not were given. You will find that the land deals have made him the biggest land baron not only in Andhra Pradesh but also in the whole of South. ...*(Interruptions)*

MR. CHAIRMAN : You have taken 30 minutes. Please conclude.

SHRI RUPCHAND PAL) : Sir, I will conclude within ten minutes.

I am charging the Government. The Government does not seem to be serious about it. It is not a simple question of providing some money. The IDBI will give Rs. 600 crore, someone will search for the strategic investors'; SEBI will waive the take over roles so that some competitor can come in such and such manner. The names are coming and the pressure for distress sale is coming. That is one part of the story. It is to save Satyam, its employees and the interests of the stakeholders and all these things. It has got national and international dimensions. It concerns the image of corporate India. That is true. But more important is our system and our institution – whether SEBI will condone that and did not SEBI know anything what is happening in the market? Did not ROC know; is it not the responsibility of the Registrar of Companies to know what is happening? Now, suddenly they have woken up. There is no commercial intelligence system. I charge that it was the creation of both these Governments – the NDA Government and the UPA Government – and that tarnished the image of the people of this country and the image of the corporate houses who have built up the international corporate image. It hurts them also. So, saving Satyam cannot be the only option. The operation cover up cannot be the only option for this Government.

Sir, avoiding a discussion on the floor of the House will never save them. They will have to answer for long seven years what they have been doing, both the NDA and the UPA Governments. I charge both the Government that they had allowed this thing.

Sir, in the case of Harshad Mehta, there was one JPC. [\[a77\]](#) Our respected hon. Minister was a colleague in the Second JPC also. We had made certain recommendations. Yes, the hon. Minister was with me in the JPC. In some other capacity, we had inquired into the IPO Scam and other scams also. But never before have we seen that such a blatant attempt of operation cover up happened where the CID would appropriate everything; the police will allow the protective custody and the Judiciary will not allow the real agencies such as the SEBI, the SFIO and the ROC who can unravel the truth. Ultimately, everything has been managed – I am not using the other words. I am using the soft words. You can put the real words in place of the managed. – through writing a letter to the hon. Prime Minister for a CBI inquiry. Everyone knows what the CBI means these days. At least I know about Singur which is in my constituency. The person who was behind the bar Shri Suhrid Datta is now free. He has been freed on bail. The person who booked him is behind the bar. He was caught red-handed on the streets of Kolkata by the CBI people themselves. We know about the CBI, what the Supreme Court has said in the Mulayam Singh case, in the Nithari case and all these things. My question is this: Should the Government rethink about certain key areas of the system?

Number one, my demand is about the independent Directors. How should we select them? Will it be left to the whims of the promoters as it has happened? I have asked for the names of the persons who are on the Board, who are the independent Directors on the Board of Satyam. My information is that in the case of some of them, the passport has been impounded. There are some NRIs also related to the Satyam Board. There are some others who are absconding. There are some names which have been absolved. There are some others in the case of whom the Government has said no arrest warrant should be issued. The Government should come clean on this. Who are they? Why have you done it? Everyone is equal in the eye of law. If you have committed any mischief or committed any crime, there is punishment...*(Interruptions)*

Now, I am coming to my second demand. The first demand is about no protection. What about the independent Directors? There are many suggestions coming. The second demand is about the auditors. If the Institute of Chartered Accountants of India goes on taking its own time, what should you do? Will it be a case of Sukh Ram which took 13 or 14 years? The Prime Minister has said that within three months, it would be done. 90 days will be over on 6th April. We want an assurance before the election. Tomorrow, the Fourteenth Lok Sabha may come to an end. It may be the last Session. Who knows it? We want an assurance even today itself. By this time, the people of our country must know that this is the outcome.

The third demand is this. Why should this man, a criminal of the worst type, the Satyam Chief, enjoy the seven-star luxurious life? He has tarnished the image of this country. It is such a great crime. Why should he enjoy the seven-star luxurious life even after what he has done?

The fourth is that the other people on the Board should not be spared.

16.24 hrs (Mr. Speaker *in the Chair*)

I come to my last point. It is the most important one. Disgorge whatever he has swallowed. ...(*Interruptions*) [R78] You should take out whatever he has swallowed by this time.

Then, adequate compensation should be given to all the stakeholders at the earliest.

There should not be any hesitation to punish this offender who has tarnished the name of India, emerging India, corporate India and who has just exploited the trust and faith imposed on Satyam in such dubious, heinous siphoning off of funds, falsification of accounts, insider trading etc.

I believe the Government owes it to the nation to come out clean on the Satyam issue.

SHRI VIJAYENDRA PAL SINGH (BHILWARA): Mr. Speaker, Sir, I stand to participate in the discussion under Rule 193 on the situation arising out of the alleged mismanagement of the affairs of the Satyam Computer Services Limited.

Sir, Satyam Computer Services Limited is not an ordinary Indian IT company. Satyam's Ramalinga Raju was not a fly-by-night operator. Satyam was listed on the New York Stock Exchange. It used to boast of having 185 companies of the Fortune-500 and Fortune-1000 as its clients, including the US Government. When Enron scam blew up in the US, it sent ripples in the whole corporate world. Satyam is no less. We have lost credibility of our IT sector in the whole world. Today small investors do not want to invest in IT companies any more.

Sir, in India we love hero worship and we have examples in the Stock Market manipulations. We have heroes everywhere and we had heroes like Harshad Mehta, Ketan Pareikh, Ramesh Gelly etc. Satyam's Ramalinga Raju seems to be the latest addition. Shri Ramalinga Raju was a poster image boy, had red carpet treatment, had State-sponsored recognition, hobnobbing with the bigwigs of Andhra Pradesh, including the Chief Minister, Ministers, bureaucracy, VVIPs from abroad and more and great soaring market perceptions and all that. Raju was all that I had mentioned and he had friends from the list as I had mentioned earlier from Fortune-1000 companies.

When Satyam wanted to buy Maytas firm, I used to wonder what Maytas is. Maytas is actually the reverse of Satyam. If you spell out 'Satyam' and put it reverse, it becomes Maytas. When the shareholders challenged them, then only they stopped. Actually, you should look at it the other way.[R79]

[r80]This transaction which was to take place and was aborted is, I think, the one which is talking about the related party transactions. It is the Raja or the King of the related party transactions which was taking place. Pushed to a corner, Raju admitted to a fraud of Rs.7,000 crore and admitted that Satyam Computer's financials had been manipulated by him for very many years and he was showing high profits and high figures.

While we have to wait for the findings of the investigation, we also want to eagerly understand the proximity of Ramalingam Raju with the present Chief Minister of Andhra Pradesh, the Ministers and the bureaucracy there. Raju's family floated firms like Maytas, depended on businesses from the State Government on infrastructure projects which need huge capital and that also has to be investigated into.

His overriding ambition, greed for owning Maytas along with Satyam was his downfall. There are a few things that crop up. The Satyam Computer fudged their figures to be in line with the top-most IT services market. Did they actually have lower sales and lower earnings and therefore, there is no money in the company? In this scenario by fudging the numbers and figures, the company could have benefited by the volatility in the stock market and would have waited for an opportunity to bridge the gap of false financial or Satyam Computer did have the financials right and therefore, a lot of cash lying in the company. But Raju and his company siphoned the money out, using fictitious payment accounts mechanism including pay-rolls for about 10,000 non-existent ghost employees. What is need is an investigation which can throw light and all that I have said.

Something which is very important is that we must have an enquiry.

MR. SPEAKER: Please conclude.

SHRI VIJAYENDRA PAL SINGH : Sir, I am the only speaking from BJP.

MR. SPEAKER: I have got another name from your Party.

SHRI VIJAYENDRA PAL SINGH : Sir, I was under the impression that mine was the only name from my Party.

MR. SPEAKER: Another hon. Member's name has been given by your Party. Every Party has agreed for two hours' discussion on this. Very well, you may take another two-three minutes.

SHRI VIJAYENDRA PAL SINGH : But more important is the fact that we need to take urgent steps to protect the country's image and also bring to light whether they or any such Satyams are in the hiding today.

I recommend to the hon. Minister the following things from my side: They should put a safeguard or SEBI should be told regarding these; high levels of transparency of financials including certifications by financial institutions and banks; clear review of audited results by another accounting firm; mandatory disclosure of shares pledged by promoters and terms of such pledging. [\[r81\]](#)

Fourthly, I would recommend for tighter insider trading norms and to include a larger group of people and advance notice of sale by promoters and senior management. Fifthly, I would recommend for regulating and monitoring real estate investments by IT companies. Lastly, I would recommend for regulating large cash reserves and forcing IT companies to give higher dividend to shareholders.

It is important to mention that when ENRON went bust in the US, 'A' grade accounting firm, Arthur Andersen, shared the ENRON's disgrace. Will something like this happen to the Price Waterhouse also?

Sir, I would also like to talk about internal auditors because Price Waterhouse is an external auditor. My colleague was talking about the internal auditing and the independent Directors. After ENRON, what happened was that SEBI put a clause 47 which said that the internal auditors will have a say and it will be under independent Director, and those independent Directors will be looking at every transaction. If that had happened, then this scam would have been blown many years ago because seven years' manipulation has taken place. What were the internal auditors doing? If the internal auditors were under an independent Director, what was that independent Director doing? This is something to be looked into.

I think it is the first time that the Minister – he was also with me on the JPC – has taken such a prompt action. I wish that the Minister takes it all the way and puts forth to us, to the country because the whole country is worried about the scam. We must have results; we must have the investigations. Tell us exactly what has happened? Where did the money go? Were there ghost employees? Or, has this money gone into somebody's coffers? This has to be looked into.

In the end, I must just say that we have to be worried also about the professionals and the IT technocrats of Satyam because they are also worried. It is one of the largest IT companies. We are worried about the families of those professionals and IT technocrats. That has to be looked into also.

SHRI ARUNA KUMAR VUNDAVALLI (RAJAHMUNDRY): Mr. Speaker, Sir, I would like to thank Mr. Rupchand Pal. He is such a senior-most Member, and I think I am the junior-most, first-time MP. In his speech he said that the Department is not able to do anything; the Government is not able to do anything; the courts are helping the accused; and the CBI is a useless organization. Finally, I did not understand, being a first-timer, as to what has to be done. We cannot just bring someone and shoot them saying that you are accused. It is because Telugu Desam is saying, because Telugu Desam is friendly with us: "We are going to kill you now; we are going to hang you now." There is a law; there is a system here. We know that justice is delayed, but justice is never denied. It may take some time. But Mr. Rupchand Pal, may be because of his Communist background right from the beginning, and being such a senior man, wanted to make this also a country where without any trial we can eliminate a person, the Government feels that he is not fit to be there.

I thank the Member from BJP, Shri Vijayendra Pal Singh, for congratulating the Government for taking appropriate steps. [\[RP82\]](#)

If the then NDA Government took certain steps at that time, there would not have been a scam like this. In 2002, Shri Ramdas Athawale, who is also in the House ...*(Interruptions)*

MR. SPEAKER: He is happy to receive your compliment.

SHRI ARUNA KUMAR VUNDAVALLI : Thank you Athawale ji. Sir, I had brought out one financial scam in the Andhra Pradesh Assembly in 2006. In the same House, I did not raise it. Shri Advani, the tall leader of BJP himself has said that we are controlling the Press and curbing the Press in Andhra Pradesh. Sir, I had made an allegation against the Press man, not against his paper, against his financial dealings, against the violation of the Section 45 (s) Reserve Bank of India Act, against collection of funds. When I had made that allegation and when an inquiry had started, that gentleman went to court and brought a stay, but he had accepted my version and paid back Rs. 1800 crore to the depositors. ...*(Interruptions)*

MR. SPEAKER: It is worth to note how he did it.

SHRI ARUNA KUMAR VUNDAVALLI : Sir, he sold his property ...*(Interruptions)*

MR. SPEAKER: How did he make that money?

SHRI ARUNA KUMAR VUNDAVALLI : If Shri Rupchand Pal is here, I would have asked him that question because he is now very close to him. ...*(Interruptions)*

SHRI KINJARAPU YERRANNAIDU (SRIKAKULAM): Sir, this is Satyam fraud. ...*(Interruptions)*

MR. SPEAKER: You please wait for your chance. You need not address now sitting there. It is not good. You are such a senior Member.

SHRI ARUNA KUMAR VUNDAVALLI : Please have patience. Whatever I speak is 'satyam'. 'Satyam' means 'truth'. *Satyamev jayte*. I am speaking *satyam*. I know he is your *Rajaguru*. ...*(Interruptions)*

MR. SPEAKER: You please address the Chair.

...*(Interruptions)*

MR. SPEAKER: Please do not record any interruptions except what Shri Aruna Kumar says.

(Interruptions) *â€

SHRI ARUNA KUMAR VUNDAVALLI : Then, I was wondering how a person could collect Rs. 2,600 crore violating the RBI Act. He says openly: "Yes, I can do it. Nobody can question me." That is what he said. He came on television and said: "I know, I can do it." I was wondering as to how he could do it. He did it because the then TDP Government *â€

MR. SPEAKER: Please do not mention his name.

SHRI KINJARAPU YERRANNAIDU: Sir, no problem. He can mention his name. ...*(Interruptions)* * Not recorded

SHRI ARUNA KUMAR VUNDAVALLI : I am sorry, Sir. I am withdrawing that. ...*(Interruptions)*

MR. SPEAKER: Shri Yerrannaidu, I have a problem. I do not need your certificate.

SHRI ARUNA KUMAR VUNDAVALLI): You will be given an opportunity to speak on this issue. ...*(Interruptions)*

MR. SPEAKER: Let me do my job for the last but one day.

SHRI ARUNA KUMAR VUNDAVALLI : Sir, I was wondering how he could do it. He could do it with the support of the then Government, the then NDA Government. Somebody had complained in 1999; they kept the complaint on. I had brought out the complaint token copy and I had shown it. Now, the matter is in the Supreme Court, High Court, District Court and every other court.

Now, also when the Satyam thing happened, I was wondering how Satyam could do anything without the support of the Government. Some people in the Government would have supported him. On the next day, Shri Ramdas Athawale's statement appeared, which said that in 2003 he had written a letter to Mr. Vajpayee, the then SEBI Chairman pointing out the fraud that there was a fraud in Satyam. He said that these are fraudulent accounts, and asking the Government to take action. A copy of the Petition which he had filed with SEBI was sent to Shri Atal Bihari Vajpayee, the then Prime Minister of this country. As a result, the Income Tax Officer, one lady, said that there was some mismanagement in accounting; immediately she was asked to keep quiet and she was transferred. This statement was also given by Shri Ramdas Athawale. Then, he was there in this House.

I am reminding Shri Vijayendra Pal Singh that this had happened in 2003. Satyam Computers had become an icon. He had become such a big man. He was sharing dais with Bill Clinton. There were so many stalwarts who were sitting down; Ratan Tata was sitting down. We all saw on television and wondering: "Who is this man?" We never knew about him. Only three people were there on dais. ...*(Interruptions)*

MR. SPEAKER: Shri Yerrannaidu, you will have your chance. I will not allow you to interrupt like this.

I know that not only Parliament election but the Assembly election is also coming.

SHRI ARUNA KUMAR VUNDAVALLI : I can understand, Shri Yerrannaidu. Unless you interrupt me, you will not get marks. So, you will interrupt me; you will be happy in Hyderabad with your boss, your Rajaguru. I know that. ...*(Interruptions)*

MR. SPEAKER: Not one word of Shri Yerrannaidu will be noted down unless he speaks with my permission.

*(Interruptions) â€¦**

SHRI ARUNA KUMAR VUNDAVALLI : I would also tell you what are the other friendships...*(Interruptions)*

MR. SPEAKER: I know, every State was trying to persuade him to kindly invest in their State. I have seen that. I was the Chairman of an Industrial Development Corporation.

SHRI ARUNA KUMAR VUNDAVALLI : The then Chief Minister went all the way to the US, near New Jersey and inaugurated one of the offices of the Satyam Computers there. The son of the then Chief Minister and the son of the then Chairman of the Satyam Computers both went to the Stanford University. The Stanford University had received an amount as a donation, or whatever you may

*Not recorded

call it as a charity, from the Satyam Computers in the form of a cheque. Then, within two months, the son of the then Chief Minister was enrolled into that college without producing the papers required for joining that college...*(Interruptions)*

MR. SPEAKER: Do not mention anybody, who is not present here.

SHRI KINJARAPU YERRANNAIDU : It would be better to appoint a sitting Judge to inquire into this. I am requesting the UPA Government...*(Interruptions)* I am challenging him...*(Interruptions)*

SHRI ARUNA KUMAR VUNDAVALLI: Sir, he is interrupting me...*(Interruptions)*

MR. SPEAKER: Mr. Yerrannaaidu, I would deduct this time from your allocated time when you speak.

...*(Interruptions)*

MR. SPEAKER: Mr. Yerrannaaidu, do not get upset. You are speaking without my permission.

...*(Interruptions)*

MR. SPEAKER: Do not write anything.

*(Interruptions) â€¦**

SHRI ARUNA KUMAR VUNDAVALLI : I am telling you, Mr. Yerrannaaidu, that whatever I am speaking is *Satyamev Jayate*...*(Interruptions)* We speak only truth. This is *Satyamev Jayate*. We speak only *satyam* and you support Congress *satyam*â€¦*(Interruptions)* That is your background and this is our background...*(Interruptions)*

MR. SPEAKER: Mr. Yerrannaaidu, this is very unfortunate. You sit down. Take your seat.

...*(Interruptions)*

*Not recorded

MR. SPEAKER: Do not record anything.

*(Interruptions) â€¦**

MR. SPEAKER: Mr. Yerrannaaidu, it is very unfortunate.

...*(Interruptions)*

MR. SPEAKER: Let me see. If there is anything unparliamentary said, I shall delete it.

...*(Interruptions)*

MR. SPEAKER: Making a donation to a university is not unparliamentary.

...*(Interruptions)*

SHRI KINJARAPU YERRANNAIDU : He has said that the Satyam Computer has paid a chequeâ€¦*(Interruptions)*

MR. SPEAKER: He has not taken any name. I am quite alert about this. I never allow any derogatory statement.

SHRIARUNA KUMAR VUNDAVALLI : Sir, I did not make any derogatory statement. I stand by my words. This is like a temple for me. Whatever I speak, I speak only truth. If they can prove that there is another student in the Stanford University of the same marks and same standard...(Interruptions)

MR. SPEAKER: Mr. Yerrannaidu, why are you so upset? You will get your turn to speak. I would deduct all the time due to these interruptions from your allocated time.

SHRIARUNA KUMAR VUNDAVALLI: Sir, I would advise Mr. Yerrannaidu to please go to the internet, go to the Google Search, just type Stanford University, and see the names.

MR. SPEAKER: No names should be spoken.

*Not recorded

SHRIARUNA KUMAR VUNDAVALLI : Sir, he knows that name. After typing the Stanford University, he would see what are the minimum marks required to get an admission in the Stanford University and how many marks he got.

MR. SPEAKER: That is not material.

SHRIARUNA KUMAR VUNDAVALLI : He would also come to know what is the amount given by way of donation. That is also there in the website of Stanford University. So, I am not creating anything; I am not lying.

Sir, what I want to impress upon this House is that yes, Satyam Computers's Ramalinga Raju is a fraud. He himself had admitted it. Till he confessed, till he revealed, nobody knew about it. It is because, we were never even given a chance to suspect him. He was so close to him. He was so close to the then Chief Minister. Wherever the then Chief Minister went and talked to the software engineers, he told them: "Ramalinga Raju is the ideal. You take his life as ideal. Everybody should become like Ramalinga Raju." That was the type of relation they had. We were also thinking that he was a big man, he was there in the 'Fortune 500 Companies.' Their sister concern was coming and quoting for various contracts, like they had quoted in Gujarat, they had quoted in Bengal, and they are doing works in Orissa. They are doing works in the entire country....(Interruptions) But that is not accountable for you. Only in Andhra Pradesh, they should not do any work...(Interruptions)

MR. SPEAKER: What is this happening?

SHRI ARUNA KUMAR VUNDAVALLI : Sir, he has spoken in Telugu. I have taken prior permission to talk in Telugu also...(Interruptions)

MR. SPEAKER: Think of us, please. It is not an Andhra Pradesh Assembly.

...(Interruptions)

SHRIARUNA KUMAR VUNDAVALLI : Sir, he is questioning about one work, which was given on nomination.

MR. SPEAKER: That is not recorded here. He is a new Member and he has been inspired by Mr. Yerrannaidu to speak while seated!

...(Interruptions)

SHRIARUNA KUMAR VUNDAVALLI : Sir, on 7th January, 2009, the confidence of the investors was shaken by the statement of Mr. Ramalinga Raju. About 53,000 professionals are working in the Satyam Computers, and the company has operations in 50 countries.

When our Chief Minister was here in Vigyan Bhavan, New Delhi, attending the National Security Meeting, immediately he said CBCID to inquire into it.[\[r83\]](#)

These people are questioning the CBCID. They do not know that even the attack on Bombay hotels by Pakistanis was immediately inquired by the local police and CBCID. Even when the tallest man in this country is killed, the FIR has to be given to the SHO. Somebody like IG or DG will not come. That is the procedure. Immediately, our State Chief Minister has asked the CBCID to inquire. He spoke to Mr. Montek Singh Ahluwalia, Mr. Chidambaram and Mr. Prem Chand Gupta, and they gave a statement. Even though it was a holiday on 8th, they immediately took this matter with them and gave the investigation to the Serious Fraud Investigation office. They have arrived on a holiday, on the very next day to Hyderabad, and they have started inquiring.

This man went and courted arrest. He went to the office and said, please arrest me. In the Telugu Desam's own pamphlet, which I told you just now about the Rs.1,800 crore issue, it has come—look at the life he is leading; such a man having a swimming pool in his house, a man having a theatre in his house, is now on floor. He is given 200 grams of rice and 10 grams of pickle. This is all coming in all the newspapers.

These people say 7-star facilities and 9-star facilities are given. I do not understand this. Who can give? If they are being given 7-star facilities, why should he go to the court and say, I am an income tax assessee; please give me 'B' class. He went to the court and asked the court to give 'B' class. These are all some sorts of rumour. They have nothing now.

Now, to face us in Andhra Pradesh, they have no face. It is because we are giving all sorts of things to the poorest of the poor in the State, which never happened in any other State in the country. We have given rice at Rs.2 a kilogram. Sir, I am telling you for your information....(*Interruptions*) Wait a minute. No, you should have patience.

MR. SPEAKER: No Member is required to speak according to your wishes.

...(*Interruptions*)

SHRI VIJAYENDRA PAL SINGH : You had stopped me immediately. Are you going to stop him?

MR. SPEAKER: Yes, I will stop him. It is because he has the time. You did not have the time. That is why, I stopped you.

SHRI ARUNA KUMAR VUNDAVALLI : My time is being interrupted....(*Interruptions*) I am sorry, Sir.

Sir, I will give you one example for your information. Out of a total 2,01,00,000 pensions that are being given for the widows, old people and physically handicapped, 70,00,000 pensions are given in Andhra Pradesh alone.

MR. SPEAKER: Come to Satyam.

SHRI ARUNA KUMAR VUNDAVALLI : The rest of India is giving 1,31,00,000.

MR. SPEAKER: Now, Shri Devendra Prasad Yadav.

SHRI ARUNA KUMAR VUNDAVALLI : Sir, all the time is eaten away.

MR. SPEAKER: I know that.

SHRI ARUNA KUMAR VUNDAVALLI : I got the chance after a long time. You have allowed me to come here and talk. Please give me five minutes and I will conclude in five minutes.

MR. SPEAKER: It should have come one day earlier also.

You finish it. Yes, I have got another five Members to speak.

SHRI ARUNA KUMAR VUNDAVALLI : Sir, just now Rupchand Pal *ji* has left. But they do not know. He was making all the charges against the Government and all that. This has become a habit. I like Communists very much for their simple living and sincerity towards their cause.

MR. SPEAKER: Do you also like the expelled ones?

...(*Interruptions*)

SHRI ARUNA KUMAR VUNDAVALLI : But in 2004, they had issued a book, saying ' *Babu Zamaana Avineeti Khazana* ', that is, 'Babu's ruling full of corruption'. In that they said, Rs.12,926 crore worth of corruption has taken place in Andhra Pradesh. That is the reason, we are leaving Babu and joining Congress. They came with us. Somehow, we failed and we could not continue. Now, they say we are corrupt and they are joining Babu again. So, people like Rupchand Pal, who have a big image, should control this. When Rs.12,926 crore was misused or eaten by someone, why should we be in politics at all? If you just make an acquisition, then leave it and forget it for our political convenience, then this is not good. I cannot expect this from a tall man like Shri Rupchand Pal. He is a sincere Communist.

MR. SPEAKER: You have inspired him to come here.

SHRI ARUNA KUMAR VUNDAVALLI : Rupchand Pal *ji*, I was telling that you should take the task. You have taken up Satyam Computers. You said, CBI is not doing. Nobody is doing. You should make everybody do. Do not do like you did in 2004. You are making an accusation that Rs.12,926 crore is eaten by Babu and that is the reason you are leaving Babu. You left Babu and also the issue of Rs.12,926 crore. How can you do it? Being such a tall man, a Communist man, you fight for the people, I wish you took it to a logical end.

MR. SPEAKER: What can he do? He has to do.

SHRI ARUNA KUMAR VUNDAVALLI: Actually, you tell us what has happened now. What has happened that the Government has immediately responded that he is in jail and no bail is given to him? All his properties are attached.

SHRI RUPCHAND PAL : The people will tell this.

SHRI ARUNA KUMAR VUNDAVALLI : I did not hear what he said. Sir, you tell me.

MR. SPEAKER: He said: "The people will tell that."

SHRI ARUNA KUMAR VUNDAVALLI) : That is how, we are cheating the people. No, if people can tell, then why are we sitting here? Let them count themselves. Why should we come and sit here?

MR. SPEAKER: Only thing is what the people will tell.

SHRI ARUNA KUMAR VUNDAVALLI : What will the people tell? What do they know?[\[m84\]](#)

You yourself do not know that your own party has given Rs. 12,926 crore ...*(Interruptions)*

MR. SPEAKER: Do not question the people's right.

SHRI ARUNA KUMAR VUNDAVALLI : You yourself do not know that your own party ...*(Interruptions)* sitting next to you ...*(Interruptions)*

MR. SPEAKER: Do not record anything said without my permission.

*(Interruptions) â€;**

MR. SPEAKER: Although it is last but one day, I will continue to protest against Members speaking while sitting and addressing the House. This is most condemnable.

...(Interruptions)

SHRI ARUNA KUMAR VUNDAVALLI: Please give me last one minute. ...*(Interruptions)*

*Not recorded

MR. SPEAKER: It is better if this is really the last minute.

...(Interruptions)

SHRI ARUNA KUMAR VUNDAVALLI : Sir, these are all the books they have printed and distributed. You might have got it. This is like a Perry Mason's book. It is titled *Bad and Ugly*. ...*(Interruptions)*

MR. SPEAKER: What is it?

...(Interruptions)

SHRI ARUNA KUMAR VUNDAVALLI : Sir, it is written on Rajasekhar Reddy, all corruption charges. ...*(Interruptions)* They got all these papers from the RoC. What will people know? Where is Shri Rupchand Pal? ...*(Interruptions)* What will people know with this RoC paper? We have to explain and we have to tell them. On all these things, they have made charges, which were published in their papers in 2005, in 2006, in 2007 and in 2008. They make a book just before elections and bring it.

I want to put this before you. If there is any offence, if there is anybody suspect of an offence that is being committed which is punishable under the law, he should bring it to the notice of the authorities, failing which he is culpable under sections 202 and 120 of the IPC. These people, who have published this book, are punishable under sections 202 and 120 and they cannot escape of it.

श्री देवेन्द्र प्रसाद यादव (झंझारपुर) : अध्यक्ष महोदय, मैं श्री रूप चंद पाल जी को धन्यवाद देना चाहता हूँ कि उन्होंने नियम 193 के तहत आपकी इजाजत से इस मामले को उठाया।

सत्यम कंप्यूटर घोटाला देश का बड़ा कारपोरेट घोटाला है। इससे देश की छवि को आघात लगा है। देश के महत्वपूर्ण आई.टी. सेंक्टर को इससे जबरदस्त धक्का लगा है। यह मामला निजी क्षेत्र में व्याप्त गड़बड़ी को ही प्रदर्शित नहीं करता, बल्कि भारतीय अर्थव्यवस्था पर भी इसका क़प्रभाव

पड़ता है। यह घोटाला भारी ठगी, प्रपंच, लालच, लापरवाही और लचर नियम के चलते हुआ। ढीले-ढाले नियम के रहते हुए यह घोटाला हुआ।

महोदय, इसका एक सिलसिला है। पहले की घटना को देख लीजिए, पहले जो घटना घटी थी, तब यहां जेपीसी बनी थी, आपको याद होगा। जब हर्षद मेहता घोटाला हुआ था, तब ज्वाइंट पार्लियामेंट कमेटी ने उसकी जांच की थी। उस कमेटी के जरिए कुछ इस तरह की अनुशंसायें की गयी थीं, उनको भी नजरअंदाज कर दिया गया। उस ओर ध्यान नहीं दिया गया। पार्लियामेंट्री कमेटी ने जो अनुशंसा की थी, उसे नजरअंदाज कर दिया गया। इस घोटाले से कंपनी जगत की साख पूरी तरह गिर गयी। इससे भारतीय कंपनियों की छवि पूरी दुनिया में गिरी है।

सत्यम कंप्यूटर के पूर्व चेयरमैन, जिनकी चर्चा काफी हुयी, रूप चंद पाल जी और अन्य माननीय सदस्यों ने भी चर्चा की, वी. रामलिंगम राजू द्वारा 7 हजार 136 करोड़ रूपए का घोटाला किया गया। जो मध्यम वर्गीय निवेशक थे, उनके लगभग 13 हजार 600 करोड़ रूपए डूब गए। इतना ही नहीं, इस घोटाले से इस कंपनी के 53 हजार कर्मचारियों का भविष्य बिल्कुल अंधकारमय हो गया। मैं कहना चाहता हूं कि इस घोटाले का जन्म फेक कागजों पर हुआ। कंपनी निदेशक ने निरंतर 7 वर्षों में इनकम, मुनाफा या नकद भंडार को बढ़ा-चढ़ाकर पेश किया, जिसके कारण यह घोटाला हुआ। कंपनी ने राजस्व को 7 हजार 136 करोड़ रूपए दिखाया, जो कंपनी ने वर्ष 2008 में बहीखाते में ही दिखाया था। [p85]

17.00 hrs.[N86]

कम्पनी की कुल सम्पत्ति का मूल्य 7,281 करोड़ रुपये से थोड़ा कम ही था। वहीं खाते में फर्जीवाड़ा करके कैश बैलेंस 321 करोड़ रुपये की बजाए 5361 करोड़ रुपये दिखाया गया। टोटल ब्याज के रूप में 376 करोड़ रुपये की अनर्गल आय दिखाई गई। कम्पनी के सिर पर 1230 करोड़ रुपये की देनदारी, ऋण था जिसे पूरी तरह छुपा लिया गया। इसे कहीं से प्रदर्शित नहीं किया गया और न ही इसका उल्लेख है। इतना बड़ा आर्थिक घोटाला हो गया, लेकिन जब इकोनॉमिक डिपार्टमेंट में इकोनॉमिक ऑफिस को रोकने के लिए तंत्र बना हुआ है, मैं यह साफ कहना चाहता हूं कि वह तंत्र क्या कर रहा था। क्या वह तंत्र सो रहा था? कम्पनी के हिसाब-किताब, शेयर बाजार की नियामक संस्था सेबी है और सेबी कम्पनी के मंत्रालय भी हैं, वित्त मंत्रालय है। सबको इसकी इन्टीमेशन जाती होगी। यह मंत्री जी बताएं कि इन्हें इन्टीमेशन गई या नहीं। सेबी को इन्टीमेशन जाती है, कम्पनी अफेयर्स मिनिस्ट्री को भी जाती है, फाइनेंस मिनिस्ट्री को भी दी जाती है।...(व्यवधान)

MR. SPEAKER: Mr. Yadav, your time to speak is over.

श्री देवेन्द्र प्रसाद यादव : क्या हमारा समय ओवर हो गया है?...(व्यवधान)

अध्यक्ष महोदय : आप सब दो घंटे के लिए राजी हुए थे।

श्री देवेन्द्र प्रसाद यादव : महोदय, कृपया मुझे घोटाले के बारे में बोलने के लिए समय दीजिए।...(व्यवधान)

अध्यक्ष महोदय : घोटाले के बारे में बोलने के लिए टाइम भी होता है।

श्री देवेन्द्र प्रसाद यादव : महोदय, यह नियम 193 के अंतर्गत चर्चा है। मैं आपसे रिक्वैस्ट करता हूं।...(व्यवधान)

MR. SPEAKER: Very well, I would like to give you one more minute to speak.

...(Interruptions)

श्री देवेन्द्र प्रसाद यादव : सत्यम कम्पनी ने जो किया है, यह इतनी बड़ी धोखाधड़ी है। ...(व्यवधान)

अध्यक्ष महोदय : धोखाधड़ी के बारे में बोलने के लिए सिर्फ टाइम पर डिपेंड नहीं किया जाता, मैटीरियल पर किया जाता है।

â€¦(व्यवधान)

श्री देवेन्द्र प्रसाद यादव : ठीक है, इसमें ब्यूरोक्रेसी ने जिस तरह आंख मूंद ली है, हम आपके आदेश का पालन करते हैं।...(व्यवधान)

MR. SPEAKER: Very well, I would like to give you one more minute to speak.

â€¦(Interruptions)

श्री देवेन्द्र प्रसाद यादव : कृपया मुझे कम से कम पांच मिनट बोलने का समय दीजिए।...(व्यवधान)

अध्यक्ष महोदय : आप दो मिनट में अपनी बात समाप्त कीजिए।

â€¦(व्यवधान)

श्री राम कृपाल यादव (पटना) : महोदय, इन्हें पांच मिनट का समय दे दीजिए।...(व्यवधान)

MR. SPEAKER: Who are you?

...(Interruptions)

श्री देवेन्द्र प्रसाद यादव : अध्यक्ष महोदय,...(व्यवधान)

MR. SPEAKER: Now, I am callous about your feelings.

...(Interruptions)

श्री देवेन्द्र प्रसाद यादव : यदि ब्यूरोक्रेट्स सचेत होते तो यह घोटाला नहीं होता। जो हजारों निवेशकों का भट्टा बैठ गया है,...(व्यवधान)

अध्यक्ष महोदय : पार्लियामेंट का टाइम भी लॉस नहीं होता।

â€¦(व्यवधान)

श्री देवेन्द्र प्रसाद यादव : ब्यूरोक्रेसी क्या कर रही थी? इस घोटाले पर निगरानी रखने के लिए जिम्मेदार ब्यूरोक्रेट्स की भूमिका की भी जांच होनी चाहिए। आपने समय नियत कर दिया है, इसलिए अब मैं अपनी बात कनक्लूड करूंगा। इस तरह के घोटाले की पुनरावृत्ति नहीं हो, इसके लिए सरकार क्या-क्या कदम उठा रही है, उसे सदन में बताना चाहिए। आज कॉरपोरेट गवर्नेंस एकाउंटिंग और कारोबारी आचरण जैसे मुद्दे पर पूरी तरह प्रश्नचिन्ह लग गया है। कम्पनी मामले के मंत्री ने घोषणा की कि इस मामले की गहनता से जांच होगी। मैं इसकी ताइड करता हूं। अब जो परिस्थिति है, उसके बारे में मैं कहना चाहता हूं कि जो राजू है, जो वायरस है, पूरे देश की बड़ी सॉफ्टवेयर कम्पनी की रग-रग में यह वायरस फैला हुआ है। ये उसे कैसे कंट्रोल करेंगे? राजू ने जो वायरस फैलाया है, राजू ऐसी चीज है जो सम्पर्क बनाने में माहिर है। इतना ही नहीं, वह सीधे राजनेताओं से भी मधुर संबंध बनाने में माहिर है। राजू रामलिंग एकमात्र बी.काम. डिग्री पास व्यक्ति है।...(व्यवधान)

MR. SPEAKER: Honesty does not depend upon degrees.

श्री देवेन्द्र प्रसाद यादव : उसकी डिग्री देख लीजिए और काम देख लीजिए।...(व्यवधान)

अध्यक्ष महोदय : फिर क्या हुआ?

â€¦(व्यवधान)

श्री देवेन्द्र प्रसाद यादव : दोनों की तुलना की जाए। घोटाले का भंडाफोड़ होने से पहले भनक तक नहीं लगने दी, उसने इतनी बुद्धि लगाई।...(व्यवधान)

अध्यक्ष महोदय : इतनी बुद्धि लगाई कि क्लिंटन के साथ बैठा।

â€¦(व्यवधान)

श्री देवेन्द्र प्रसाद यादव : बिल गेट्स और अमरीका के पूर्व राष्ट्रपति बिल क्लिंटन के साथ मंच पर बैठकर अपनी छवि को ऊंचा कर लिया और कॉरपोरेट जगत में अपना दबदबा कायम किया, जिसके फलस्वरूप कॉरपोरेट जगत द्वारा सत्यम कम्प्यूटर्स को गोल्डन पीकाॅक ऐवार्ड से सम्मानित किया गया। इतने बड़े जालसाज़ को ऐवार्ड से सम्मानित करना देश के लिए दुर्भाग्यपूर्ण है।...(व्यवधान)

MR. SPEAKER: Mr. Yadav, please conclude your speech.

The next speaker is Shri Braja Kishore Tripathy.

...(Interruptions)

श्री देवेन्द्र प्रसाद यादव : इसलिए मैं कहना चाहता हूं कि भारत के माथे पर इस तरह का घोटाला कलंक है। [N87] मैं इसीलिए कहना चाहता हूं कि जिस तरह से चीन में वर्ष 1979 में आर्थिक सुधार हुए, उसमें उन्होंने अपनी राजनीतिक और प्रशासनिक व्यवस्था को इस लायक बनाया था, बुनियादी सुधार किए थे। लेकिन आज हम जो आर्थिक सुधार कर रहे हैं, उसमें प्रशासनिक व्यवस्था में कोई सुधार हमने नहीं किया है। यही कारण है कि देश में बार-बार इस तरह के केसेज हो रहे हैं। वर्ष 1992 में हर्षद मेहता वाला प्रतिभूति घोटाला हुआ।...(व्यवधान)

MR. SPEAKER: Now, only Shri Braja Kishore Tripathy's speech will be recorded.

(Interruptions) â€¦*

MR. SPEAKER: Sorry. आपकी रिटैन स्पीच हो तो दे दीजिए। Only Shri Braja Kishore Tripathy's speech will be recorded.

(Interruptions) â€¦*

MR. SPEAKER: Shri Tripathy, the time earmarked for you is two minutes but I will give you five minutes.

(Interruptions) â€¦*

MR. SPEAKER: Let the investigative agencies work properly. That is what is needed.

(Interruptions) â€¦*

* Not recorded

MR. SPEAKER: Enough. No more. I am sorry to interrupt you but I have to do my duty.

***श्री देवेन्द्र प्रसाद यादव :** महोदय, देश का आई.टी. इंडस्ट्री सत्यम कम्प्यूटर्स घोटाला देश का बड़ा कारपोरेट घोटाला है। इससे देश की छवि पर आघात लगा है। यह मामला निजी क्षेत्र में व्याप्त गड़बड़ी को प्रदर्शित करता है। इसका प्रभाव भारतीय अर्थव्यवस्था पर भी पड़ता है। यह भारी ठगी और प्रपंच का मामला है, जिसे लालच, लापरवाही और लचर नियम ने मिलकर जन्म दिया है। इस घोटाले से कंपनी जगत की साख गिरी है तथा भारतीय कंपनियों की छवि बिगड़ी है।

सत्यम कम्प्यूटर के पूर्व चेयरमैन वी0 रामलिंग राजू द्वारा 7,136 करोड़ रुपये का घोटाला किया गया और देखते देखते मध्य वर्गीय निवेशकों का 13,600 करोड़ रुपया डूब गया। इतना ही नहीं इस घोटाले से इस कंपनी के 53 हजार कर्मचारियों का भविष्य अंधकारमय हो गया।

महोदय, जाली कागजातों ने इस घोटाले को जन्म दिया। कंपनी के निदेशक ने निरन्तर सात वर्षों में आय, मुनाफा तथा नकद भंडार को बढ़ा चढ़ा कर पेश किया। कंपनी ने राजस्व 7136 करोड़ रुपये दिखाया जो कंपनी के वर्ष 2008 में बही खाते में दिखाये गये कंपनी के कुल संपत्ति के मूल्य 7281 से थोड़ा ही कम है। बही खाते में फर्जीवाड़ा करके कैश बैलेंस 321 करोड़ रुपये की बजाय 5631 करोड़ दिखाया गया। ब्याज के रूप में 376 करोड़ की अनर्गल आय दिखाई गई। कंपनी के सिर पर 1230 करोड़ की देनदार (ऋण) थी, जिसे छिपाया गया।

महोदय, प्रश्न है कि इतना बड़ा आर्थिक घोटाला हो गया लेकिन अर्थतंत्र क्या कर रहा था? कंपनी के हिसाब किताब शेयर बाजार का नियामक संस्था सेबी, कंपनी मामलों के मंत्रालय, वित्त मंत्रालय सबको भेजे जाते हैं। इनमें से किसी की नजर सत्यम की धोखाधड़ी पर क्यों नहीं गई? यह यक्ष प्रश्न खड़ा हो गया?

अगर ब्यूरोक्रेसी आंख मूंदे नहीं रहती तो भारतीय कारपोरेट जगत में इतना बड़ा घोटाला नहीं होता जिसने हजारों निवेशकों का भट्टा बैठा दिया। ब्यूरोक्रेसी क्या कर रहा था? इस घोटाले पर निगरानी रखने के लिए जिम्मेदार ब्यूरोक्रेट की भूमिका की जांच होनी चाहिए। भविष्य में इस तरह की घोटाले की पुनरावृत्ति नहीं हो इसके लिए सरकार को साकारात्मक कदम उठाना चाहिए।

... This part of the speech was laid on the Table.

महोदय, इस प्रकरण से नैतिकता, कारपोरेट गवर्नेंस, एकांटिंग और कारोबारी आचरण जैसे मुद्दों पर प्रश्नचिह्न लग गया है। कंपनी मामले के मंत्री ने घोषणा किया है कि इस मामले की गहनता से जांच की जायेगी तथा दोषी को नहीं बखशा जायेगा। इस घोषणा की मैं ताईद करता हूँ। देर से ही भले ही। राजू ने जिस वायरस को तैयार किया वह देश के सबसे बड़े साफ्टवेयर कंपनी के रग-रग में फैल गया।

महोदय, राजू संपर्क बनाने में माहिर था। उसने कई शीर्ष राजनेताओं से मधुर रिश्ते कायम किए। राजू को नया तकनीकी विशेषज्ञ के रूप में हाईलाइट किया गया जबकि वास्तव में राजू रामलिंगा एक बी.काम डिग्रीधारी है और उसने बड़ी चालाकी से इस सटीक घोटाले के लिए त्रुटि रहित फार्मूला बनाया। इसीलिए घोटाले के भंडाफोड़ होने के पहले किसी को भनक तक नहीं लगी। इतना ही नहीं राजू ने माइक्रोसाफ्ट के संस्थापक बिल गेट्स और अमेरिका के पूर्व राष्ट्रपति बिल क्लिंटन के साथ मंच पर बैठ कर अपनी छवि को ऊंचा कर लिया। उसने कारपोरेट जगत में अपना दबदबा कायम किया जिसके फलस्वरूप कारपोरेट जगत द्वारा सत्यम कम्प्यूटर्स को गोल्डेन पिकाक अवार्ड से सम्मानित किया गया। एक जालसाज को अवार्ड से सम्मानित करना बहुत ही दुर्भाग्यपूर्ण है। यह घोटाला भारत के माथे पर कलंक का टीका है, जिसे आसानी से धोया नहीं जा सकता।

महोदय, 1979 में जब चीन ने आर्थिक सुधारों की राह पर चलना तय किया तब उसने पहले अपनी राजनैतिक और प्रशासनिक व्यवस्था में कुछ महत्वपूर्ण बुनियादी सुधार किए, लेकिन भारत दो दशकों से आर्थिक सुधारों की राह पर चल रहा है लेकिन हमने चीन की तरह राजनैतिक एवं प्रशासनिक व्यवस्था में कोई सुधार नहीं किया।

महोदय, देश में इससे पहले भी 1992 में प्रतिभूति हर्षद मेहता घोटाला, 1996 में सी आर भनसाली पर आरोप लगाया गया था कि रिफंड वारंट का उपयोग भारतीय स्टेट बैंक में सेंटर रिजर्व बैंक के खाता से 1,031 करोड़ रुपया निकाल लिया गया। 1998 में प्लांटेशन कंपनियों ने अपने यहां निवेश पर हैरतअंगेज लाभ देने के लिए लोगों से भारी रकम बटोर लिए। 2001 के केतन पारिख घोटाला हुआ। लेकिन कंपनियों के आर्थिक घोटालों पर अंकुश लगाने के लिए कोई ठोस कदम नहीं उठाया गया। इस भूमण्डलीकरण के दौर में देश में कंपनियों के आर्थिक घोटालों पर रोकने के लिए ठोस कदम उठाये जाने की अत्यंत आवश्यकता है।

महोदय, मैं आपके माध्यम से सरकार से जानना चाहूंगा कि शेयर के रूप में जो निवेशकों का रुपया डूब गया वह उन्हें वापस मिले इसके लिए

सरकार क्या कदम उठा रही है? कोई पैकेज देने पर विचार कर रही है।

मैं सरकार से यह भी जानना चाहूंगा कि सत्यम कम्प्यूटर्स में कार्यरत 53 हजार कर्मचारियों का भविष्य असुरक्षित हो गया है, उसके लिए सरकार क्या सोच रही है?

अंत में मैं मांग करना चाहूंगा कि देश में और कोई आर्थिक घोटाला भविष्य में न हो इसके लिए संपूर्ण देश में अर्थजगत, राजनीति और नौकरशाही में आवश्यक सुधार लाया जाये तथा इस सत्यम कम्प्यूटर के घोटालेबाजों पर सख्त से सख्त कार्रवाई करने हेतु कोई कानून हो और सख्त कानून बनाये जाने की दिशा में साकारात्मक पहल की जाये। भ्रष्टाचार को शिष्टाचार नहीं बनाने देना चाहिए। *

SHRI BRAJA KISHORE TRIPATHY (PURI): Hon. Speaker, Sir, the Satyam Computers scam is a very severe blow to the image of India. Satyam scandal points to a dirty underbelly of India's corporate world and its regulatory and legal framework. This scam has serious implications as it has brought out a system failure including collapse of corporate governance, unethical management practices, fraudulent accounting, questionable ways of functioning of banks, failure of regulatory organizations, political-corporate nexus, etc. The victims of this scam are the shareholders, a large number of employees of the company, the image of corporate India, and India as a country itself.

Raju's revelation itself says that reserves of Rs.5,361 crore were shown as against the actuals of Rs.321 crore; non-existent interest income of Rs.361 crore; recoverables of Rs.490 crore as against only a nominal such income; and unaccounted loans of Rs.1,200 crore against his shares. In all, inflated income of more than Rs.7,000 crore was reported in the accounts books. Raju had interestingly stated that he had to resign as he was riding a tiger without knowing how to dismount it.

An inquiry has been conducted which has revealed that HDFC Bank and Bank of Baroda had confirmed forgery of Fixed Deposit Receipts. SFIO has even confirmed forgery of FDs of Rs.1,733 crore of Bank of Baroda. Why have HDFC Bank and Bank of Baroda not lodged any complaint against this forgery so far? The CFO of Satyam Computers was to submit Form 16 to SEBI in this regard which was not done. Why has not SEBI taken any action so far? Why did SEBI agree to buy back the open offer made by Satyam Computers without the approval of its shareholders?

It is now established that Satyam Computers was holding deposits of Rs.3,309 crore as on 31st March, 2007. Where did they vanish subsequently? The SFIO is to submit its report in this matter by 13th April, 2009. With the elections coming soon, will it be able to do that in time or will it ask for extension of time?

There are ample indications that all efforts are being made to hush up the case and to save the key political players involved in the scam. Allegations against Raju are: diversion of funds, money-laundering, foreign exchange manipulation, insider trading, criminal breach of trust, income tax violation, round-tripping of ill-gotten wealth etc. These are the allegations against him. [\[KMR88\]](#)

Satyam scandal is not just about greed, corporate governance and auditors but also about quicker and more punitive indictments under the existing laws. Satyam fiasco emphasis is the need for stronger corporate governance, which we are lacking. The incident like Satyam collapsing under the weight of a Rs.10,000 crore fraud to bring out the horrendous regulatory failure in corporate governance, not just in India but also in the US as well. Satyam has registered both in India and the US.

The agencies caught sleeping on their jobs are overseas auditors, directors, company boards and stock exchanges. They were also sleeping and they have not done anything in this case. Previously, they had not detected the fraud committed by Shri Raju. The Satyam fraud has exposed the inadequacies in India's legal framework and regulatory system to tackle corporate wrongdoing of such unprecedented dimension. If we want to clear up rather than simply wait for the next scandal to erupt. The Government have to do something to rectify the legal system.

In the case of Satyam fraud, apart from the SFIO, SEBI and the Institute of Chartered Accountants of India are investigating in different ways and in different dimensions of the scam which are bound to overlap with one another. So, the entire case is not given to one organisation. The Government has given different jobs to different organisations, which would overlap. Naturally, there would be no case in the last.

Mostly we have given this serious fraud case to the Serious Fraud Investigation Office. The record of the SFIO is not good in prosecuting corporate frauds. The record of the SFIO hardly inspires confidence. The lengthy legal processes have raised a question mark about the SFIO's effectiveness in bringing prosecution to its legal conclusion.

MR. SPEAKER: No more. I am sorry. You have made very good points.

...(Interruptions)

SHRI BRAJA KISHORE TRIPATHY : So far, they have not made any successful effort during this period in the corporate fraud.

MR. SPEAKER: You have exceeded your time three times.

...(Interruptions)

SHRI BRAJA KISHORE TRIPATHY: Thus, there is much to be said in favour of creating an effective legal and regulatory environment for successful prevention and prosecution of corporate frauds.

MR. SPEAKER: Shri Sudhakar Reddy's speech to be recorded.

(Interruptions) â€¹*

SHRI BRAJA KISHORE TRIPATHY: Lastlyâ€¹.

MR. SPEAKER: Genuine last!

...(Interruptions)

SHRI BRAJA KISHORE TRIPATHY: Otherwise, Harshad Mehta, Enron and the present Satyam case will go on. What the Government is doing? ...(Interruptions)

MR. SPEAKER: No more.

...(Interruptions)

MR. SPEAKER: I am sorry.

...(Interruptions)

*Not recorded

MR. SPEAKER: Shri Sudhakar Reddy – you have two minutes time. I will give you five minutes.

...(Interruptions)

SHRI BRAJA KISHORE TRIPATHY (PURI): I would like to know from the Government as to what action they are contemplating to take against this case and to have a legal framework so that in future such frauds do not occur.

1714 hours

SHRI SURAVARAM SUDHAKAR REDDY (NALGONDA): Shri Rupchand Pal has given in detail about the Satyam's scandal. I do not want to go into the details of the whole scam. I would like to put a few questions. Why the regulatory mechanism failed to detect such a huge fraud resulting in huge losses to shareholders and caused shake of confidence of investors throughout the world? What is the role of the auditors in this fraud? It has not come to the notice very suddenly. For quite some time, this type of fraud was going on and the way the fraud has been exposed, it is clear that the auditors cooperated with the organization. Otherwise, it is not possible to continue it for such a long time. There is another regulatory mechanism that is called the Independent Directors, who are supposed to be 50 per cent in each of these institutes. [\[s89\]](#)

None of these Independent Directors could do anything. Something is wrong. These Independent Directors are almost in 16 such enterprises; I do not know how an Independent Director, who is the Director in some 15-16 companies, can manage these things. Is it possible for him to spare any time? Why are you nominating them for all these enterprises? These things are to be taken into consideration by the Ministry of Company Affairs.

The Ministry of Company Affairs should see why, after Ketan Parekh and Harshad Mehta episodes, a proper regulatory mechanism could not be brought forward, to check this type of scams? Naturally, the Ministry itself will be held responsible for this.

My friend, Shri Aruna Kumar was telling that these allegations are intended politically. It is absolutely not political, but at the same time, I would like to say that the role of the State Government is also unfortunately not good in this whole scam. Satyam Computer has started hundreds of new organizations, new companies, in which his two sons were also promoters. The Maytas was given Rs.38,000

crore worth works in AP. Maybe, several others can be given like that.

MR. SPEAKER: Please avoid taking the names or refer to persons who are not present.

SHRI SURAVARAM SUDHAKAR REDDY: It is about the State Government.

SHRI KINJARAPU YERRANNAIDU : Sir, it is about the State Government.

MR. SPEAKER: If you question me, then I will not ask you to speak. It is a very bad habit. You are asking the Speaker. It does not behove you!

SHRI SURAVARAM SUDHAKAR REDDY : I am not taking any particular name. I am particularly asking about one thing. It was alleged that the Government is paying Rs.2 per kilo rice , and that is why, we are angry. We are not angry on that. We are angry for only one thing – that is, this Rs.2 rice is given as 4 kg. per person, and Rs.38,000 crore is given to Satyam. That is our allegation. Why are you doing this? You are trying to help the corporate houses. And when we are asking for a proper inquiry on this, it is said that it is a political vendetta. It is not a political vendetta. Please conduct a proper inquiry.

It is not we, from the Opposition side, who said that that Satyam is being defended. The former Chairman of SEBI said that Satyam's Ramalinga Raju was not allowed to be questioned by SEBI and he is taken into 'protective custody' of the Government of AP. It is not our allegation; it is the allegation of SEBI. It is the CBI which says that they are not getting cooperation. Naturally at this juncture, we demand that the Government at the Centre should take proper steps.

On this occasion, I would like to say that I raised the issue of Swiss Bank accounts earlier also. Unfortunately the Minister said that only two days back it has come. But 20 days back I have written a letter to the Prime Minister and the Finance Minister. Unfortunately, our Prime Minister is not well and I understand that he may not be able to reply. It has come in the Press – US \$ 1456 billion is supposed to be in the Swiss Banks. We are asking whether Ramalinga Raju has diverted his money to purchase lands for Rs.7,000 crore or he invested in Swiss Bank? Not only Ramalinga Raju, but many other such corporate people, the corrupt political leaders, the corrupt officials of India are all having the moneys in the Swiss Banks. Why does the Government feel shy to respond on these things? We demand, on this occasion, that the Government should respond and they should take action and that this money which belongs to the people of this country, should be brought back and those who did not pay the tax and tried to put the money in the Swiss Bank should be booked and arrested. Only with such an action, it will be possible to find out who are the people who are betraying the nation.

On Satyam fraud, I feel that the role of the Government of India is not satisfactory. It is a question of creating confidence once again, in the international investors. So, I would like the Government of India, to take all steps not only on Satyam Computers, but also on other scams that are coming up in AP, particularly the irregularities in setting up several companies and others are involved.

MR. SPEAKER: No. No. That will be omitted. That is omitted. This is not the way. Do not misuse the floor of this House.

MR. SPEAKER: Your Party has got only one minute left but I will give you five minutes to speak.

SHRI KINJARAPU YERRANNAIDU : Sir, this is the most important discussion. Please give me another five minutes.

MR. SPEAKER: You may start your speech. I will see if you speak something relevant.

SHRI KINJARAPU YERRANNAIDU : Mr. Speaker, Sir, my colleagues, Shri Rupchand Pal, Shri ~~Sudhakar Reddy~~ and others have explained about the Satyam Computer scam. The main architect behind this scam is the *

MR. SPEAKER: I am sorry. It will be deleted.

SHRI KINJARAPU YERRANNAIDU : I will prove it....(*Interruptions*) Andhra Pradesh Chief Minister is also the constitutional head....(*Interruptions*)

MR. SPEAKER: You may prove it before the investigating agency not in the House. I do not mind. Let them be hanged.

SHRI KINJARAPU YERRANNAIDU : Mr. Speaker, Sir, he has admitted....(*Interruptions*)

MR. SPEAKER: Shri Athawale, I will call you.

SHRI KINJARAPU YERRANNAIDU: Satyam Computers has formed two subsidiaries; Maytas Infra and Maytas Property. Till 2004 the Maytas Infra had works worth only Rs.200 crore. Since the inception of Maytas Infra, in the last four and half a years the Government of Andhra Pradesh awarded Rs.38,000 crore including, ports, metro rail and other irrigation projects. The Government of Andhra Pradesh has awarded to the Maytas Infra 3,800 acres of the Government land. He has created 365 subsidiary companies but the Government has no knowledge. The regulatory authorities have no knowledge. How can he start all these companies without the

knowledge of the regulatory authorities? The State Government is keeping quiet on this. Though the Union Minister had given direction not to register the sale of land of Maytas Infra, even though*

MR. SPEAKER: This is to be deleted.

SHRI

KINJARAPU

YERRANNAIDU : I can show that transactions are going on in Andhra Pradesh. Is it not the violation of the direction given by the Union Government?

* Not recorded

MR. SPEAKER: Do not make any allegation against any person not present in the House.

SHRI KINJARAPU YERRANNAIDU : Sir, the Government of India should answer this.

Secondly, â€¦* in fact he is the Congress leader...(Interruptions)

MR. SPEAKER: Do not mention the name. It is expunged. You cannot name a person in the House.

SHRI KINJARAPU YERRANNAIDU : He is an ordinary person.

MR. SPEAKER: I am following the rules. I am not laying down anything new.

SHRI KINJARAPU YERRANNAIDU : Sir, illegally the amount is transferred to *benami* companies. Satyam Computers and its other subsidiaries purchased 6000 acres of land and the amount is transferred through his *benami* companies to other companies. This has been revealed in the Inquiry. A lot of works were awarded by the State Government. Favours were given to the Satyam Computers and its subsidiaries through *hawala*, through Mauritius route and routed through *(Interruptions)

MR. SPEAKER: Delete that name.

SHRI KINJARAPU YERRANNAIDU : Even *(Interruptions)

MR. SPEAKER: All this is deleted.

SHRI KINJARAPU YERRANNAIDU) : Sir, these are companies owned by different persons. What is wrong in it?

MR. SPEAKER: Rules do not permit it. This is the only wrong thing.

SHRI KINJARAPU YERRANNAIDU : *how did they get all the *hawala* money into this company should be inquired...(Interruptions)

MR. SPEAKER: The names may be deleted. This is the trouble. You are too near the election.

* Not recorded

SHRI KINJARAPU YERRANNAIDU : This should be inquired by the Ministry. We have already submitted a Memorandum to the Minister....(Interruptions)

MR. SPEAKER: You can very well mention all the matters without naming any person. That is what I am requesting you. But you are deliberately doing that and, therefore, those names will be deleted.

SHRI KINJARAPU YERRANNAIDU : I have mentioned *(Interruptions)

MR. SPEAKER: What are you saying?

SHRI B. VINOD KUMAR (HANAMKONDA): There is nothing wrong in the names.

MR. SPEAKER: You have become an expert!

SHRI KINJARAPU YERRANNAIDU: Sir, favours have been given by the Andhra Pradesh Government to the Satyam Computers Limited and the *Hawala* money was routed through these companies. In the year 2004 these companies had shown property worth only Rs.41 lakh in the income tax records.[\[R90\]](#)

[\[R91\]](#)

How did they get properties worth Rs.10,000 crore? That is why, the Minister should inquire into it and take necessary action.

Even my colleague, Shri Arun Kumar, pointed out the name of ~~_____~~*

MR. SPEAKER: The name will be deleted.

*Not recorded

SHRI KINJARAPU YERRANNAIDU : So, I am requesting the Government of India to appoint a sitting judge of the Supreme Court. We have no faith in CBI. Recently, the Supreme Court has passed strictures against CBI in the ~~_____~~ * *versus* Government of India case.

MR. SPEAKER: Delete the name.

SHRI KINJARAPU YERRANNAIDU: That is why, the truth should come out. The truth will come out if you appoint a sitting judge of the Supreme Court. You inquire into all the allegations leveled against * and his son and ~~_____~~ *and his son also.

MR. SPEAKER: All names will be deleted.

SHRI KINJARAPU YERRANNAIDU : Sir, this is a politics-corporate nexus fraud. This is simply a ~~_____~~* fraud. That is why, people are very anxious and the Government of India should inquire into these matters so that truth could come out.

MR. SPEAKER: I agree with your last sentence fully that there should be a proper investigation, truth should come out and action should be taken. Therefore, why are you getting angry?

Now Shri Vinod Kumar to speak. Although your time is half-a-minute, I will give you five minutes.

SHRI B. VINOD KUMAR (HANAMKONDA): Sir, earlier speakers have dwelt upon the issue at length. The hon. Union Minister for Corporate Affairs, Shri Prem Chand Gupta, made a statement immediately after the scam that there is possibly diversion of money from the Satyam Computers. It is a fact. Ramalinga Raju and the corporate sector, particularly, Satyam Computers had deviated from the IT sector and it has entered into the real estate and the civil contracts line which was allured by the temptation for making quick and easy money. It has become the guiding principle of our present State Government.

Satyam Computers' earnings were diverted for the acquisition of lands. Maytas Infra and Maytas Properties are the two sister concerns of the Satyam Computers. This group had acquired thousands of acres of land in Telengana region, that is, in and around Hyderabad by displacing poor farmers who were eking their livelihood by doing agriculture. These two sister concerns whose annual turn over was not beyond Rs.200 crore in the year 2004, are now awarded contracts worth Rs.38,000 crore by the State Government. This is nothing but to make quick money the State Government had encouraged such corporate sector which, in fact, had deviated from their original motto. As the real estate bubble had busted, Raju could not rotate the money and was unable to meet the financial commitments made to the persons who favoured him in acquiring such huge lands in the Telengana region.

I would like to say that there should be an inquiry at length not only of the Satyam Computers but also the other companies who were awarded huge contracts in my State. I would like to bring to the notice of the hon. Minister that all those companies come under corporate sector. They are registered under the Companies Act. There is huge fudging in their accounts and balance sheet. Today we are discussing Satyam Computers and in the near future, maybe in the 15th Lok Sabha, we may have to discuss more and more companies.[\[R92\]](#)

[\[R93\]](#)

Such is the extent of corruption in my State which had encouraged the corporate sector. I would like to conclude by saying that the elections are due and I do not think that the investigating agencies may take the matter very seriously and enquire into the matter. I would like to request the hon. Minister to ensure an uninterrupted, objective and timely probe in the matter. If there is some interruption, then they would again fudge so many other accounts and the culprit may not be booked. I would like to know from the Government as to what they propose to do to prevent such scams in the near future.

MR. SPEAKER: Thank you very much for your kind co-operation.

Shri K.S. Rao. Your party has 70 minutes left.

SHRI K.S. RAO (ELURU): Sir, thank you. It is a very serious issue to be discussed in the Lok Sabha. But unfortunately, the issue has come to light only when the culprit himself has confessed it. It is not that it has been a discovery by some Government agency. Had he not disclosed it himself, I do not think the opportunity for discussion on this issue would have come now.

Sir, when I went into the details, I found that apart from the Chairman, the Managing Director and other responsible persons of Satyam Computers, M/s Pricewater Coopers, the auditors of the company are equally responsible. One can understand over-valuation and

under-valuation of property, but here in this particular case the balance-sheet shows thousands of crores of rupees as fixed deposits in banks and in other institutions. This was to be verified by the auditor. It is real surprise and a shock that if an auditor were not to check about the fixed deposits lying in a bank for years together. Here, instead of going into the details of the technical aspect, unfortunately my friends are trying to take political advantage out of it.

Shri Rupchand Pal is a very learned and a very experienced Member and everything is good about him. He was trying to find fault with the Chief Minister and the present Government. Does he think that the Chief Minister would have wanted such a big institution, the fourth largest company in the world, to commit a fraud and bring a bad name to itself? Whatever kind of a person he could be but he certainly would not have expected this kind of a thing to happen. Every Government, either the NDA Government or the TDP Government, have encouraged Satyam Computers. I do not want to attribute any motive to anyone. If any Indian corporate sector were to gain the status of being the number four in the world and were growing in leaps and bounds and acquired a wealth of two billion dollars in a span of 20 years, any Government would encourage such a company unless they know that there is something wrong with that company. Till recently nothing came out against this company. Every Government has encouraged it and many Members also have given instances of it. They all mentioned how the American President gave precedence to Satyam Computers over Ratan Tata. He was given the top priority. This kind of an importance was given to him. He had a reputation built around him and also the company had a reputation all over the world. Officers in the Income Tax Department, in the banks, in the Reserve Bank, in lending institutions and even customers were aware of the reputation of the company as well as the person. Who knew that he was inflating the business, the revenue, the profit? It is there on record. Actually, M/s Pricewater Coopers could have brought all these things to light long time back. [R94]

It may be that a regulator could have brought it back. You are abusing....(Interruptions) My colleague was blaming everybody including the Reserve Bank of India. How is the Reserve Bank connected with the fraud that has occurred which has to be shown by auditor or which has to be done by the Auditors Association? I am talking about the Pricewaterhouse Coopers. So, there is no point in blaming everyone in this situation. Let us think in what manner we should evolve a system. It is not merely the party or the Government which is responsible for it. It is the system that should be built and monitored. We should see whether the system that is built is proper, whether it is monitored with total integrity and character. If not, we should think in terms of at least improving upon the system. We should all discuss about it and improve the system so that it will not repeat. Somebody says that he is responsible. The other one says that he is responsible. All of them have said that it is going on since 2002. When it has been going on since 2002, all of us have kept quiet. And now, when the culprit has disclosed it, we are pursuing it.

My humble suggestion today is, instead of making allegations over one another, I am of the opinion that we must build a system in such a manner that at every stage, a fraud that is being committed must come to light and transparency must be built in the system. I agree with all my colleagues that this has tarnished the image of the Indian corporate sector, more particularly the companies of Hyderabad and the whole of Andhra Pradesh. I really could not understand that Ramalinga has also done this. Having gone to that stage, a few thousands of crores of rupees would not have made much difference for him. Possibly, the circumstances in which he could not come up or with a view that he wanted to become number one in the IT sector, he must have shown increased revenues without real revenue, increased profits without real profit and thereby, share values were going up and all those things. As somebody said, because there was a real situation in Hyderabad in making money in real estate overnight, he might have resorted to purchasing of a lot of land and trying to make that gap. I could visualize it.

On 23rd December, when he proposed to take over Maytas Infra and Maytas Properties, he might have thought that he can transfer all those 17,000 acres or 7000 acres which is lying with Maytas Properties to become property of Satyam Computers without really transferring the deposits to them. A fictitious deposit of thousands of crores of rupees lying in the bank, he could not have given it to Maytas because there is no money. So, obviously it could have been a paper transfer of the fictitious deposit, that was shown in the balancesheet of Satyam Computers, to Maytas so that the property will come to them. That means, it is obviously visible that he wanted to rectify his mistake in that regard. But then the system did not permit. The foreign investors who are also involved and who are not aware of all these intricacies are blown out of proportions. Naturally, it failed. That is the reason why all this has happened but it is detrimental to the interests of the country and everyone of us. There are no two opinions about it.

All of us must unite and think in terms of improving the system. Attributing motives to the State Government and the Central Government will not help. Is there any instance where any Chief Minister has acted instantaneously and immediately booked a case? Has anyone asked the CID to investigate into the case? Not being in Hyderabad, but even by being in Delhi, he ordered it immediately. He did not even wait for an hour. Similarly, the Minister for Corporate Affairs of the Government of India has asked overnight, on a holiday, the Registrar of Companies to go into the details and take action. In such a situation, instead of once again making such a big company a zero today, let us all think in terms of how to save the lives of 53,000 people who are working there. They are not just normal human beings but they are accepted as experts in the international area and their services are being sought by 500 companies in the world over. All of us know that UK, Germany and Japan have all asked those engineers to come and work [U95] in their countries.

So, in that background, I would request the hon. Minister not to surrender this company or make a distress sale of this company and put the lives of all the 53,000 expert engineers on the roads. So, let the investigation be more quick, more deep and more transparent. Assess the values of all the properties of this company world over and not just in this country. The real value of those assets might be more than what is shown in the books and much of the loss could have been covered. If necessary, we can even suggest to all the 53,000 employees to voluntarily take less salaries, work beyond working hours and see that this company is saved so that this loss also could be recovered in no time. They are such experts in their field. Newspapers, magazines, export companies have said that the services that are being rendered by the Satyam Company were exclusive. They are very competent, very knowledgeable and very special. Many of these companies have asked only this company to serve them. So, in this background, I would request the hon. Minister to hasten the investigation and find out a way how this company can be saved and not to resort to distress sale. Many people are trying to take away the company with the present market share value. It is not necessary. It will certainly bounce back. It does not need to be done with the existing management. He has already superseded the Board. He can, after thorough investigation, put that into the hands of another Indian corporate sector, which has proven background, proven history so that the lives of the people and the reputation of the country could be restored. Today it was misunderstood by many of the multi-nationals that the Indian company sector is not fair, is not transparent. Simply because one company has done it, all the companies should not be disrespected or under-estimated in this country. The hon. Minister can refurbish and bring back the image of the Indian corporate sector. As he has taken action immediately, similarly he must, if necessary, put some more people with proven integrity to go into the details. Different auditors, with proven integrity, could be appointed, as demanded by our colleagues, and then go in details and then find ways as to how to save this company, how to save the reputation of the Indian corporate sector, how not to throw those 53,000 engineers on the roads and utilise their services properly.

My humble request to all my colleagues also is that, please do not resort to making allegations against somebody and please do not pass on the message to outside the country also that not only the corporate sector but also the Indian politicians are like this. Let us not pass on such an image to the outside world. There may be some people who have committed mistakes, there may be some people who have less integrity. But among ourselves, let us think of how best to improve this company. But please do not pass on a message to the outside world that all of them are like that, that all the companies are like that, all the politicians are like that.

With these words, my request to you would be to please think in terms of practically how best we can improve the situation, how we can strengthen the regulators and how the auditing has to be improved. We have to think of what type of clauses and sections are to be incorporated or what amendments are to be brought to the legislation, etc.

MR. SPEAKER: Shri Ramdas Athawale.

...(Interruptions)

MR. SPEAKER: Not to be recorded.

(Interruptions) अर्थात्*

MR. SPEAKER: You have half a minute, but I will give you five minutes.

SHRI RAMDAS ATHAWALE (PANDHARPUR): Sir, give me ten minutes.

MR. SPEAKER: Do not bargain with the Chair. Please start.

* Not recorded

श्री रामदास आठवले (पंढरपुर) : महोदय, सत्यम कंप्यूटर के बारे में हम लोगों को बहुत बड़ा अभिमान था। आई.टी. क्षेत्र में हैदराबाद का नाम केवल भारत में ही नहीं बल्कि सारी दुनिया में सत्यम कंप्यूटर ने ले जाने का प्रयत्न किया था। हम सत्यम कंप्यूटर की तरफ बहुत आशा और अपेक्षा से देखते थे।

महोदय, जब हम लोग अपोजिशन में थे और आप वहाँ बैठते थे और मैं भी आपके पीछे बैठता था। उस समय अटल बिहारी वाजपेयी जी की सरकार थी। 13 मार्च 2003 को जीरो आवर में मैंने यह इश्यू उठाया था कि मुझे ऐसी जानकारी मिली है कि सत्यम कंप्यूटर में 20-25 करोड़ का घोटाला हो रहा है और सरकार को इस तरफ ध्यान देने की आवश्यकता है।[97]

माननीय अध्यक्ष महोदय, जीरो आवर में एम.पी.जी जो मामला उठाते हैं, उस पर इनक्वायरी करने की आवश्यकता है। यहां प्रशासन के सभी

अधिकारी बैठते हैं और उन बातों को नोट भी करते हैं। मैंने 13 मार्च 2003 को इस विषय को जीरो आवर में उठाया था। उसके बाद सेबी के जो चेयरमैन हैं, जी.एन.वाजपेयी जी, उनको मैंने पत्र लिखा था कि सत्यम कम्प्यूटर्स में इनकम टैक्स में कुछ घोटाला हो रहा है, ऐसी जानकारी मुझे मिली है, उसकी इनक्वायरी की जाए। उसकी कॉपी मैंने अटल बिहारी वाजपेयी, भारत के प्रधान मंत्री तथा जसवंत सिंह, तत्कालीन वित्त मंत्री को भेजी थी। श्रीमती एस.पद्मजा, डिप्टी डायरेक्टर इनवैस्टिगेशन, आयकर भवन, बशीरबाग रेंज, हैदराबाद ने इसकी इनक्वायरी की थी। बेनामी संपत्ति या बेनामी अकाउंट्स वहां रखे जा रहे हैं, इस तरह की जानकारी थी और मैंने पत्र में यह लिखा था। तब यदि इसकी इनक्वायरी हो जाती तो 7000 करोड़ रुपये का घोटाला नहीं होता। यहां येरननायडू जी बैठे हैं। इनकी पार्टी के अध्यक्ष ...(व्यवधान) * तब मुख्य मंत्री थे।

MR. SPEAKER: Please do not take his name.

श्री रामदास आठवले : आंध्र प्रदेश के जो मुख्य मंत्री थे, उनकी तेलुगुदेशम पार्टी का सपोर्ट अटल बिहारी वाजपेयी जी की सरकार को था। इन लोगों को वहां नहीं जाना चाहिए था। ये लोग सैक्यूलर हैं, उसके बावजूद भी ये लोग उनके साथ थे। मुझे ऐसा लगता है कि ...(व्यवधान) * मैं नाम नहीं लेता हूँ, आंध्र प्रदेश के जो मुख्य मंत्री थे, मुख्य मंत्री जी का केन्द्र सरकार को सपोर्ट था और मैंने जो पत्र लिखा था, मुख्य मंत्री जी के दबाव के कारण इसकी इनक्वायरी नहीं हुई और इसीलिए 20-25 करोड़ रुपये से लेकर यह 7000 करोड़ रुपये का घोटाला हुआ। 23000 करोड़ रुपये का इनवैस्टर्स का नुकसान और घपला रामलिंगराजू ने किया है। इनके नाम में राम है, मगर इन्होंने राम की काफी बदनामी की है। आंध्र

*Not recorded

प्रदेश के सभी लोगों ने आपका नाम जितना ऊँचा किया था, उतना ही हैदराबाद का नाम इन्होंने सत्यानाश कर दिया है। सरकार में हमारे प्रेमचन्द गुप्ता जी हैं। रूपचंद पाल जी आपकी पार्टी के हैं, मतलब अभी आप उनकी पार्टी के नहीं हैं। आपके रूपचंद पाल जी ने यह मामला उठाया है।

MR. SPEAKER: I am with complete peace of mind.

श्री रामदास आठवले : रूपचंद पाल जी ने बहुत ही महत्वपूर्ण मामला उठाया है। किसी तरह का घोटाला नहीं होना चाहिए। कल सत्र का आखिरी दिन है। बाद में मैं तो आने वाला हूँ। आपने कहा कि जो लोग ज्यादा गड़बड़ करते हैं, वे चुनकर आएंगे नहीं, लेकिन मैं ज्यादा गड़बड़ करता हूँ इसलिए मैं चुनकर आने वाला हूँ।

अध्यक्ष महोदय : हमने तो विदड़ा कर लिया। हमने कहा कि जिनको जनता का सपोर्ट मिलेगा, वे आएंगे।

श्री रामदास आठवले : और मैं ज्यादा गड़बड़ करता हूँ, इसलिए मुझे जनता का सपोर्ट ज्यादा मिलता है। यह गड़बड़ का विषय नहीं है लेकिन ठीक है।

अध्यक्ष महोदय : आज बहुत इंप्रेसिव और रिस्पॉन्सिबल स्पीच कर रहे हैं आप। It is too late.

श्री रामदास आठवले : सरकार में हमारे प्रेमचन्द गुप्ता जी ने सीबीआई इनक्वायरी अनाउंस कर दी है। इसमें जो भी दोषी होंगे, उन पर कड़ी कार्रवाई करने की आवश्यकता है। लेकिन येरननायडू जी, आप उनकी दोस्ती तोड़ दो। रामलिंगराजू जी अंदर चले गए हैं और इन्होंने बहुत बड़ा घोटाला किया है। इसीलिए इसकी पूरी जाँच हो और जो भी लोग दोषी हों, उन पर कड़ी कार्रवाई होनी चाहिए, यही मेरी मांग है। अंत में मेरा इतना कहना है कि संसद में हम लोग जो मामला जीरो आवर में उठाते हैं, उस पर कार्रवाई करने की आवश्यकता है। हम यहाँ 20-25 लाख लोगों को रिप्रजेंट करके जो इश्यू उठाते हैं, उसकी इनक्वायरी करने की आवश्यकता है। इसकी पूरी जाँच होनी चाहिए।

महोदय, क्या मैं ये पेपर्स ले कर सकता हूँ?

अध्यक्ष महोदय : आपको ऑथैन्टिकेट करना होगा।

*SHRI RAMDAS ATHAWALE : This is further to the question I had raised in summer session of parliament on the alleged income tax scam by a reputed company such as Satyam Computers Limited. I had demanded through inquiry by income tax department, which is underway.

However, the other interesting part of the scam is the possibility of massive amount of insider trading/circular trading through whole lot of benami accounts in the names of the promoters and their relatives. The attached report clearly mentions view of Deputy Director-Investigations that what was revealed during the search process seemed mere tip of iceberg. There lay buried deep huge mountain of scam, which I request you authority to dig out in the interest of investors.

The scam in brief is as under. Deputy Director-Investigations. Aaykar Bhavan, Basheerbaug, Hyderabad found benami bank deposits worth Rs. 20 crores in various banks in and around Hyderabad without proper documents and with form 15-II filled for non-deduction of TDS on the interest. Finding this odd, IT officials traced fixed deposits to Satyam Promoters and their family members. On further investigation, the traced scam with wrong doings in register of members which company officials hesitated to show during survey. In fact, IT officials were locked up in the room. IT officials saw a possibility of massive manipulation in register of members through various benami accounts having frequent trading of shares, possibly insider trading and profits from such trading findings its place in above benami fixed deposits. IT officials had a feeling that promoter holding in the company through benami holding could be more than those disclosed to various authorities.

Your investigation should specifically cover following areas:

- Check register of members for the genuinity during the period indicated in the report. This is possibly year 1998 to year 2002. There is a strong

.... This part of the speech was laid on the Table.

possibility of benami holdings belonging to promoter and their family. Trace real owners.

- Frequent trading pattern in benami holding can clearly suggest strong possibility of insider trading. Please investigate in thorough detail.
- Check whether actual holding of the promoter in the company is consistent with the figures disclosed with SEBI, various stock Exchanges and various authorities.
- Investigation may be extended to period prior to 1998, if so required

We request you to take the matter with the office of Deputy Director-Investigations, Aykar Bhavan, Basheerbaug range, Hyderabad for more information. Mrs. Siripua Padmaja, Deputy Director-Investigations then, who also conducted above survey process may be contacted for all details and evidence on the above matter. I am sure that your office will do the needful in the interest of investors and oblige.

Please note my follow-up will continue in the Parliament on the above matter. Your timely investigation will help relevant authorities.

PROF. M. RAMADASS (PONDICHERY): Mr. Speaker, Sir I agree with the views expressed by other hon. Members on the Satyam scandal.

Sir, as the hon. Prime Minister of this country has said, this Satyam scandal is a blot on India's corporate image. It is quite surprising that the system that is in place in India has not unraveled this kind of enveloping situation in the last few years. [\[a98\]](#)

It only shows that the system of corporate governance in the liberalisation period is not working. The lesson that the Government of India should understand from this is that wherever the financial sector is given undue importance as compared to the real sector, such kind of happenings are inevitable. This is what the experience of many of the developed countries also show. There should always be a delicate balance between the real sector and the monetary sector or the financial sector so that you will be able to monitor the system in a better way.

17.51 hrs (Shri Devendra Prasad Yadav *in the Chair*)

But, unfortunately, with the advent of the process of liberalisation, globalisation and the so-called LPG experiment in India, we have given a free hand to the market especially to the financial market, the share market so that the people in the country can play with the market sentiments, indulge in speculative trading activities, manipulate accounts and try to manage with the company officers and Directors. Therefore, the Government should realise that the dependence of the economy on the share market, dependence of the Government on the corporate world will always land us in this kind of a problem.

To my mind, the Satyam owners have come forward to accept their follies and failures and therefore we have been able to discover it. There is no system in the country to know what is happening to the other countries or other companies. We only wish that the Satyam Scam is the one and the only scam that is associated with the corporate world. But we have a feeling today that after getting the report about the Satyam deal, we tend to have a feeling that there may be a large number of companies which are committing this kind of a fraud on the public Capital of India. Therefore, we should give serious thought to this problem. We should take severe action against those people who have committed this kind of a fraud. How could this fraud take place when there is a Company Law, when there is an audit system and when there is the income-tax system and laws.? With all these things, this scandal has come to the surface. That shows that all the people are in collusion or in nexus and they have brought this episode. It is shocking to this country. Therefore, the Government should unravel the entire truth surrounding this scandal. It should take high level of penal action against the guilty people, whoever has committed it. We should be able to formulate tougher company laws so that these things do not happen. The Ministry of Company Affairs should not be simply satisfied with the framing of laws and regulations. But it should also closely monitor the audited statement of various companies regularly and see whether the audited statements given by the auditors are correct to the best of their knowledge and to the situation. Perhaps, had the system worked properly, the Satyam Company mistake or the episode would not have recurred. Therefore, the Government should think on imaginative lines because on the one hand we are catching up with the West with all the models, share-marketing experiences and all that. But, on the other hand, these kinds of frauds are committed, these kinds of follies are committed and they go unchecked by the Governmental agencies. The Government should seriously think whether the systemic failure should continue or we have to arrest the systemic failure and try to do justice to the people and bring the guilty people to book. It should teach a less to the corporate world that this country does not depend only on the corporate world; the real sector is important. They should be contributing to the real sector so that the problems of the

country can be solved in a better and amicable manner.

With these words, I conclude.

[R99]

SHRI M.P. VEERENDRA KUMAR (CALICUT): Mr. Chairman, Sir, Satyam episode has brought discredit and insult to the country. Many hon. Members have said that the practice of allowing the corporate world to plunder without putting any restrictions on them and to think whatever they do is good for the country as a whole has led to this situation. It was happening for the last so many years and not only Satyam but so many corporates are dictating the economy. We know what happened not only to our economy but also in the whole world. Everybody has admitted that the Satyam scam is unprecedented. It involves thousands of crores of rupees and so many people are involved in it. So, it has to be probed thoroughly.

Sir, I do not want to blame any individuals or institutions, but there is something wrong with the entire system. Otherwise, how could such a thing happen? How could Satyam plunder so much money? How could they cheat the entire system not only in India but also outside our country? This is something very shameful.

Therefore, my party demands that there must be a thorough inquiry and all the culprits should be brought to book. The Government should now open its eyes. When they talk of globalisation and corporatisation, they should realize the danger involved in allowing the country to be dictated by the corporates. I think the Satyam scam should open the eyes of the Government in formulating the future policies. So we demand a thorough inquiry in the whole scam.

* SHRIMATI JHANSI LAKSHMI BOTCHA (BOBBILI): Sir, the unfortunate revelations by Shri B. Ramalinga Raju (Raju). The then Chairman of Satyam Computer Services Limited, on 7th January, 2009 have shaken the confidence of investors, particularly those in Hyderabad, as Satyam was one of the largest software exporting companies in the country, enjoying the confidence of more than 60 Fortune 500 companies, employing about 53,000 professionals, having operations in more than 50 countries.

The Chief Minister of Andhra Pradesh was attending National security meeting in Vigyan Bhavan in New Delhi, when Raju made the aforesaid revelations to the media. The CM, immediately upon knowing the revelations, ordered from New Delhi itself that CB-CID conduct a preliminary enquiry and ensure that Raju who made a self confession was not let off the hook.

The CM, having noted that the most important and immediate requirement to safeguard the interests of the employees and small investors, spoke personally to Dr. Montek Singh Ahluwalia requesting him to speak to the Prime Minister, who was indisposed at that time, to take immediate steps to appoint a new Management team of eminent people who can give confidence both to the employees and small investors. He followed it up with a letter to Dr. Montek Singh Ahluwalia, Prime Minister, Shri P. Chidambaram and Shri Prem Chand Gupta. The CM's press conference in Delhi and his letter to PM were widely publicized and in fact there were many who appreciated the quick action by the Chief Minister.

The Central Government also acted very quickly. The officials of SEBI and Serious Fraud Investigation Office have arrived on the scene in Hyderabad on 8th January, 2009 despite that that day being holiday and straightaway started investigations not only into the affairs of Satyam but also of Eight other group companies, which includes Maytas Infra and Maytas Properties. The CB-CID, based on preliminary investigations arrested Raju, his brother and CFO of

* Speech was laid on the Table.

Satyam on 9th and 10th January, 2009 and have since then been conducting the enquiry under the scrutiny of the Courts. It is pertinent to note that in an interview given by Shri K. Vijaya Rama Rao, a former Director of CBI, presently a senior member of TDP, to the HINDU Newspaper on 8th January, 2009 (published in Hyderabad edition on 9th January, 2009) categorically said that it was too early for the CBI to enter the picture. It was reported in the HINDU that " he favoured that statutory bodies like the SEBI and the Serious Fraud Investigation Office conduct preliminary probe to pinpoint the areas where lapses had taken place as they had expertise on issues relating to finance and audit procedures. Once the dimensions of the fraud were established, the Finance Ministry could hand over the probe to the CBI".

In response to the request of the Chief Minister, the Central Government dismissed the Board of Satyam and replaced the same by their nominees who are presently running the affairs of the company under direct supervision of the Central Government. In fact, it is everybody's knowledge that during the first few days after the revelation, the Prime Minister himself was monitoring the entire progress of Satyam case and its management. After the PM's admission into hospital for treatment, Mr. Pranab Mukherjee has been monitoring the case. The State Government had no role to play after 7th January, 2009, that is, after handing over the case to CB-CID.

There is nothing more that any State Government could have done under the circumstances.

The Chief Minister during several of his Press conferences has clearly said that he will be only too happy if the CBI takes over the case. He in fact wrote a D.O. Letter to Prime Minister on 28th January, 2009 that the State Government would be happy if the CBI took over the case. The Chief Secretary of Andhra Pradesh wrote a letter on 8th February, 2009 to Shri Madhukar Gupta, the Union Home Secretary requesting that the CBI may take over the case. The CM once again wrote a letter to PM on 9th February, 2009 requesting him to expedite the take-over of the case by CBI.

Despite this, it is absolutely shocking that the opposition political parties in the State somehow or the other want to take political advantage of this most unfortunate incident. They have absolutely no concern for the 53,000 odd employees in the company. They somehow expected that this company would collapse immediately and all the 53,000 employees will be on the road and naturally their anger will be on the ruling Government both at the State and the Centre and that it will explode further with many other software employees joining hands with the employees of Satyam; they expected that the global customers of Satyam will withdraw; they expected all round chaos in the State. But unfortunately for them, due to deft handling by the Prime Minister, the company is running smoothly; the salaries are being paid to the employees; the customers have not cancelled their contracts. The highly complicated investigation by SEBI, Serious Fraud Investigation Office, Income tax authorities etc. is being carried out. The accounts of Satyam are being recast by the Accountants and Auditors appointed by the newly constituted Board. The Board appointed Brahmayya & Co. Chartered Accountants as Internal Auditors. It may not be out of place to mention here that this Chartered Accountants firm is very close to the TDP leader Mr. Naidu. Mr. Devineni Seetaramaiah, the Chief partner of Brahmaiah & Co., Hyderabad is the mentor of Mr. Naidu and is the only outside member of the NTR memorial trust.

Frustrated with these developments, what the opposition and some of their friends in the media are doing now is to thwart a proper investigation in the fear that their links could come out. So raised a big hue and cry and put the blame on somebody else in the hope of escaping from their roles. Because it is now handled by CB-CID, they are asking us why it is not given to CBI. If the enquiry is handed over to CBI they would have had no qualms to say that nothing good can come out of this, as CBI is nothing but Congress Bureau of Investigation and if this is handled by State CB-CID, they would say that the CM of the State is influencing the investigation. The two-pronged strategy of the opposition is to thwart the investigation and to utilize this opportunity to malign the Government to the extent that it is possible.

Their other fear is that the investigation would inevitably lead to Naidu's links with Mr. Raju which are well known throughout the State. In fact, Mr. Naidu was the benefactor of Mr. Raju. There was no occasion when Mr. Naidu did not take credit for the rise of Mr. Raju. His links with Mr. Chandrababu Naidu are well known, as, when Mr. Bill Clinton visited Hyderabad in the year 2000, the only person who was allowed to share the dias with the US president was Sri. B. Ramalinga Raju, inspite of the fact that there were many eminent globally known entrepreneurs present among the gathering. Thus, Naidu and Raju had helped each other. As per a front page news item published in the 'Deccan Chronicle', the leading English daily, in their edition on 27.1.2009, three companies viz Eelam Investments, Fineith Investments and Grace Investments have each contributed a sum of Rs. 30 lakhs to NTR Memorial Trust, the private charitable trust promoted and operated by Shri. Nara Chandrababau Naidu, President of Telugu Desam Party and his wife. All the above companies are said to be the companies promoted/owned by Shri. B. Ramalinga Raju, Mr. Naidu has recently confessed that the NTR-Trust did indeed accept these donations. In addition, Raju paid huge amounts to Naidu and his political party.

The 'Economic Times' has published two major news items one on 13th January and the other on 30th January, 2009 that Mr. Naidu with his clout in Delhi., has successfully scuttled enquiry into serious charges of insider trading and money laundering by the promoters of Satyam by CBDT and SEBI in the years 2002 and 2003 despite the fact there was enough evidence on record. Indeed, Shri. Ramdas Athwale, a Member of Parliament raised this issue on the floor of the Parliament in the year 2003. If only appropriate action was taken at the time, needless to say, the present situation in Satyam would never have occurred. No wonder, Naidu does not neither refute these statements nor filed a defamation case against that paper. Sir, I humbly appeal through you to save thousands of employee's life. No doubt UPA Government could boost up thousands of IT people confidence.

THE MINISTER OF CORPORATE AFFAIRS (SHRI PREM CHAND GUPTA): Mr. Chairman, Sir, first of all, I would like to thank the hon. Members Shri Rupchand Pal, Shri Vijayendra Pal Singh, Shri Aruna Kumar Vundavalli, Yourself, Shri Braja Kishore Tripathy, Shri Suravaram Sudhakar Reddy, Shri Yerrannaidu, Shri Vinod Kumar, Shri K.S. Rao, Shri Ramdas Athawale, Prof. Ramadass Shri M.P. Veerendra Kumar.

I am happy that some of them were my colleagues in the last Joint Parliamentary Committee on Stock Market Scam. Shri Rupchand Pal and Shri Yerrannaidu were my colleagues in that Committee. There is no denial that what happened in Satyam was very unfortunate and not only in India, but almost the world over, there was a question mark as to what has gone wrong with our system.

Sir, corporate frauds do happen and that cases of corruption do occur. You would remember that the present economic meltdown in

the United States is because of top level corporate frauds in the banking system and other brokering system there and most of the Western countries. Even 150 years old banking and finance companies came down on their knees and the Government had to intervene and support such blatant cases of misutilisation of funds and resources. Not only that, even the sovereign Governments came into question. You would remember that the Government of Iceland had to be bailed out. Otherwise, the entire system in that country would have collapsed.

Sir, as I said earlier, what happened in Satyam is unfortunate. I am not trying to protect them or I am not saying that this is something which we can allow to happen continuously or repeatedly.[\[R100\]](#)

18.00 hrs

[\[r101\]](#)Sir, the main concern was that our corporate sector and particularly, the IT companies who are engaged in very crucial and strategic work for many of the sovereign countries – almost 175, Fortune 500 companies the world over – where in millions of youth and youngsters are employed and this industry which earns almost 30 billion dollars annually for our country should not come into question because of misdeed and greed of a particular person and a particular family.

So, our main concern was to ensure that the operations in Satyam do continue, otherwise, 53,000 employees would have been on road. This would have an effect on not only these 53,000 employees, but this would also have a cascading effect to the extent which cannot be imagined.

This is the same Satyam, when it was Satyam, most of the State Governments were competing with each other to invite them to come to their States and set up the facilities. This is the same Mr. Raju who was declared IT man of the year. This is the same Satyam which was awarded Gold Peacock Corporate Governance Award by international agencies.

Coming back to the question, our main concern was to ensure that these people, these youngsters, these youth, do not lose their jobs, the country as a whole does not get bad name.

MR. CHAIRMAN: Hon. Members, it is 6 o'clock now. We have two more Bills for consideration and passing. If the House agrees, the time of the House may be extended by one hour.

MD. SALIM (CALCUTTA – NORTH EAST): Sir, is it the way to pass Bills?...*(Interruptions)*

SHRI KINJARAPU YERRANNAIDU : Sir, this has been circulated just now. We will take these up tomorrow. We are discussing an important issue and the hon. Minister is giving the reply...*(Interruptions)*

SHRI BASU DEB ACHARIA (BANKURA): Sir, the amendments have been circulated just now...*(Interruptions)*

MR. CHAIRMAN: All right. Let him complete and then I will decide after his reply.

...*(Interruptions)*

SHRI BASU DEB ACHARIA: Sir, a large number of amendments has been circulated just now and we could not go through those amendments...*(Interruptions)*

MD. SALIM : Sir, let him conclude, but this is not the way to pass the Bills...*(Interruptions)*

सभापति महोदय: हाउस का टाइम मंत्री जी के रिप्लाइ के खत्म होने तक बढ़ाया जाता है। रिप्लाइ के समाप्त होने के बाद हाउस की सेंस फिर ली जाएगी। उसके बाद डिसाइड करेंगे कि दो बिल आज लिए जाएं, या नहीं। जिस काम के लिए हाउस एग्री होगा, वही काम होगा। सलीम जी, आपको इतनी चिन्ता करने की जरूरत नहीं है।

SHRI PREM CHAND GUPTA: As I said, the top priority before the Government was to ensure that the operations in Satyam continue so that our IT sector as a whole should not get a beating in the world market. Secondly, the guilty must be brought to book. They must be given their dues. Thirdly, the investigation could have carried on and whoever found guilty should be brought to book at the earliest so that the time is not lost.[\[r102\]](#)

These were the factors. I will come to the question why we did not come to know before or why no action was taken before 17th of January. On that question, I will come later on.

On 7th of January itself, when it was known that Mr. Raju of having committed certain irregularities, *vide* e-mail sent to SEBI, Directors of the company and Stock Exchanges, RoC Hyderabad was ordered to inquire into the report, and investigation was ordered under Companies Act, 1956. The initial report of RoC was received on 12th of January in five days' time. Simultaneously, on 7th of January the Institute of Chartered Accounts of India (ICAI) and the Institute of Company Secretaries of India (ICSI) were asked to

look into the allegations and take appropriate action because they are the regulators, they are the Institutes who regulate these two professions. On 8th of January, RoC Hyderabad applied to the Judicial Magistrate in Hyderabad to seize the documents and CDs, soft copies, hard copies, from different offices and premises of Satyam. On the same day, that is on 8th of January itself, the inspection of eight companies related to Satyam was handed to Serious Fraud Investigation Office (SFIO). On 9th of January, hon. Company Law Board (CLB) was moved to supersede this Board of Satyam and allowing the Government to appoint up to 10 new Directors. Immediately on 11th and 15th of January, 6 Directors were appointed on the Board of Satyam. These 6 Directors are people of eminence not only in India but internationally. If you want, I can give the names. But, I think, by now, you know the names. I do not have to give the names. On 19th of January, SFIO was allowed to extend their inquires into Maytas Properties and Maytas Infrastructure because certain links were found.

Sir, you would appreciate that without having a proper record – we have rule of law in this country; we have a well-placed judicial system in this country – we cannot just go and tell someone that look, you have done this, and that is why you are being hanged. There is a procedure laid down in the law. That had to be followed; otherwise we would have weakened our case.

As I said, on 19th of January, both into Maytas Properties and Maytas Infrastructure, the probe was extended by SFIO. On 20th of January, the next day, keeping in view a strong possibility of siphoning of funds from Satyam and personal enrichment through unfair means by persons closely connected with the affairs of Satyam, on a petition moved by the Government, Mr. Ramalinga Raju, Chairman; Mr. Rama Raju, Director; Mr. Mynampati, CEO and Director; Mr. Vadlamani Srinivas, CFO; and Mr. Jayaraman, Company Secretary; all formerly of Satyam, were directed to declare their properties and assets to the hon. Company Law Board.[\[RP103\]](#)

The hon. Company Law Board was further requested to restrain them from disposing of or alienating any such properties or assets without the permission of CLB. On 20th itself, this was done.

Sir, in the meantime, SFIO, ROC, SEBI and State CID – all these teams – have been working very closely and with the fullest cooperation between them. I would like to put it on record that there is no evidence of any non-cooperation by any of the State agencies or any of the Central agencies. All the agencies work very closely, and then they found that there was a network of 356 entities connected with the group. Out of these 356 entities, 326 were companies and the rest were individuals and others. So, there was a complete network. They found that there could be a great possibility of siphoning off funds by using these 356 entities. SFIO was authorized to cover these 356 entities in their investigation also.

Then, Sir, on the 17th of February, the next day, the Ministry moved a separate petition before the hon. Company Law Board for removal of the existing Directors of Maytas Infrastructure Limited and Maytas Properties Limited and for an appointment of new Directors on the Board of these companies. On the 17th February, we moved this petition. The matter is *sub judice*. The hon. Company Law Board has completed hearing in one of these cases, Maytas Properties Ltd.; and the Maytas Infrastructure case would be heard by the hon. Company Law Board tomorrow, that is, on 26th February.

Sir, on the 19th of February, on a petition moved by the company, with the support of the Central Government, the hon. Company Law Board allowed the new Board to make a plan for the continuation of business and operation of the company including by inducting a strategic investor and obtaining necessary approvals from SEBI in context of the SEBI takeover. Approval of CLB would be taken before finally inducting the strategic investor by making allotment of shares to him.

Sir, what I am trying to say is that the action of the Government of India has been appreciated everywhere and by everyone; *Financial Times* of London, *Dow Jones* – all these newspapers have appreciated the firm action taken so far by the Government, the prompt and quick action of the Government.

Sir, it is very easy to blame each other. ...*(Interruptions)*

MD. SALIM : What is our national motto? *Satyamev Jayate*...*(Interruptions)*

SHRI PREM CHAND GUPTA: Please listen. Please do not ask me what our national motto is. Please do not force me to disclose something which is not in the interest of anyone to know. Let us not make it a political issue. ...*(Interruptions)*

SHRI BASU DEB ACHARIA : We are not making it a political issue. ...*(Interruptions)*

SHRI PREM CHAND GUPTA: This was a very unfortunate case. I am not denying this. [\[H104\]](#)

[\[r105\]](#)

MD. SALIM : It is a shameful thing...*(Interruptions)*

SHRI KINJARAPU YERRANNAIDU: Yes, it is a shameful thing...(Interruptions)

SHRI PREM CHAND GUPTA: Salim Saheb, I am not denying that this was a very unfortunate case. I am not denying it. We should all ensure that these kinds of frauds do not happen again. The hon. Prime Minister rightly said that this was a blot. He was so accurate, he was so correct.

Sir, Mr. Rupchand Pal said that this is an Operation Cover-up. I would like to differ with him and I would say that this is far from the fact.

The next point raised was that the institutions like the SEBI, RBI, Banks, IT Department and the Enforcement Directorate, have all failed. Every country has a system, and if we ridicule our system to this extent, then everything will collapse. We have 8,90,000 countries in this country and each company is supposed to file certain documents. You would appreciate that humanly, it is not possible to go through all the documents and see what is worth...(Interruptions)

MD. SALIM : Satyam Computers is not just another company...(Interruptions)

MR. CHAIRMAN : Mr. Salim, let him complete his reply.

...(Interruptions)

SHRI PREM CHAND GUPTA: Mr. Salim, do not get agitated. This was one of the frauds...(Interruptions) Let us not get agitated. Let me complete my reply.

Sir, in order to ensure that the frauds like this or irregularities like this are detected well in time, the Ministry of Company Affairs has introduced MCA-21 Computerization Programme through which the documents can be filed through emails. The officers can look at the returns of the companies, see the irregularity on the screen itself and take action against them. After all, a system works. When the Auditors certified the accounts of a company, what is left? The PriceWater House have seven partnership firms, which they have registered in India including West Bengal. These firms are registered in India. They are authorized by the Instituted of Chartered Accountants to carry out the auditing operations.

MD. SALIM : This is a case of collusion.

SHRI PREM CHAND GUPTA: Yes, this is a case of collusion. I am not saying 'no'. Who is saying 'no'? I am saying that the Auditors are involved. The Internal Auditors may have also been involved. Their role is being investigated by the SFIO...(Interruptions)

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): The law should take its own course...(Interruptions) Let the law take its own course.

SHRI PREM CHAND GUPTA: This is what I say.

SHRI VARKALA RADHAKRISHNAN: You do not interfere in the case...(Interruptions)

SHRI PREM CHAND GUPTA: Yes, I fully agree with you. Now, you, please, do not interfere in my reply...(Interruptions)

MR. CHAIRMAN: Mr. Radhakrishnan, please take your seat.

...(Interruptions)

SHRI PREM CHAND GUPTA: Sir, in the last JPC, certain irregularities were pointed out and that JPC had desired that the affairs of the PriceWater House be looked into. A show cause notice was issued to the PriceWater House, Bangalore. The disciplinary proceedings were initiated against them. Action was initiated by the ICAI for three years, in 2000-2001, 2001-2002 and 2002-2003.[\[r106\]](#)

For the year 2000-01, the Disciplinary Committee found that Mr. S. Gopalakrishna, Mr. Ramakrishna and Mr. Manish Agarwal were guilty of professional misconduct. Now, the report is being considered by the Council of the Institute. I can assure you that appropriate action would be taken against these three auditors. The punishment can be, removal of the name of the Members from the ICAI permanently and you would appreciate that for a Chartered Accountant to lose his certificate is a big thing.

The Reserve Bank of India had noticed certain irregularities in case of Global Trust Bank. That was another issue raised by the hon. Members. The RBI issued an advisory to banks and NBFCs in October 2004 not to engage Pricewaterhouse. Pending finalisation of disciplinary proceedings by ICAI, the RBI found it not appropriate to continue suspension of PWC indefinitely for irregularities noticed in Global Trust Bank. Therefore, after three years, in August, 2007, on a representation by PWC, the RBI allowed banks to consider PWC. If they considered them, they could give them their audit. That was the decision of RBI.

As far as inspection is concerned, JPC had indicated that there were too many movements in the Satyam stock during KP's time,

Ketan Parikh's time and in K-10 shares. You remember, at that time 10 scribes were much talked about. Inspection under Section 209-A of the Companies Act was ordered on 12th September, 2001, and the ROC submitted his report on 19th April 2002. Then, the Regional Director (RD) submitted his report on 30th April, 2002. At that time, our friends when in Government found nothing wrong in the affairs of Satyam and the cases were not pursued further.

Mr. V.P. Singh was also a Member with me on the JPC. You would remember that.

SHRI VIJAYENDRA PAL SINGH (BHILWARA): That exonerates the last CMD, whatever Mr. Athawale was saying.

SHRI PREM CHAND GUPTA: Well, it depends. Let us not go into that.

SHRI VIJAYENDRA PAL SINGH: Yes, let us not go into that.

SHRI PREM CHAND GUPTA: The question is: what is being done now? How do we protect our system from this kind of fraud?

SEBI has already ordered peer review of the accounts of important companies, particularly 30 largest companies in the country. SEBI has further made it mandatory to disclose the pledged shares by the promoters of companies. They pledge their shares. They borrow money from the banks and financial institutions and they use this fund for something else. Like in the case of Satyam, the promoters were left with only half a per cent of the shares at the end of the day, that too, in certain companies and not directly in their names.

The Companies Act, 1956, which was amended 25 times after its enactment, is being revised[\[m107\]](#).

Sir, I have introduced the comprehensive revision of the Companies Bill for consideration by the hon. House and I understand that it is pending with the hon. Standing Committee of Parliament. In this Bill, we have defined the duties and responsibilities of independent Directors. In today's Companies Act, all the Directors are saying that there is no separate mention of independent Directors and all the Directors have same liability. There is no differentiation whereas in the proposed Companies Bill, we are segregating the role and responsibilities of independent Directors because certain Directors, who act as independent Directors, may not be aware of the affairs of the company deeply and they may become a victim of this kind of fraud. So, in the new Companies Bill, we are proposing that the person in charge, the officer in charge, like Managing Director, Executive Director, Finance Officer, Company Secretary, CEO, CFO, would be responsible for any act of omission or commission. The independent Directors will not be responsible unless they were a party to that decision where some sort of fraud or irregularity was committed.

We have provided for stringent penal provisions, minimum punishment for violations of provisions of the Companies Act and we have also provided for clear civil liabilities. In addition to the criminal liabilities, we have provided for civil liabilities also. We have also made provision of special courts for speedy trial. Now, the procedure laid down is lengthy. There is no denial that our courts are overburdened and 30 million cases are pending in different courts. We should appreciate and we should not deny the fact of life that on certain issues, nobody can help anything. So, we have provided in the proposed Bill the provision of special courts for speedier trial.

We have also provided for auditing standards. At the moment, the auditing standards are announced by the Institute of Chartered Accountants of India and Government has no role to play in this. But in the proposed Companies Bill, the Government would be able to provide for the auditing standards so that the erring auditors, if they are found, could be punished properly and action could be taken against them. We have provided for self-regulation but with accountability. An extensive disclosure requirement is being provided in the proposed Companies Bill so that ...*(Interruptions)* and strengthening of Enforcement Wing of SFIO, Serious Fraud Investigation Office. ...*(Interruptions)*

As far as Satyam issue is concerned, I want to tell the hon. Member that all the investigating agencies are working on war-footing and they are in full command of the investigations.

MD. SALIM : Sir, the Minister is utilizing the opportunity to give certificate while the Members were agitated. The company had stated the fateful events and Members are alleging that it is a corporate cover up. He is issuing certificate and telling all the things that are going to come up. ...*(Interruptions)*

MR. CHAIRMAN : Md. Salim, please let him complete.[\[SS108\]](#)

SHRI PREM CHAND GUPTA : Mr. Salim, you may allege anything because ...*(Interruptions)*

MD. SALIM : The Members are saying it ...*(Interruptions)* You may respond to them. ...*(Interruptions)*

SHRI PREM CHAND GUPTA : Nobody loses anything by alleging against each other. ...*(Interruptions)* Your Government in West Bengal allotted a plot to Satyam. ...*(Interruptions)*

MR. CHAIRMAN: Hon. Minister, please address the Chair.

...(Interruptions)

MD. SALIM : No, it is your system's fault.

MR. CHAIRMAN: This is not fair.

...(Interruptions)

SHRI PREM CHAND GUPTA : It is your system also. ...(Interruptions) You have created it. ...(Interruptions)

MR. CHAIRMAN: Please take your seat. Let him conclude his reply.

...(Interruptions)

MD. SALIM : We did not create anything. ...(Interruptions) You do not issue certificates. ...(Interruptions) I may say something as a customer of Satyam, but you are the monitor and you are the regulator. ...(Interruptions) It is your system that has failed. ...(Interruptions) It is not a question of allegation. ...(Interruptions)

MR. CHAIRMAN: Nothing will go on record except the reply of the hon. Minister.

(Interruptions) अक्षर *

MR. CHAIRMAN: Hon. Minister, you can continue your reply.

...(Interruptions)

MR. CHAIRMAN: Please allow him to conclude his reply.

...(Interruptions)

सभापति महोदय : माननीय मंत्री जी के भाषण के अलावा कुछ भी रिकार्ड में नहीं जाएगा। Nothing will be recorded except the reply of the hon. Minister.

(Interruptions) अक्षर *

MR. CHAIRMAN: Mr. Salim, please take your seat. Nothing will go on record.

(Interruptions) अक्षर *

SHRI PREM CHAND GUPTA : Sir, lately my hon. friend and Member of this House, namely, Mr. Salim has started to lose his temper. ...(Interruptions)

MD. SALIM : You said this. ...(Interruptions)

Satyam does business all over the country. Are all those criminals and guilty? ...(Interruptions) You are supposed to regulate. ...(Interruptions)

SHRI PREM CHAND GUPTA: What I said is ...(Interruptions) We are regulating. ...(Interruptions)

MR. CHAIRMAN: Mr. Salim, please take your seat. Hon. Minister, please address the Chair.

...(Interruptions)

SHRI PREM CHAND GUPTA : How do you think that we are not regulating? ...(Interruptions)

MD. SALIM : What did your Government do? ...(Interruptions)

* Not recorded

SHRI PREM CHAND GUPTA : Sir, the regulatory system is in place. The case is being investigated. ...(Interruptions) I clearly said that the guilty would be punished, and there would be no relaxation. ...(Interruptions) Therefore, I am trying to say it again and with all confidence at my command that let us ensure that our investigating agencies are able to carry out the inspection and investigation without any interference and fear on war footing, and the guilty would be punished.

MD. SALIM : Sir, the Minister's response has raised more questions. ...*(Interruptions)*

SHRI KINJARAPU YERRANNAIDU : Sir, we are not satisfied with the reply given by the Minister. ...*(Interruptions)*

MR. CHAIRMAN: No, I am not allowing anything.

...*(Interruptions)*

MR. CHAIRMAN: Mr. Salim, you cannot speak without my permission.

...*(Interruptions)*

MR. CHAIRMAN: Mr. Salim, this is not fair.

...*(Interruptions)*

MR. CHAIRMAN: The hon. Members can one by one ask one clarification each. Now, I am allowing Shri Yerrannaidu to ask one question from the hon. Minister.

...*(Interruptions)*

रेल मंत्री (श्री लालू प्रसाद) : माननीय सदस्य एलर्ट नहीं थे, इनके राज में स्कैम हुआ है। इन्हें क्या कहना है? The best action has been taken by the Government. ...*(Interruptions)*

SHRI KINJARAPU YERRANNAIDU: On 23rd of this month during a TV discussion, the Chief Minister of Andhra Pradesh has said that as per his knowledge the Satyam management cannot be punished as per the laws of our country, and that action can only be taken under the laws of the USA. ...*(Interruptions)* I will also send the cassette of the same to you. â€¦ *(Interruptions)*

MR. CHAIRMAN: I will allow only one question.

...*(Interruptions)*

SHRI KINJARAPU YERRANNAIDU : How can he say so? ...*(Interruptions)* What is the purpose of all these investigations by CBI, FEMA, RBI, etc.? [\[r109\]](#)

My second question isâ€¦

MR. CHAIRMAN : I would not allow your second question.

SHRI KINJARAPU YERRANNAIDU: Mr. Chairman, Sir, this is interlinked.

MR. CHAIRMAN: Not allowed. Mr. Salim, ask your question.

MD. SALIM : The Minister failed to respond to the questions asked from all sides. Rather his response has given rise to more questions.

SHRI KINJARAPU YERRANNAIDU : Mr. Chairman, Sir, this is interlinked. It has been established that Satyam Computers had deposits of â€¦

MR. CHAIRMAN: Nothing of what Mr. Yerrannaidu says should go on record now.

(Interruptions) â€¦*

MR. CHAIRMAN: Mr. Vijayendra Pal Singh.

(Interruptions) â€¦*

MR. CHAIRMAN: Nothing is going on record.

(Interruptions) â€¦*

MR. CHAIRMAN: Nothing will go on record except Mr. Vijayendra Pal Singh.

(Interruptions) â€¦*

MR. CHAIRMAN: Mr. Yerrannaidu, I have not allowed you. You cannot speak without the permission of the Chair. Nothing will go on record.

(Interruptions) â€¹*

MR. CHAIRMAN: I allow only Mr. Vijayendra Pal Singh. Nothing else will go on record. Not a single word will go on record.

(Interruptions) â€¹*

* Not recorded

SHRI VIJAYENDRA PAL SINGH : Sir, I have gone on record to say that the Minister has taken prompt action. But the *prima facie* findings from the Minister, from the investigating agencies show that the Maytas company, which the Satyam wanted to buy, had been given favours from the CM and the bureaucracy of Government of Andhra Pradesh. Can the Minister give us more findings on this?

SHRI SURAVARAM SUDHAKAR REDDY (NALGONDA): Sir, after listening to the entire reply of the Minister I could not understand as to what is the special enquiry he is ordering. There is no mention of any specific enquiry except expressing good intentions of what will be done in the future so that these mistakes will not be committed. We would like to know as to what exactly is the enquiry the Government is initiating at this juncture, after all the assurances have been given.

SHRI BASU DEB ACHARIA: Sir, a number of questions have been raised by our colleagues in regard to the biggest corporate scam in our country. Many of these questions remained unanswered by the Minister while replying to the debate. One of the questions was as to how a criminal was being given five-star treatment and seven-star luxury. ...*(Interruptions)*

SHRI ARUNA KUMAR VUNDAVALLI : That is all wrong.

SHRI BASU DEB ACHARIA : It has come out in all the newspapers. The Minister has not clarified that. What he has stated in reply to the debate is about the future action. What enquiry has been conducted and what action has been taken so far against the perpetrators of this scam?

SHRI B. VINOD KUMAR: Sir, as per Mr. Raju's statement, all the accounts were fudged. As per the Minister's statement as well as the SFIO, the accounts as on 31st March, 2007 showed a figure of Rs.3,309 crore. [\[KMR110\]](#)

This was the period where there was a boom in the real estate. While I was speaking, I said about the real estate. I would like to know as to what are the properties purchased by Satyam group and also diversion of the funds.

MR. CHAIRMAN : No, only one clarification.

SHRI B. VINOD KUMAR: Further, diversion of those funds to the Government. ...*(Interruptions)*

SHRI ARUNA KUMAR VUNDAVALLI : After the discussion in the House, it is agreed that at appropriate time, action was not initiated and that is the reason Satyam Computers fraud has gone up to Rs.7,000 crore from Rs.20 crore when Shri Ramdas Athawale has complaint. I have given a complaint to the hon. Minister stating that Satyam Computers is involved in fudging of accounts, insider trading, floated SEBI guidelines.

MR. CHAIRMAN: What is your question?

SHRI ARUNA KUMAR VUNDAVALLI : I have made a complaint to the hon. Minister on similar charges another company called Heritage which is also involved. ...*(Interruptions)*

MR. CHAIRMAN: Mr. Minister, please start your reply.

...*(Interruptions)*

MR. CHAIRMAN: No. I am not allowing.

(Interruptions) â€¹*

सभापति महोदय : यदि आप लोग मिनिस्टर का रिप्लाई नहीं चाहते हैं तो हम डिबेट को यही समाप्त कर देंगे।

...*(व्यवधान)*

MR. CHAIRMAN: Nothing will go on record.

(Interruptions) â€¹*

* Not recorded

18.42 hrs

*(At this stage, Shri Basu Deb Acharia and some other
hon. Members left the House.)*

MR. CHAIRMAN: Nothing will go on record.

*(Interruptions) अँँ **

MR. CHAIRMAN: I am not allowing again and again to seek clarification. This is not fair, Shri Naidu.

*(Interruptions) अँँ **

MR. CHAIRMAN: You cannot set a new precedent in the House. It is impossible.

...(Interruptions)

सभापति महोदय : यदि आप मैम्बर्स के क्लेरिफिकेशंस का रिप्लाइ माननीय मंत्री जी से नहीं चाहते हैं तो हम डिबेट को यही समाप्त कर देंगे।

...(व्यवधान)

सभापति महोदय : रिकार्ड में नहीं जाएगा।

*...(व्यवधान) **

18.43 hrs

*(At this stage, Shri Yerrannaidu and some other
hon. Members left the House.)*

MR. CHAIRMAN: Now, debate is over.

...(Interruptions)

सभापति महोदय : माननीय मंत्री जी यदि आप बोलना चाहते हैं तो आप बोलिए।

SHRI PREM CHAND GUPTA: As I said earlier, and I would like to put the record straight, that for the first time in the corporate history of any country, including India, nowhere such a quick and firm action has been taken so far. *...(Interruptions)* I do not want to go into this political cross-firing. But the fact of the matter is, all the investigating agencies are doing excellent job; they are working absolutely in a very coordinated manner. We must compliment the Board

*Not recorded

of Directors that within such a short period, they have been able to take control of the situation. We were at a risk of losing the jobs of 53,000 youngsters. [\[s111\]](#)

300,000 shareholders and 175 Fortune 500 companies who were the clients of Satyam were involved; the national prestige was involved. The government, under the Prime Ministership and leadership of Dr. Manmohan Singh, under the UPA leader Mrs. Sonia Gandhi, this Government has taken a firm stand; we have taken a coordinated action. This is an example; newspapers like *The Financial Times*, London, *The Financial Times*, Singapore have all appreciated the action taken by the govt. of India.
...(Interruptions)

SHRI VARKALA RADHAKRISHNAN : Sir, this cannot be allowed. I demand quorum. There is no quorum in the House.
...(Interruptions)

MR. CHAIRMAN : Okay, please sit down.

...(Interruptions)

MR. CHAIRMAN: The bell is being rung. Since there is no Quorum, the House stands adjourned to meet again at 1930 hours.[\[R112\]](#)

18.52 hrs

The Lok Sabha then adjourned till thirty minutes

past Nineteen of the Clock.

19.40 hrs

The Lok Sabha re-assembled at forty minutes past Nineteen of the Clock.

(Mr. Deputy-Speaker in the Chair)

REHABILITATION AND RESETTLEMENT BILL, 2007

AND

LAND ACQUISITION (AMENDMENT) BILL, 2007

MR. DEPUTY-SPEAKER: The discussion under rule 193 is over. The House will now take up item Nos. 43A and 43B.

MOTION UNDER RULE 388

Suspension of Proviso to Rule 66

MR. DEPUTY-SPEAKER: Mr. Minister, you may move the motion for suspension of the proviso of rule 66.

THE MINISTER OF RURAL DEVELOPMENT (DR. RAGHUVANSH PRASAD SINGH): I beg to move*:

"That this House do suspend the proviso to rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for taking into consideration and passing of the Land Acquisition (Amendment) Bill, 2007 in as much as it is dependent upon the Rehabilitation and Resettlement Bill, 2007. "

â€¦ (Interruptions)

SHRI BRAJA KISHORE

TRIPATHY (PURI): Sir, we may take up these Bills tomorrow. These are important Bills and they are being taken up in the absence of the Opposition. ... (Interruptions) These were not listed in the original List of Business.... (Interruptions)

* Moved with the recommendation of the President

THE MINISTER OF OVERSEAS INDIAN AFFAIRS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VAYALAR RAVI): Sir, these important legislation have come with all the procedures being followed and tomorrow, these have to go to the Rajya Sabha. Without being passed here, they cannot go to the Rajya Sabha. So, I appeal to the hon. Members to please cooperate in passing these Bills. Please do not stress on the technicalities as tomorrow Rajya Sabha will adjourn and we have to place them there. I appeal to you all. ... (Interruptions)

SHRIBASU DEB ACHARIA (BANKURA): Sir, the report was submitted in November. Today, at the fag end of the day, such important Bills are being brought before the House. Why were such important Bills not brought at the beginning of the Session? ... (Interruptions) Amendments have been circulated only half-an-hour before and we could not go through them. It can be taken up tomorrow and Rajya Sabha can be extended for one more day. (Interruptions)

MR. DEPUTY-SPEAKER: The hon. Minister has already moved the motion. The question is:

"That this House do suspend the proviso to rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for taking into consideration and passing of the Land Acquisition (Amendment) Bill, 2007 in as much as it is dependent upon the Rehabilitation and Resettlement Bill, 2007."

The motion was adopted.

डॉ. रघुवंश प्रसाद सिंह: उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि दोनों बिल को एक साथ लिया जाए।

The President having been informed of the subject matter of the Rehabilitation and Resettlement Bill, 2007 recommends under article 117(3) of the Constitution, the consideration of the Bill by Lok Sabha.

The President having been informed of the subject matter of the Land Acquisition (Amendment) Bill, 2007 recommends under Article 117(3) of the Constitution, the consideration of the Bill by Lok Sabha..

महोदय, मैं प्रस्ताव करता हूँ -

"कि लोक प्रयोजन की परियोजनाओं के लिए भूमि के अर्जन या किसी अन्य कारण से अस्वैच्छिक विस्थापन से प्रभावित व्यक्तियों के पुनर्वास और पुनर्व्यवस्थापन के लिए और उनसे संबंधित या उनके आनुषंगिक विषयों का उपबंध करने वाले विधेयक पर विचार किया जाए।"

"कि मैं प्रस्ताव करता हूँ कि भूमि अर्जन अधिनियम, 1894 में और संशोधन करने वाले विधेयक पर विचार किया जाए।"

रिहेबिलिटेशन एंड रिसेटलमेंट बिल, 2007 पर विचार किया जाए, इसके साथ ही लैंड इक्विजिशन एक्ट अमेंडमेंट बिल, 2007 पर भी विचार किया जाए

मैं सबसे पहले आसन के प्रति आभार व्यक्त करता हूँ कि हिंदुस्तान के गरीब और किसान, जो त्रस्त थे, उनके पक्ष में यह ऐतिहासिक विधेयक आया है और उस पर आपने विचार करने का अवसर दिया है।...(व्यवधान)

SHRI BASU DEB ACHARIA : Sir, we are all in favour of the Bill. That is why, I say that it should not be taken up in haste. A wrong precedent is being created....(Interruptions)

SHRI BRAJA KISHORE TRIPATHY : Sir, it is not wise to discuss this Bill in the absence of the Opposition. These are not there in the original List of Business. ...(Interruptions)[U113]

श्री बसुदेव आचार्य : इतना महत्वपूर्ण बिल है।...(व्यवधान)

डॉ. रघुवंश प्रसाद सिंह: आचार्य जी, आप हमारी बात सुन लीजिए।...(व्यवधान)

श्री बसुदेव आचार्य : अगर कल इस बिल को हाउस में लाएं तो क्या होगा। ...(व्यवधान) कल हाउस है।...(व्यवधान)

MR. DEPUTY-SPEAKER: Shri Basu Deb Acharia, please sit down.

...(Interruptions)

डॉ. रघुवंश प्रसाद सिंह: उपाध्यक्ष महोदय, बसुदेव आचार्य जी जो सवाल उठा रहे हैं, यह ठीक बात है।...(व्यवधान)

श्री बृज किशोर त्रिपाठी : आपको हाउस का ओपिनियन लेना चाहिए।...(व्यवधान)

डॉ. रघुवंश प्रसाद सिंह: उपाध्यक्ष महोदय, जब बिल आया तो सभी लोगों ने इसका समर्थन किया और अध्यक्ष महोदय की अनुमति से वह स्टैंडिंग कमेटी में भेजा गया। स्टैंडिंग कमेटी के विद्वान सदस्यों ने गहन छानबीन की। देश भर के लोगों से राय ली गई और विचार किया गया। विज्ञापन निकला और इतना बड़ा वाइडर कंसलटेशन देशभर के तमाम सिविल सोसायटी, राज्य सरकारों और सभी विभाग आदि सबसे परामर्श किया गया। स्टैंडिंग कमेटी ने जो राय दी, उसकी दो पंक्तियां पढ़ने की इजाजत दी जाए। On the Land Acquisition (Amendment) Bill, the view of the Standing Committee is that it is one of the most important legislations introduced after Independence.

उपाध्यक्ष महोदय, आजादी के बाद ऐसा विधेयक कभी नहीं आया, प्रो-फार्मर, प्रो-पूअर, यूपीए गवर्नमेंट की उपलब्धि है। रिहेबिलिटेशन रिसेटलमेंट बिल में स्टैंडिंग कमेटी ने कहा -

"Historical and path-breaking piece of legislation with various landmark provisions."

उपाध्यक्ष महोदय, न्यूयार्क में वर्ल्ड बैंक के द्वारा आयोजित बैठक में दुनियाभर के देशों के लोगों ने, उनके प्रतिनिधियों ने हिस्सा लिया। इस विधेयक और कानून की वर्ल्ड वाइड प्रशंसा हुई है। इसलिए देशभर में जब लोग सुनेंगे और जानेंगे कि किसान और जो उससे प्रभावित लोग हैं तो उन्हें कितना एपीसिएशन मिलेगा और कितना संतोष होगा। यह प्रगतिशील और ऐतिहासिक विधेयक है, गरीबों के पक्ष में है। डिसप्लेसमेंट से पहले उन्हें रिहेबिलिटेड किया जाए। सबसे पहले उन्हें पुनर्वास दिया जाएगा, पुनर्स्थापन किया जाएगा, तब उन्हें हटाया जाएगा, अच्छे रिहेबिलिटेशन प्रोग्राम भी रहे, लेकिन इम्प्लीमेंटेशन नहीं हुआ। इसलिए किसान दर-दर भटकते हैं, त्राहि-त्राहि मचती है।

उपाध्यक्ष महोदय, दोनों तरह के विस्थापन, चाहे विस्थापन आसमानी हो या सुल्तानी हो, दोनों तरह के विस्थापित पीड़ित परिवारों को इसमें सहूलियत देने का प्रावधान किया गया है। इसलिए हम माननीय सदस्यों से आग्रह करते हैं कि लोग अपने सुझाव दें और इसे पारित किया जाए, कल यह राज्य सभा में पारित होगा।...(व्यवधान)

श्री बसुदेव आचार्य : आप एक संशोधन स्वीकार कर लीजिए।...(व्यवधान)

डॉ. रघुवंश प्रसाद सिंह: उपाध्यक्ष महोदय, ऐतिहासिक विधेयक में सब की भागीदारी और सहयोग होना चाहिए। स्टैंडिंग कमेटी ने जो भी अनुशंसाएं की हैं, हमने उन्हें ज्यादातर स्वीकार किया है। इसलिए आज सदन से प्रार्थना है कि राय-विचार करके इसे पारित कराया जाए।

MR. DEPUTY-SPEAKER : Motions moved:

"That the Bill to provide for the rehabilitation and resettlement of persons affected by the acquisition of land for projects of public purpose or involuntary displacement due to any other reason, and for matters connected therewith or incidental thereto, be taken into consideration. "

"That the Bill further to amend the Land Acquisition Act, 1894, be taken into consideration."

SHRI BRAJA KISHORE TRIPATHY : Mr. Deputy- Speaker, Sir, the hon. Minister has already moved these Bills. So, we can take up these two Bills tomorrow as the entire Opposition is absent today. These are very important Bills. ...(*Interruptions*) Sir, you cannot extend the time of the House without the consent of the entire House. Sir, we are opposing for extension of the time of the House.

Sir, I would request you to consider my request; otherwise on protest, I am walking out of the House. The entire Opposition is absent today and you are taking up these Bills. However, if you want to take them today, then you can do it. I am walking out.

19.51 hrs

(At this stage, Shri Braja Kishore Tripathy left the House.)

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): Sir, I am in full support of the Bills, but with a protest. But before that I may be permitted to point out my views. ...(*Interruptions*)

MR. DEPUTY-SPEAKER: I have called the name of Shri Hannan Mollah.

...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : Sir, this House is meeting under the provisions of the Constitution. We are governed by some rules. Even in the Library Committee meeting such a procedure will not be adopted. At least, the matter ought to have been brought to our notice even in the morning. We, Members, should not be taken by surprise – whether in the Opposition or on the other side. A Member of the House should not be taken by surprise especially in a matter of legislation. This is an important legislation concerning a national question. It is about the displaced persons through the land acquisition proceedings which is a national issue. There are a lot of affected people who are within the ambit of this Bill. Those people will have to be rehabilitated and they will have to be adequately compensated. This is not a question concerning a particular State, but it is a question concerning the entire nation. We are having projects throughout the nation. Whenever any public project is being implemented, persons will be displaced through the land acquisition. They will not get adequate compensation due to the lethargy of so many people. Though this is a matter pending for long, I fully support it. I oppose the Minister for bringing such a legislation. I agree with the contents of the Bill, but this is not the way to do matters. ...(*Interruptions*) The better way would have been to give us notice. We are Members of the House. I will tell you that even in the meeting of the Library Committee, such a procedure will not be adopted. This is a very important piece of legislation. ...(*Interruptions*) This ought to have been brought to our notice.

So, anyhow, I fully support the Bill.

MR. DEPUTY-SPEAKER: Nothing will go on record except what Shri Hannan Mollah says.

...(*Interruptions*) ...*

श्री हन्नान मोल्लाह (उलूबेरिया) : उपाध्यक्ष महोदय, यहां हमारी पार्टी के अलावा अन्य दलों के बहुत से लोग मौजूद हैं। मैं इस बिल के पक्ष में बोलने के लिए खड़ा हुआ हूं। इसमें संशोधन करने हेतु सबसे ज्यादा मेरी भूमिका रही है। मैंने पहले चार-पांच महीने पूरे देश में घूमकर हजारों लोगों

से सलाह-मशविरा कर के बिल में संशोधन हेतु सुझाव दिए। यह बहुत ही महत्वपूर्ण बिल है। जो सुझाव हमें पूरे देश के लोगों की ओर से मिले, उनके आधार पर इस बिल को बेहतर बनाने हेतु हमने संशोधनों की अनुशंसा कमेटी की ओर से सरकार से की। किसानों की जो समस्याएं हैं, भूमि सुधार का जो कानून ब्रिटिश जमाने से चला आ रहा था, जो ऑब्सोलीट हो गया था, उसे अप-टू-डेट करना चाहिए। इसी दृष्टि से इस बिल का ड्राफ्ट बनाया गया था।

महोदय, डॉ. रघुवंश बाबू, सभी मंत्रियों में सबसे अच्छे हैं। बाकी तो इधर-उधर की बातें करते हैं, लेकिन रघुवंश बाबू मुंह से भले ही न कहें, लेकिन इनके दिल में गरीबों और किसानों के लिए बहुत दर्द है। लालू प्रसाद जी भी अच्छे मंत्रियों में हैं। बहुत से लोग गरीबों की बात केवल जुबान से करते हैं, लेकिन उनके दिल में दर्द नहीं होता है। गरीबों के लिए रघुवंश बाबू ने लड़ाई लड़ी और इस बिल को लाने का काम किया। इस सरकार ने 60 साल तक इस बारे में कोई सुधार नहीं किए, लेकिन जब हमारा सपोर्ट मिला, तब इसने हम पर भरोसा किया और यह बिल लाया गया है। हालांकि यह बिल मजबूरी में लाया गया है, लेकिन अच्छा काम किया गया है। इसलिए आज की परिस्थिति में यह बिल लाया गया है।

महोदय, हमने जो सुझाव दिए थे, उनमें से इस बिल में कहा गया है कि 60-65 सुझावों को एक्सपैक्ट किया गया है, लेकिन मैं बताना चाहता हूँ कि ये 60-65 जो सुझाव स्वीकृत किए गए हैं, ये एक पार्ट के कई हिस्सों जैसे ए का बी, सी, डी अथवा 1 नंबर का दो नंबर आदि इस प्रकार इनकी संख्या बताकर सुझाव स्वीकार करने की बात कही गई है, मगर जो मुख्य सुझाव हैं, वे स्वीकार नहीं किए गए हैं। सरकार ने हमारे सुझावों को स्वीकार करने का केवल दिखावा किया है। मुख्य सुझावों को स्वीकार नहीं किया गया है। [r114]

*Not recorded

[R115]

इसमें हमारी जो यूनेनिमस ओपिनियन थी, इस कमेटी में कांग्रेस, बी.जे.पी. और लैफ्ट पार्टीज़ सभी के लोग थे और सारी पार्टी के लोगों ने मिलकर यह सुझाव दिया था, लेकिन सरकार ने इसको पूरा स्वीकार नहीं किया है। हमारा यही कहना है। इस बिल को हम सपोर्ट करते हैं, मगर जो हमारा सुझाव था, वह स्वीकार नहीं करने के लिए हम इस सरकार की जो मंशा है, इसके लिए तो हमारी अंगुली उठेगी ही कि यह सरकार की ईमानदारी में खोत है। इसके लिए इनको बोला था कि जो पर्सनल इंटर स्टेट का सवाल था, उसके बारे में जो सुझाव दिया था, उसको इसमें नहीं लाया गया। जो पब्लिक परपज़ का सवाल था, पब्लिक परपज़ में जो इसमें एमेंडमेंट था, उस एमेंडमेंट में जो सुझाव दिया था, उसको भी पूरे ढंग से इसमें नहीं लाया गया।

ट्राइबल लैंड लेने के बाद उस लैंड को किस तरह से लिया जायेगा, उसकी जगह जो ट्राइबल एरिया है, उस एरिया से उसको किस तरह से जोड़ा जायेगा, उसको किस तरह से री-हैबिलिटेशन दिया जायेगा, उसके बारे में जो सुझाव दिया था, उसको ठीक से एक्सपैक्ट नहीं किया। फिर जो सोशल इम्पैक्ट स्टडीज़ के बारे में है, उसके बारे में हमने बिल में 50 से नीचे जो लोग हैं, ऐसे सारे लोगों को हटाया जायेगा तो सोशल इम्पैक्ट स्टडीज़ में लाना पड़ेगा, लेकिन उसको भी स्वीकार नहीं किया गया है।

इसके अलावा, जो हमारी एक सबसे बड़ी समस्या थी, 70:30 परसेंट का जो सवाल है, पूरी कमेटी ने बहुत जोर से इसकी खिलाफत की थी, क्योंकि 70 परसेंट कोई मालिक जमीन खरीद करे तो सरकार का 30 परसेंट एक्वायर करने का पैसा लगेगा तो बाकी जो 70 परसेंट खरीद किया, उस किसान के लिए कोई सुविधा नहीं हो सकती, वह बेचकर चला गया। बाकी 30 परसेंट जो सरकार एक्वायर करेगी, उसको बचाने के लिए उसकी सोशल इम्पैक्ट स्टडी होगी, उसको भी कुछ सुविधा दी जायेगी और बाकी लोगों को वह सुविधा नहीं मिलेगी।

दूसरी बात, हमारे पुराने कानून में जो डैफ़ीनिशन थी, उसमें पब्लिक परपज़ में जो डैफ़ीनिशन थी, उसको संक्षिप्त करके उन्होंने खंडित कर दिया। आप सुनिये, जैसे एग्रीकल्चर की हिफाजत करना इस बिल का मुख्य उद्देश्य है, कोई देश उसके औद्योगिक विकास के बिना आगे नहीं बढ़ सकता, मगर औद्योगिक विकास के लिए जो नेशनलाइजेशन करना है, सरकार जो लैंड अधिग्रहीत करेगी, उसके बारे में सरकार की पूर्ण क्षमता होनी चाहिए और यह सिर्फ प्राइवेट के हाथ में छोड़ देना, जो जमीन के दलाल हैं, उनके हाथों में छोड़ देने से गरीब लोगों का फायदा नहीं होगा। जो मिडिलमैन हैं, हमने देखा है कि जितनी जमीन की प्राइवेट में खरीद होती है, किसान को 20-30 परसेंट भी नहीं मिलता, पर मिडिलमैन, जो दलाल है, वह ज्यादा से ज्यादा पैसा मार लेता है और इस तरह ये लोग गरीबों को ठगते हैं। इसलिए एक्वीजीशन जो होगी, हमने कमेटी में 100 परसेंट एक्वीजीशन का सुझाव दिया था, लेकिन इसको स्वीकार नहीं किया गया है, इसलिए जो इसमें दिया है, जहां-जहां कमेटी ने यूनानिमसली सही सुझाव दिया था, उसको सरकार ने स्वीकार नहीं किया है, इसलिए इस जगह पर हम सरकार की निन्दा करते हैं। यह नहीं होना चाहिए, यूनेनिमस डिंसीजन को सरकार को स्वीकार करना चाहिए।

कुछ 2-4 चीजें एक्सपैक्ट की हैं, जो अच्छा है, वह ठीक है, लेकिन जो मुख्य 3-4 चीजें हैं, कम से कम 70:30 की जो शर्त है, इसको सरकार को स्वीकार करना चाहिए। मैं अभी भी अपील करूंगा, क्योंकि हम सब लोग समर्थन कर रहे हैं, सब के समर्थन के साथ जो बिल है, पूरे समर्थन के साथ इस तरह विश्वासघात नहीं होना चाहिए। जब सब को मिलकर करना है तो 70:30 परसेंट का जो यूनेनिमस सुझाव है, इसको स्वीकार करना चाहिए। इसके आधार पर सरकार करे तो पूरे दिल से इसका सब लोग समर्थन कर सकते हैं। इस बात के साथ मैं इसका समर्थन करता हूँ।

श्री सन्दीप दीक्षित (पूर्वी दिल्ली) : मैं एक छोटी सी बात कहना चाहता हूँ। यह सर्वसम्मति से माना गया था कि दो बिल अभी आ जायें, लेकिन अन्ततः इन दोनों बिलों को एक करके हमें एक समग्र बिल की आवश्यकता है। स्थायी समिति ने इस बात को भी माना था कि एक समग्र बिल इसका आना चाहिए।[R116]

20.00 hrs[p117]

अभी लोकसभा के पास समय नहीं है, इसलिए जो भी अगली लोकसभा आएगी, मंत्री जी, मुझे पूरा विश्वास है कि वह पुनः हमारे ग्रामीण विकास के मंत्री बनेंगे। उनसे यह आग्रह है कि सदन में भी इस बात को नोट कर लिया जाए कि इनको मिलाकर समग्र बिल की बात को, 15वीं लोकसभा में जब वर्तमान मंत्री जी दोबारा मंत्री बने, तब इस बात को सोचा जाए। मैं अपनी इसी बात को कहना चाहता था।

श्री तरित बरण तोपदार (बैरकपुर) : महोदय, आज जो परिस्थिति पैदा हुयी है, लगता है कि इस बिल का जो मूल उद्देश्य है, जो मुद्दा है, इसको गंभीरता से न लेकर, इसका एप्रोसिएशन, एप्रेजल, क्रिटिसिज्म में न जाकर, किसी तरह से चुनावी नारा देने के लिए कि हम लोग ...(व्यवधान) आप सुन लीजिए। ये जल्दीबाजी कर रहे हैं। बिल के ऊपर स्थायी कमेटी की रिक्मंडेशन कई महीने पहले पेश हो गयी। पिछले सत्र में इस बिल का आना उचित था, लेकिन नहीं आया। इस सत्र में भी आज अंतिम दिन के पहले विचार-विमर्श नहीं करके, इस बिल को लाया गया। लैंड का मामला बहुत नाजुक है और यह पूरी इकॉनामी से जुड़ा हुआ है। Land development, land revolution, changes in the land laws are the basic factors of our economic development and forward march of the country. यह बहुत नाजुक मामला है। इसको मिसकंसप्शन में ले जाने से और गड़बड़ होगी।

महोदय, हमारा उद्देश्य क्या है? हमारा उद्देश्य है कि जो किसान हैं, उसको लाभ मिले। In case of transfer of land, in case of resumption of land, in case of acquisition of land...(व्यवधान) हो क्या रहा है? ...(व्यवधान) नंदीग्राम का जो पैकेज है, अगर उसे मान लें, तो यह बिल बेहतर बन जाएगा। पूरा पैकेज, नंदीग्राम में जो किया है, उसको आप मान लीजिए। ...(व्यवधान) वह तो अलग बात है। ...(व्यवधान)

उपाध्यक्ष महोदय : आप डिस्टर्ब न करें।

â€(लवधधन)

श्री तरित बरण तोपदार : वह चर्चा करना चाहते हैं, तो किया जाएगा। आज वेस्ट बंगाल में जो पैकेज दिया जा रहा है, उसको आप पूरे हिंदुस्तान के लिए मान लें, तो यह बिल पास है। ...(व्यवधान) लैंड के मामले में ...(व्यवधान) नंदीग्राम का डिस्कशन होगा। ...(व्यवधान) अभी यह है, नंदीग्राम नहीं है। ...(व्यवधान) बात करा लीजिए, क्या जवाब है डिस्कशन का ...(व्यवधान) क्या जरूरत है? ...(व्यवधान) आपस में लड़ना पड़ेगा। ...(व्यवधान)

MR. DEPUTY-SPEAKER: Topdarji, please address the Chair.

â€(लवधधन)

श्री तरित बरण तोपदार : अगर इतनी जल्दी है घर जाने के लिए तो चले जाइए। ...(व्यवधान)

उपाध्यक्ष महोदय : साइलेंस प्लीज।

â€(लवधधन)

श्री तरित बरण तोपदार : बात यह है कि किसानों को लाभ, दाम के बदले में, जमीन का दलालराज पैदा होने वाला है। कोई बड़ा सरमायेदार जाकर जमीन लेगा, तो क्या वह खुद जाएगा? He will appoint middlemen and middlemen will take up the issue. नहीं तो वह मिडलमैन हो जाएगा। ...(व्यवधान) ऐसा बंगाल में नहीं हुआ, इसीलिए गड़बड़ हुयी । बंगाल में हम लोग अगर दलालराज के थू जाते, तो नंदीग्राम का नाम आप लोग नहीं सुनते। [p118] कभी नाम भी नहीं आता।...(व्यवधान)

MR. DEPUTY-SPEAKER: Mr. Topdar, I have requested you to address the Chair.

...(Interruptions)

श्री तरित बरण तोपदार : ठीक है, मैं बैठ जाता हूँ और क्या किया जाए।...(व्यवधान)

उपाध्यक्ष महोदय : आप चेयर को ऐड्रेस कीजिए। आप तो उनसे उलझ रहे हैं।

â€(लवधधन)

SHRI TARIT BARAN TOPDAR : They are raising relevant question. Nandigram is also a relevant question here. I do not consider

mentioning Nandigram irrelevant. It is very much relevant. इसीलिए मैं बता रहा हूँ कि एक तरफ दलाल राज पैदा होगा, दूसरी तरफ 30 प्रतिशत वालों के लिए एक दर होगी, 70 प्रतिशत वाले वंचित रहेंगे। यह 70:30 का जो डिवीजन होगा, इसका जो सोशल इम्पैक्ट...(व्यवधान) लाल सलाम तो हम लोगों ने पैदा किया है। Eighty-four per cent of the land of Bengal is owned by *kisans*. It is nowhere in any of the States. बताइए कौन से राज्य में है?...(व्यवधान)

MR. DEPUTY-SPEAKER: Do not record interruptions.

*(Interruptions) â€†**

श्री तरित बरण तोपदार : ठीक है। सोशल इम्पैक्ट के प्रावधान की जो चर्चा की गई, सोशल इम्पैक्ट प्रोग्राम जिसे हमने डिसकस किया, एक तरफ उसकी कोई मान्यता नहीं हुई और दूसरी तरफ 70:30 प्रोग्राम में सोशल इम्पैक्ट को दुगुना, चौगुना बढ़ाने का काम किया गया है and I predict here that this Bill will have to be repealed within a very short time if it is passed because nobody is this side and only a few Members are there. They can pass it through majority...(Interruptions) यह अच्छा काम नहीं हो रहा है।...(व्यवधान) एजेंडा अच्छा है, लेकिन

* Not recorded

आपने जो निदान किया है, वह बहुत गलत है। लैंड के मामले में इस तरह का सोशल इम्बैलेंस पैदा करने की जो चेष्टा हो रही है, हम उसकी निन्दा करते हैं। ...(व्यवधान)

MR. DEPUTY-SPEAKER: Please address the Chair.

श्री तरित बरण तोपदार : मैं बता रहा हूँ कि यह बहुत खतरनाक नतीजे पर पहुंचेगा।

Finally, I want to say that the hon. Minister and his supporters sitting on that side are not ready to hear, are not ready to debate on this issue and are not ready to go into the depth of the matter. दुख की बात यह है कि लालू जी, रघुवंश जी, जो किसानों की हिफाजत करने वाले, कम से कम नारे में, एक्शन में, जो उनके समर्थक हैं, किसान हैं, वे भी इस मामले की गंभीरता को देखने के लिए तैयार नहीं हैं, because they are all impatient, now, they are on election mode and in order to place before the electorate that they have done something regarding land, उसे समझने से पहले ही चुनाव हो जाएंगे, उसके बाद देखा जाएगा, इस तरह का जो गैर-जिम्मेदारी का काम हो रहा है, मैं उसकी निन्दा करता हूँ।

श्री देवेन्द्र प्रसाद यादव (झंझारपुर): उपाध्यक्ष महोदय, यह न केवल क्रान्तिकारी विधेयक है बल्कि ऐतिहासिक विधेयक है। देशभर के किसानों के व्यापक हित में प्रगतिशील विधेयक लाया गया है और मैं समझता हूँ कि यूपीए सरकार में ग्रामीण विकास मंत्री पहले राष्ट्रीय ग्रामीण रोजगार गारंटी विधेयक लाए थे।[\[N119\]](#)

यह बहुत प्रगतिशील विधेयक है और भूमिहीन एवं गरीब मजदूरों के हित में है। जिन लोगों से सार्वजनिक प्रयोजन के लिए जमीन ली जाएगी, ऐसे विस्थापित लोगों को पुनर्वासित करने के लिए लाया गया है। लगता है कि माननीय सदस्य ने बिल के एम्स एंड ऑब्जेक्टिव्स को नहीं देखा है। देश के किसानों के व्यापक हित में यह बिल बहुत प्रगतिशील और बेहतर है। इस विधेयक को माननीय सदस्य आधे मन से सपोर्ट नहीं कर सकते हैं। इसमें देश के किसानों के व्यापक हितों का ध्यान रखा गया है, इसलिए पूरे मन से इस विधेयक का समर्थन करना चाहिए। इसके लिए किन्तु, परन्तु लगाने की जरूरत नहीं है। स्टैंडिंग कमेटी ने इसकी पूरी जांच और गहन परीक्षण किया है। उसके बाद यह बिल यहां आया है। समिति की ज्यादातर अनुशंसाओं को इसमें शामिल किया गया है, समाहित किया गया है।

श्री तरित बरण तोपदार : नहीं किया गया है।

श्री देवेन्द्र प्रसाद यादव : अधिकांश सिफारिशों को शामिल किया गया है। महत्वपूर्ण विधेयक के लिए कोई क्षण नहीं होता है, वह हमेशा महत्वपूर्ण होता है। सीपीएम पार्टी इसमें अपना एजेंडा लगा दे, तो हम कुछ नहीं कह सकते हैं, इसलिए जनता के व्यापक हित में यह विधेयक है। हमारी पार्टी तहेदिल से इस विधेयक के समर्थन में है। हम इसका पुरजोर समर्थन करते हैं।

डॉ. रघुवंश प्रसाद सिंह: महोदय, माननीय सदस्य श्री हन्नान मोल्लाह और तोपदार साहब ने अपनी जो सोच और जानकारी रखी है, उसके लिए हम उनको धन्यवाद देते हैं। ठीक है, आलोचना करनी चाहिए, सवाल उठाना चाहिए। लेकिन श्री बसुदेव आचार्य जी, श्री वरकला राधाकृष्णन जी, श्री हन्नान मोल्लाह जी और सीपीएम के अन्य जितने सदस्य हैं, सभी लोगों ने कहा है कि यह क्रान्तिकारी और अच्छा विधेयक है, हम इसका समर्थन करते हैं। इस विधेयक को बेहतर बनाने के लिए स्टैंडिंग कमेटी ने जो प्रयत्न किया है, उसके लिए मैं स्टैंडिंग कमेटी को और खासकर श्री हन्नान

मोल्लाह जी को धन्यवाद देता हूँ। माननीय सदस्य ने 70-30 वाली जो बात कही, उसका जवाब मैं बाद में दूंगा। तोपदार साहब ने कहा कि इसे जल्दबाजी में लाया गया, वह एकदम गलत है, सौ फीसदी गलत है।

20.13 hrs. (Shri Devendra Prasad Yadav in the Chair)

महोदय, इस विधेयक को लाने से पहले तमाम राज्य सरकारों से परामर्श किया गया। सबकी प्रतिक्रिया, सभी के सुझाव लिए गए। देश भर की सिविल सोसाइटी, एनजीओ, सोशल एक्टिविस्ट्स, सभी से पांच-पांच बार बैठकें हुईं, सभी लोगों ने एप्रिशीएट किया, सभी के सुझावों का समन्वय इसमें किया गया। इतना वाइड कंसल्टेशन देश में पहले किसी भी कानून को बनाने में नहीं किया गया। इस विधेयक में क्रंतिकारिता यह है कि पहले की इसकी दिशा को उलट दिया गया है। पहले जहां यह कानून प्रो-गवर्नमेंट और प्रो-रिच था, उसे उलट कर प्रो-पुअर और प्रो-फार्मर कर दिया गया है। इसमें एक भी प्रावधान किसान के खिलाफ नहीं है।...*(व्यवधान)*

श्री तरित बरण तोपदार (बैरकपुर) : यह तो * में हो गया।

डॉ. रघुवंश प्रसाद सिंह: नहीं-नहीं, ऐसा मत कहिए।

सभापति महोदय : कोई भी अनपार्लियामेंटरी शब्द प्रोसीडिंग का पार्ट नहीं बनेगा।

डॉ. रघुवंश प्रसाद सिंह: इतना परामर्श करने के बाद the Rehabilitation and Resettlement Bill 2007, and the Land Acquisition (Amendment) Bill 2007 were finalised by the GoM. हम इसे जून-अगस्त, 2007 में कैबिनेट में ले गए। कैबिनेट से अक्टूबर, 2007 में इसको मंजूरी मिली, दिसंबर, 2007 में लोक सभा में आया, दिसंबर, 2007 में अध्यक्ष महोदय ने इसे स्टैंडिंग कमेटी को रेफर किया। [\[R120\]](#)

* Not recorded

[\[R121\]](#)

स्टैंडिंग कमेटी ने भी व्यापक विज्ञापन करके देश भर में घूम कर तमाम लोगों के साथ बैठक करके, राय लेकर उनसे परामर्श लेने का काम किया। The Standing Committee submitted its Report to Parliament on 21st October, 2008. 21 अक्टूबर 2008 में यह रिपोर्ट दाखिल की और फिर उसका हमने अध्ययन किया।

The official amendments were brought before the Cabinet on 16th December, 2008. The Cabinet proposed these amendments to the Group of Ministers in its meeting held on 19th December, 2008.

श्री बसुदेव आचार्य : कितने दिन जीओएम के पास रही?

डॉ. रघुवंश प्रसाद सिंह: जीओएम ने कल ही क्लियरेंस किया इसलिए जो आपकी आपत्ति थी, राष्ट्रपति जी का भी आदेश था, तो इन सारी औपचारिकताओं को पूरा करने में समय लगा। हम तत्पर थे इसे पास कराने में इसलिए लोक सभा के अंतिम क्षण में इस ऐतिहासिक विधेयक को पारित करने का गौरव लोक सभा को प्राप्त हो।...*(व्यवधान)* इसलिए थोड़ा समय लगा।

श्री बसुदेव आचार्य : अंतिम क्षण में ऐतिहासिक विधेयक ला रहे हैं।...*(व्यवधान)*

SHRI TARIT BARAN TOPDAR: At the end of this Lok Sabha, these Bills should not have been brought forward. It is a lame duck Session. ...*(Interruptions)*

MR. CHAIRMAN : Please sit down. Please do not interrupt him.

...*(Interruptions)*

डॉ. रघुवंश प्रसाद सिंह: हम कितने दिनों से इसका प्रोसेस चला, तब इसे यहां लेकर आए हैं। बहुत ठोक बजाकर और गरीबों तथा किसानों के हित में इसे यहां पेश किया गया है।

जो बीच के आदमी की आपने बात कही, तो मैं इस बारे में बताना चाहता हूँ। इस बिल की खूबी नम्बर एक यह है कि जो नेशनल रिहैबिलिटेशन एंड रिसैटलमेंट पालिसी लाई गई है, उसे स्टेचुटरी स्टेटस दिया गया है, कानूनी मान्यता प्रदान की गई है। लेकिन उसका इन्फैक्टमेंट करना कोई साधारण बात नहीं है इसलिए हमने इतिहास लिखने का काम करने के लिए यह विधेयक यहां लाए हैं और उससे लैंड एक्विजिशन बिल यहां पेश किया है। इस बिल में यह खूबी है कि कम्पनीज के लिए सरकार द्वारा भूमि अधिग्रहण के प्रावधान को समाप्त कर दिया गया है। अब आप बताएं कि क्या यह किसानों के हित में है या नहीं?...*(व्यवधान)* सरकार निजी कम्पनीज के लिए भूमि अधिग्रहण तब करेगी, जब निजी निकाय 70 फीसदी जमीन की प्रत्यक्ष खरीद कर लें। सरकार सिर्फ 30 फीसदी भूमि का अधिग्रहण करेगी। हन्नान मोल्लाह जी की यही आपत्ति है। इस पर गहन

विचार-विमर्श हुआ। कोई भी पूंजीपति या उद्योगपति कारखाना स्थापित करना चाहे तो किसानों की राजी-खुशी से वह 70 फीसदी जमीन ले सकता है। इससे बेरोजगारी दूर होने में मदद मिलेगी, कारखाना भी स्थापित होगा। हम इसमें दखल नहीं देंगे। अगर बीच में कोई अड़ियल किस्म के लोग आ जाएं और कहें कि हम कारखाना स्थापित नहीं होने देंगे, तब हम बीच में आएंगे और अगर बाकी 30 फीसदी जमीन की जरूरत पड़ी तो सरकार दखल देगी। पहले यह होता था कि किसी उद्योग को स्थापित करने के लिए पब्लिक पर्पज कहकर उद्योगपति के पक्ष में किसान की जमीन कौड़ियों के भाव पर ले ली जाती थी और किसान मुआवजे के लिए दर-दर की ठोकरें खाता था। इसलिए पहले जो बड़े लोगों के पक्ष में कानून था जमीन एकवार करने का, वह खत्म कर दिया गया है। ...(व्यवधान) आदिवासियों और अन्य परम्परागत जंगल निवासियों को शामिल करने का काम भी इस बिल में किया गया है। यहां गिरधर गमांग जी और मीणा जी बैठे हैं, वे यह चीज जानते हैं। उन्होंने भी जो भावना आदिवासियों के बारे में बताई और इस बिल के बारे में कहा कि इससे ज्यादा और कल्याण उनका नहीं हो सकता। इसलिए इन लोगों के साथ जो पहले अन्याय होता था, उसे जड़मूल से समाप्त करके उन्हें न्याय मिले, इसका प्रावधान किया गया है।

यह कहा जाए कि विकास प्रोजेक्ट के नाम पर हम 10,000 करोड़ रुपए का कारखाना स्थापित कर रहे हैं, जिनकी जमीन गई, उनके लिए कोई चारा नहीं था, क्योंकि उनकी जमीन एकवार हो जाती थी और वे लोग दर-दर की ठोकरें खाते थे, मेधा पाटकर जैसे लोग आंदोलन करते हैं।[\[R122\]](#)

महोदय, अब रिहेब्लिटेशन बिफोर डिसप्लेसमेंट है। उनकी जमीन लेने से पहले उनका रिहेब्लिटेशन होगा। रिहेब्लिटेशन की रिच स्कीम रहने के बाद भी स्कीम लागू नहीं होती है, इसलिए आंदोलन होते हैं और लॉ एंड आर्डर प्रब्लम होती है। इसी कारण रिहेब्लिटेशन बिफोर डिसप्लेसमेंट की नीति अपनाई गई और ऐसा प्रावधान किया गया। भूमि का मुआवजा बाजार कीमत पर तय करने का प्रावधान है और तीस फीसदी मुआवजा पहले था, अब उसे दोगुना करके साठ फीसदी किया गया है। मुआवजे का भुगतान वास्तविक विस्थापन के पहले निर्धारित समय सीमा के अंदर किया जाएगा। विस्थापित लोगों को मुआवजे के त्वरित भुगतान के लिए अदालत में जाने पर रोक होगी। निर्धारित समय सीमा के भीतर यदि अधिग्रहित भूमि का इस्तेमाल न होने पर सरकार को जमीन वापस लौटाना होगा। अगर पहले जमीन ले ली और उसका इस्तेमाल न किया जाए तथा किसान दर-दर की ठोकरें खा रहा है, तब वह जमीन वापस हो जाएगी। वह जमीन दोबारा किसान को दे दी जाएगी। खेती की जमीन ली और उसका कर्मशियल उपयोग किया गया। यदि उस कर्मशियल जमीन की कीमत बढ़ कर के दो या पांच लाख रुपया हो गई है, तो उस बढ़ी हुई जमीन की कीमत का लाभ जमीन के मालिक को भी मिलेगा, यह प्रावधान किया गया है। उनके लिए नौकरी का भी प्रावधान है। अधिग्रहित भूमि की स्थिति में कुल अनअर्जित लाभ का 80 फीसदी मूलभूत स्वामी या उनके वैध उत्तराधिकारी के साथ बांटा जाएगा, जिसकी जमीन पर कारखाना खोला गया है। जिनकी जमीन अधिग्रहित हुई है और वहां नौकरी उपलब्ध है, तो उन्हें नौकरी मिलेगी। उनको शेयर में हिस्सा मिलेगा। वर्ल्ड बैंक द्वारा आयोजित बैठक न्यूयार्क में हुई। वहां दुनिया के लोग आए थे। सबने प्रशंसा की और कहा कि ऐसा कानून दुनिया के किसी मुल्क में नहीं है, जो पालिसी भारत में बनाई गई है।

सभापति महोदय, देश में सेज के लिए बहुत हल्ला मचाया जाता है। सेज में क्या होगा, कारखाना बनाया जाएगा, उद्योग चलेगा। सेज के नाम पर रियल स्टेट का धंधा शुरू हो जाता था, उद्योग शुरू नहीं होते थे। सोशल इम्पेक्ट असेसमेंट का प्रावधान इसमें किया गया है। यह देखा जाएगा कि उस जमीन से क्या लाभ और हानि हो रही है। ...(व्यवधान)

MR. CHAIRMAN: Mr. Topdar, please take your seat

...(Interruptions)

MR. CHAIRMAN: Mr. Topdar, I am not allowing you. Please, take your seat.

...(Interruptions)

डॉ. रघुवंश प्रसाद सिंह : सभापति महोदय, इससे प्रभावित जो परिवार होंगे, जो जमीन पर आश्रित थे, जिनकी जीविका जमीन से चलती थी, जो भूमिहीन थे, जमीन के अधिग्रहण से यदि उनकी जीविका चली गई, उनकी जीविका तथा उनके विकास का भी प्रावधान किया गया है। इस बिल का जितना गुण-बखान किया जाए कम है क्योंकि यह गरीब के पक्ष में और किसान के पक्ष में है। इससे साथ विवाद, उत्पात, झंझट तथा फसाद, गोली आदि सब खत्म हो जाएगा। इससे किसान खुशहाल होंगे। सभी राज्यों से एप्रिसिएशन प्राप्त हो रहे हैं। देश भर से खबर आ रही है, चंडीगढ़ से खबर आ रही है, गाजियाबाद से, आंध्रप्रदेश से, मथुरा से खबर आ रही है। सारे किसान खुशहाल हैं कि उनके पक्ष में कानून बना है।[\[I123\]](#)

वैशाली से भी हल्ला उठ रहा है। यह किसानों के पक्ष में कानून है, किसानों को राहत पहुंचाने और खुशहाल लाने के लिए है। कोई भी विकास हो उससे देश का लाभ होता है लेकिन जिन की जमीन पर कारखाने खुले हैं, उनका भी विकास हो इसका पूरा ध्यान किया गया है। मेरी प्रार्थना है कि सदन इसे सर्वसम्मति से पारित करे।...(Interruptions)

MR. CHAIRMAN : Please take your seat. Mr. Acharia, this is too much please. No, I am not allowing you. Please take your seat.

...(Interruptions)

श्री बसुदेव आचार्य : मंत्री जी ने कहा कि जमीन लेने से पहले रिहेब्लिटेशन होगा जो अच्छी बात है। 70 परसेंट कारखाने के मालिक कारखाना खोलने के लिए जो जमीन खरीदेंगे, क्या रिहेब्लिटेशन का पहले प्रावधान करके जमीन खरीदेंगे? ...(व्यवधान)

डा. रघुवंश प्रसाद सिंह: देश भर में जमीन अथवा सामान की खरीद बिक्री होती है। प्राइवेट प्रॉपर्टी कोई किसी के हाथ बेचता है, क्या उसमें सरकार कहीं दखल दे रही है? ...*(व्यवधान)* आप पहले मेरी बात सुन लीजिए। किसान राजी खुशी से अपनी जमीन बेच दे और कोई खरीद ले, बीच में सरकार जो खरीदेगी या एक्वायर करेगी उसके लिए कानून की जरूरत है। कोई राजी खुशी से अपनी जमीन बेचेगा, घाटा सह कर उसे नहीं बेचेगा। ...*(व्यवधान)*

MR. CHAIRMAN: The question is:

"That the Bill to provide for the rehabilitation and resettlement of persons affected by the acquisition of land for projects of public purpose or involuntary displacement due to any other reason, and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The House will now take up clause-by-clause consideration of the Bill.

The hon. Minister has to move the amendment.

Clause 2 Act to apply to all cases of land acquisition or other involuntary displacement of people

Amendments made:

Page 2, line 2 for "persons affected" substitute "families affected". (4)

Page-2, lines 3 and 4 "involuntary displacement of people due to any other reason" substitute permanent involuntary displacement of people due to natural calamities, or such other disaster as may be notified by the appropriate Government". (5)

(Dr. Raghuvansh Prasad Singh)

MR. CHAIRMAN: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 Definitions

Amendments made:

Page 2, for lines 10 to 25, substitute—

"(i) a family whose land or other immovable property has been acquired, or which is involuntarily and permanently is placed from their land or immovable property due to natural calamities or such other disaster as are notified under section 2.

(ii) a family which has been continuously residing (and not unauthorisedly) for a period of not less than three years in the affected area immediately preceding the date of notification of the affected area and who has been deprived of his primary source of livelihood due to involuntary and permanent displacement caused by land acquisition in such area or other displacement covered under section 2." (6)

Page 2, omit lines 28 to 32. (7)

Page 2, line 33, for "(e)", substitute "(d)" (8)

Page 2, line 40, for "(f)", substitute "(e)". (9)

Page 3, line 5, for "(g)", substitute "(f)". (10)

Page 3, line 11, for "(i)", substitute "(g)". (11)

Page 3, line 13, for "(j)", substitute "(i)". (12)

Page 3, line 18, for "(k)", substitute "(j)". (13)

Page 3, line 20, for "(l)", substitute "(k)". (14)

Page 3, line 23, for "(m)", substitute "(l)". (15)

Page 3, omit lines 25 to 31. (16)

Page 3, line 32, for "(o)", substitute "(m)". (17)

Page 3, line 34, for "(p)", substitute "(n)". (18)

Page 3, line 36, for "(q)", substitute "(o)". (19)

Page 3, line 38, for "(r)", substitute "(p)". (20)

Page 3, line 39, for "(s)", substitute "(q)". (21)

Page 3, line 41, for "(t)", substitute "(r)". (22)

Page 4, line 1, for "(u)", substitute "(s)". (23)

Page 4, line 3, for "(v)", substitute "(t)". (24)

(Dr. Raghuvansh Prasad Singh)

SHRI HANNAN MOLLAH : I beg to move:

Page 2, line 21,-

for "five"

substitute "two". (68)

Page 2, line 29,-

for "five"

substitute "two". (69)

Page 3, lines 14 and 15,-

omit "and other relatives residing with him or her and dependent on him or her for their livelihood". (70)

Page 3, line 17,-

after "children;"

insert "family also includes single member households and

includes all adult unmarried women, widowed/divorced/abandoned/separated sisters/sister-in-law, daughter/daughter-in-law and the physically handicapped family members as separate entities." (71)

Page 3, line 27,-

for "five"

substitute "two". (72)

Page 3, line 34,-

after "community"

insert "and all holders of forest rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006". (73)

MR. CHAIRMAN: I shall put amendment Nos. 68 to 73 moved by Shri Hannan Mollah to clause 3, to the vote of the House.

The amendments were put and negatived.[\[m124\]](#)

MR. CHAIRMAN : The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clause 4 Social impact assessment study in certain cases

संशोधन किये गये;

पृष्ठ 4, पंक्ति 26, "(फ)" के स्थान पर "(न)" रखें। (25)

पृष्ठ 4, पंक्ति 37 ,

के पश्चात् निम्नलिखित अंतःस्थापित करें-

"परंतु ऐसे मामलों में जिनमें मैदानी क्षेत्रों में सामूहिक रूप से चार सौ से कम या आदिवासी क्षेत्रों में या पहाड़ी क्षेत्रों में बंजर भूमि विकास ब्लाकों या संविधान की पांचवीं अनुसूची या छठी अनुसूची में वर्णित क्षेत्रों में सामूहिक रूप से दो सौ से कम परिवारों का अस्वैच्छिक विस्थापन अंतर्वर्जित है, वहां संबंधित जिले की पुनर्वास और पुनर्व्यवस्थापन समिति प्रभावित क्षेत्रों में सामाजिक प्रभाव के निर्धारण का अध्ययन ऐसी रीति में करेगी जो विहित की जाए।" (26)

पृष्ठ 5, पंक्ति 4,

"प्रशिक्षण सुविधाएं," के पश्चात् "आंगनवाड़ी, बाल उद्यान" रखें। (27)

(डा. रघुवंश प्रसाद सिंह)

SHRI HANNAN MOLLAH : Sir, I beg to move:

Page 4, line 9,-

omit "involuntary". (74)

Page 4, lines 9 to 11,-

for "of four hundred or more families en masse in plain areas, or

two hundred or more families en masse in tribal or hilly

areas, DDP blocks or areas mentioned in the Fifth Schedule

or Sixth Schedule to the Constitution,"

substitute "of fifty and more families". (75)

MR. CHAIRMAN: I shall now put amendment nos. 74 and 75 moved by Shri Hannan Mollah to the vote of the House.

The amendments were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 5 Independent multi-disciplinary expert group to examine the social impact assessment report

संशोधन किये गये;

पृष्ठ 5, पंक्ति 16,

"अनुसूचित जातियों" के स्थान पर,

"महिलाओं और बालकों तथा अनुसूचित जातियों" रखें। (28)

पृष्ठ 5, पंक्ति 18,

"और" का लोप करें। (29)

पृष्ठ 5, पंक्ति 20

के स्थान पर निम्नलिखित रखें,--

"एक प्रतिनिधि ; और

(घ) ग्राम पंचायत या नगर पालिका का एक प्रतिनिधि, जो समुचित सरकार द्वारा नामनिर्दिष्ट किया जाएगा।

- (3) समुचित सरकार विशेषज्ञ समूह के सदस्यों में से एक व्यक्ति को समूह के अध्यक्ष के रूप में नामनिर्दिष्ट कर सकेगी।" (30) (डा.रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clauses 6 to 8 were added to the Bill.

Clause 9 Administrator for Rehabilitation and Resettlement

संशोधन किया गया;

पृष्ठ 6, पंक्ति 25 और पंक्ति 26 के स्थान पर निम्नलिखित रखें--

"(2) पुनर्वास और पुनर्व्यवस्थापक प्रशासक को उसे दक्षतापूर्वक कार्य करने में समर्थ बनाने और विनिर्दिष्ट समयसीमा को पूरा करने के लिए ऐसी कार्यालय अवसंरचना उपलब्ध कराई जाएगी और ऐसे अधिकारियों और कर्मचारियों द्वारा सहायता दी जाएगी जो राज्य सरकार विनिश्चित करे।" (31)

(डा.रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 9, as amended, stand part of the Bill."

The motion was adopted.

Clauses 9, as amended, was added to the Bill.

Clause 10 Powers and functions of Administrator

संशोधन किए गए;

पृष्ठ 6, पंक्ति 29 के स्थान पर निम्नलिखित रखें,--

"कुटुंबों के पुनर्वास तथा पुनर्व्यवस्थापन के लिए सभी उपाय करेगा और इस संबंध में उसे निम्नलिखित शक्तियां होंगी, अर्थात् ;

- (1) प्रभावी क्षेत्रों और पुनर्व्यवस्थापन क्षेत्रों में प्रवेश करना और उन क्षेत्रों को चिह्नांकित करना, मापना और उनमें योजनाएं बनाना ;
- (2) पुनर्वास और पुनर्व्यवस्थापन योजना के संबंध में जांच और विनिश्चय करना और प्रभावित कुटुंबों पर सूचना की तामील करना ;
- (3) प्रभावित कुटुंबों के नामों और हितों के बारे में कथन करने की अपेक्षा करना और उसे लागू करना ;

- (4) घोषित किए गए पुनर्व्यवस्थापन क्षेत्रों में भूमि का कब्जा लेना ; और
(5) कोई अन्य शक्ति, जो समय-समय पर समुचित सरकार द्वारा प्रशासक को प्रदत्त की जाए।" (32)

पृष्ठ 6, पंक्ति 34-पंक्ति 35

का लोप करें। (33)

पृष्ठ 6, पंक्ति 36,

"(ii)" के स्थान पर, "(i)" रखें। (34)

पृष्ठ 6, पंक्ति 38,

"(iii)" के स्थान पर, "(ii)" रखें। (35)

पृष्ठ 7, पंक्ति 2,

"(iv)" के स्थान पर, "(iii)" रखें। (36)

पृष्ठ 7, पंक्ति 4,

"(v)" के स्थान पर "(iv)" रखें। (37)

पृष्ठ 7, पंक्ति 7,

"(vi)" के स्थान पर, "(v)" रखें। (38)

पृष्ठ 7, पंक्ति 9,

"(vii)" के स्थान पर "(vi)" रखें। (39)

पृष्ठ 7, पंक्ति 11,

"(viii)" के स्थान पर "(vii)" रखें। (40)

(डा.रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 10, as amended, stand part of the Bill."

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Clause 11 Commissioner for Rehabilitation and Resettlement

संशोधन किया गया;

पृष्ठ 7, पंक्ति 24 के पश्चात् निम्नलिखित अंतःस्थापित करें,--

"(3) आयुक्त, ग्रामीण क्षेत्रों में ग्राम पंचायत और शहरी क्षेत्रों में नगर पालिका के परामर्श से सामाजिक संपरीक्षा के पश्च-कार्यान्वयन के लिए उत्तरदायी होगा।"। (41) **(डा.रघुवंश प्रसाद सिंह)**

MR. CHAIRMAN: The question is:

"That clause 11, as amended, stand part of the Bill."

The motion was adopted.

Clause 11, as amended, was added to the Bill.

Clause 12 Rehabilitation and Resettlement Committee at project level

संशोधन किये गये;

पृष्ठ 7, पंक्ति 29,

"प्रशासक" के स्थान पर "आयुक्त" रखें। (42)

पृष्ठ 7, पंक्ति 32,

"सामाजिक संपरीक्षा करेगी" शब्दों के स्थान पर, "ग्रामीण क्षेत्रों में ग्राम पंचायत और शहरी क्षेत्रों में नगर पालिका के परामर्श से सामाजिक संपरीक्षा करेगी" रखें। (43) (डा.रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Clause 13 was added to the Bill. [\[SS125\]](#)

Clause 14 Ombudsman

संशोधन किया गया;

पृष्ठ 8, पंक्ति 5 और 6 के स्थान पर निम्नलिखित रखें,-

"(vii) संबंधित क्षेत्र के संसद-सदस्य और विधान-मंडल के सदस्य;

(vii) अपेक्षा करने वाले निकाय का एक प्रतिनिधि;और

(ix) सदस्य-संयोजक के रूप में पुनर्वास और पुनर्व्यवस्थापन प्रशासक।"। (44)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 14, as amended, stand part of the Bill."

The motion was adopted.

Clause 14, as amended, was added to the Bill.

Clauses 15 to 19 were added to the Bill.

Clause 20 Declaration of affected areas

संशोधन किया गया;

पृष्ठ 8, पंक्ति 17 पंक्ति 29 के स्थान पर निम्नलिखित रखें, -

"14.(1) भूमि अर्जन अधिनियम, 1894 की धारा 17ठ और धारा 17क के अधीन गठित, यथास्थिति, केन्द्रीय भूमि अर्जन प्रतिकर विवाद परिनिर्धारण प्राधिकरण या राज्य भूमि अर्जन प्रतिकर विवाद परिनिर्धारण प्राधिकरण को इस अधिनियम के अधीन आने वाले विषयों से उद्भूत शिकायतों का निपटारा करने की शक्तियां होंगी।

(2) अनुज्ञेय फायदों की प्रस्थापना न किए जाने के कारण प्रभावित कोई व्यक्ति यदि व्यथित हो, उपधारा (1) में निर्दिष्ट प्राधिकरण को अपनी शिकायतों के प्रतितोषण के लिए अर्जी दे सकेगा।

(3) वह प्ररूप और रीति जिसमें और वह समय जिसके भीतर उपधारा (2) के अधीन अर्जियां प्राधिकरण को दी जा सकेंगी तथा विहित रीति में उनका निपटारा किया जा सकेगा।

(4) प्राधिकरण को पुनर्वास और पुनर्व्यवस्थापन प्रशासक या पुनर्वास और पुनर्व्यवस्थापन समिति के विनिश्चय के विरुद्ध पुनर्वास और पुनर्व्यवस्थापन के संबंध में सभी अर्जियों पर विचार करने और उनका निपटारा करने तथा अपेक्षा करने वाले निकाय, पुनर्वास और पुनर्व्यवस्थापन प्रशासक, जिलों के जिला कलक्टर या उपायुक्तों को ऐसी शिकायतों के प्रतितोषण के लिए ऐसे निदेश जारी करने की शक्ति होगी जो वह आवश्यक समझे।" (45)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 20, as amended, stand part of the Bill."

The motion was adopted.

Clause 20, as amended, was added to the Bill.

Clause 21 Survey and census of affected families

संशोधन किया गया;

पृष्ठ 9, पंक्ति 28 से 34 के स्थान पर निम्नलिखित रखें -

"(1) जहां समुचित सरकार की यह राय है कि किसी परियोजना के लिए भूमि अर्जन के कारण या धारा 2 के अधीन जाने वाले किसी अन्य कारण से किसी क्षेत्र से व्यक्तियों के स्थायी अस्वैच्छिक विस्थापन होने की संभावना है या है वहां वह राजपत्र में अधिसूचना द्वारा ऐसे क्षेत्र को प्रभावित क्षेत्र के रूप में घोषित करेगी।"। (46)

पृष्ठ 10, पंक्ति 12 का लोप करें। (47)

पृष्ठ 10, पंक्ति 13ए "(iv)" के स्थान पर "(iii)" रखें। (48)

पृष्ठ 10, पंक्ति 15, "(v)" के स्थान पर "(iv)" रखें। (49)

पृष्ठ 10, पंक्ति 19, "(vi)" के स्थान पर "(v)" रखें। (50)

पृष्ठ 10, पंक्ति 23 "(vii)" के स्थान पर "(vi)" रखें। (51)

पृष्ठ 12, पंक्ति 28, हिंदी पाठ में संशोधन की आवश्यकता नहीं है। (52)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 21, as amended, stand part of the Bill."

The motion was adopted.

Clause 21, as amended, was added to the Bill.

Clause 22 was added to the Bill.

Clause 23 Draft schemes or plans for rehabilitation and resettlement

संशोधन किया गया;

पृष्ठ 12, पंक्ति 14 में, "पुनर्व्यवस्थापन में" के स्थान पर "पुनर्व्यवस्थापन क्षेत्र में" रखें। (53)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 23, as amended, stand part of the Bill."

The motion was adopted.

Clause 23, as amended, was added to the Bill.

Clauses 24 to 28 were added to the Bill.

Clause 29 Compensation and rehabilitation and resettlement ahead of displacement

संशोधन किया गया;

पृष्ठ 13, पंक्ति 36 में, "में पर्याप्त प्रगति" के स्थान पर, "के लिए उपबंध करने जैसी पर्याप्त प्रगति" रखें। (54)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 29, as amended, stand part of the Bill."

The motion was adopted.

Clause 29, as amended, was added to the Bill.

Clauses 30 to 31 were added to the Bill.

Clause 32 Special provisions for rehabilitation and resettlement in case of urgency

संशोधन किया गया;

पृष्ठ 14, पंक्ति 14 में " भूमि का अर्जन किया जाता है" के स्थान पर " भूमि का अर्जन किया जाता है या जब अस्वैच्छिक विस्थापन धारा 2 के अंतर्गत आगे आने वाली किसी अन्य आपदा के कारण होता है" रखें। (55)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 32, as amended, stand part of the Bill."

The motion was adopted.

Clause 32, as amended, was added to the Bill.

Clause 33 Periphery development

संशोधन किया गया;

पृष्ठ 14, पंक्ति 21, हिंदी पाठ में संशोधन की आवश्यकता नहीं है। (56)

पृष्ठ 14, पंक्ति 27-पंक्ति 28, हिंदी पाठ में संशोधन की आवश्यकता नहीं है। (57)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 33, as amended, stand part of the Bill."

The motion was adopted.

Clause 33, as amended, was added to the Bill.

Clause 34 was added to the Bill.[\[r126\]](#)

Clause 35 Housing benefits

संशोधन किया गया :

पृष्ठ 15, पंक्ति 2-पंक्ति 3 में,
"प्रत्येक कुटुम्ब" के स्थान पर, "प्रत्येक न्यूक्लियर कुटुम्ब" रखें। (58)
पृष्ठ 15, पंक्ति 7 में,
"पांच" के स्थान पर, "तीन" रखें। (59)
पृष्ठ 15, पंक्ति 9 में,
"पचास वर्ग मीटर" के स्थान पर, "एक सौ वर्ग मीटर" रखें। (60)
पृष्ठ 15, पंक्ति 10 में,
"पच्चीस वर्ग मीटर" के स्थान पर,
"पचास वर्ग मीटर" रखें। (61)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: Shri Hannan Mollah.

SHRI HANNAN MOLLAH: Sir, I beg to move:

Page 12, line 29, -

omit "below poverty line". (76)

Page 12, line 30, -

substitute "two". (77)

MR. CHAIRMAN: I shall now put Amendment Nos.76 and 77 to Clause 35 moved by Shri Hannan Mollah to the vote of the house.

The amendments were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 35, as amended, stand part of the Bill."

The motion was adopted.

Clause 35, as amended, was added to the Bill.

Clause 36 Allotment of agricultural land

संशोधन किया गया :

पृष्ठ 15, पंक्ति 20,

हिन्दी पाठ में संशोधन की आवश्यकता नहीं है। (62)

पृष्ठ 15, पंक्ति 32 और 33 के स्थान पर निम्नलिखित रखें, -

"को अर्जित भूमि को लागू विद्यमान विधि के अनुसार धनीय प्रतिकर दिया जा सकेगा।" (63)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 36, as amended, stand part of the Bill."

The motion was adopted.

Clause 36, as amended, was added to the Bill.

Clauses 37 to 40 were added to the Bill.

Clause 41 Employment and skill development

संशोधन किया गया :

पृष्ठ 16, पंक्ति 21 में,

"प्रत्येक कुटुम्ब" के स्थान पर, "प्रत्येक न्यूक्लियर कुटुंब" रखें। (64)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 41, as amended, stand part of the Bill."

The motion was adopted.

Clause 41, as amended, was added to the Bill.

Clause 42 Rehabilitation grant and option for allotment of shares

संशोधन किया गया :

पृष्ठ 17, पंक्ति 2 से पंक्ति 4,

"नियोजन उपलब्ध कराया नहीं गया है, सात सौ पचास दिन की न्यूनतम कृषि मजदूरी के समतुल्य पुनर्वास अनुदान के हकदार होंगे:" के स्थान पर, "धारा 41 में यथाउपबंधित नियोजन और कौशल विकास का अवसर उपलब्ध नहीं कराए गए हैं, न्यूनतम मजदूरी अधिनियम, 1948 के अनुसार सात सौ दिन की न्यूनतम मजदूरी के बराबर रकम से अन्यून के या ऐसी अन्य उच्चतर रकम का पुनर्वास अनुदान के लिए हकदार होंगे, जो समुचित सरकार द्वारा विहित की जाएं" रखें। (65)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 42, as amended, stand part of the Bill."

The motion was adopted.

Clause 42, as amended, was added to the Bill.

Clauses 42 to 48 were added to the Bill.

Clause 49 Special provisions for rehabilitation and resettlement of members of the Scheduled Tribes and Scheduled Casts

संशोधन किया गया :

पृष्ठ 19, पंक्ति 1 में,

"सभी फायदे" के स्थान पर, "सभी फायदे जिनके अंतर्गत अनुसूचित जनजातियों और अनुसूचित जातियों को उपलब्ध आरक्षण फायदे भी हैं," रखें। (66)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That Clause 49, as amended, stand part of the Bill."

The motion was adopted.

Clause 49, as amended, was added to the Bill.

Clauses 50 to 60 were added to the Bill.

Clause 1 Short title, extent and commencement

संशोधन किया गया :

पृष्ठ 1, पंक्ति 6,

"2007" के स्थान पर "2009" रखें। (3)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: Shri Hannan Mollah.

SHRI HANNAN MOLLAH: Sir, I beg to move:

Page 1, lines 8 to 11, -

omit"; and different dates may be appointed for different States and any reference in this Act to the commencement of this Act shall, in relation to a State, be construed as a reference to the coming into force of this Act in that State". (67)

MR. CHAIRMAN: I shall now put Amendment No.67 to Clause 1 moved by Shri Hannan Mollah to the vote of the House.

The amendment was put and negatived.

MR. CHAIRMAN: The question is:

"That Clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

संशोधन किया गया :

पृष्ठ 1, पंक्ति 1,

"अठानवें" के स्थान पर, "साठवें" रखें। (2)

(डॉ. रघुवंश प्रसाद सिंह):

MR. CHAIRMAN: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.[\[KMR127\]](#)

Long Title

संशोधन किया गया:

पृष्ठ 1, बृहत्त नाम में,

"प्रभावित व्यक्तियों" के स्थान पर, "प्रभावित कुटुंबों" रखें। (1)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That the Title, as amended, stand part of the Bill."

The motion was adopted.

The Long Title, as amended, was added to the Bill.

डॉ. रघुवंश प्रसाद सिंह: मैं प्रस्ताव करता हूँ:

"कि यथा संशोधित विधेयक को पारित किया जाए।"

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

20.46 hrs

LAND ACQUISITION (AMENDMENT) BILL, 2007

MR. CHAIRMAN: Now, we shall take up Item No.43B.

The question is:

"That the Bill further to amend the Land Acquisition Act, 1894, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: The House will now take up clause-by-clause consideration of the Bill.

The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4 Insertion of new Section 1A

संशोधन किया गया:

पृष्ठ 2, पंक्ति 5, "2007" के स्थान पर, "2008" रखें। (3)

(डॉ. रघुवंश प्रसाद सिंह)

SHRI BASU DEB ACHARIA (BANKURA): Where are the copies of amendments to the Bill? They have not been circulated.
...(Interruptions)

MR. CHAIRMAN: They have already been circulated.

...(Interruptions)

MR. CHAIRMAN : The question is :

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 5 Amendment of Section 3

संशोधन किया गया:

पृष्ठ 3, पंक्ति 14 और 15 के स्थान पर निम्नलिखित रखें,-

"नौ सेना, थल सेना, वायु सेना और संघ के अन्य सशस्त्र बल संकर्म या राष्ट्रीय सुरक्षा या भारत की रक्षा या राज्य पुलिस के लिए किसी अन्य महत्वपूर्ण कार्य से संबंधित सामरिक प्रयोजनों के लिए भूमि का उपबंध; " ; (4)

पृष्ठ 3 पंक्ति 19,

"क्रय किया गया है" के पश्चात् "या उसके पास भूमि है" शब्द अंतःस्थापित करें ; (5)

पृष्ठ 3, पंक्ति 21, हिन्दी पाठ में संशोधन की आवश्यकता नहीं है। (6)

पृष्ठ 3, पंक्ति 27 और 28 के स्थान पर, निम्नलिखित रखें-

"(ii) सड़कों, राजमार्गों, पुलों, विमानपत्तनों, पत्तनों, रेल, प्रणालियों, खनन क्रियाकलापों, शैक्षणिक, खेलकूद, स्वास्थ्य देखरेख, पर्यटन, परिवहन, अंतरिक्ष कार्यक्रम और ऐसी आय वाले समूहों के लिए आवास का, जो समुचित सरकार द्वारा समय-समय पर विनिर्दिष्ट किए जाएं, संनिर्माण; " ; (7)

(डॉ. रघुवंश प्रसाद सिंह)

SHRI HANNAN MOLLAH (ULUBERIA): I beg to move:

Page3, *omit* lines 12 to 15. (29)

MR. CHAIRMAN: I shall put amendment No.29 moved by Shri Hannan Mollah to the vote of the House.

The amendment was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Clauses 6 and 7 were added to the Bill.

श्री रामचन्द्र पासवान (रोसड़ा) : महोदय, हम इस अनुसूचित जाति के बिल के संबंध में आपसे जानना चाहते हैं। ...(व्यवधान)

सभापति महोदय : माननीय सदस्य रामचन्द्र पासवान जी, यह वक्त नहीं है, आप इसे दूसरे समय उठाएं। यह ऑलरेडी डैफर कर गया है।

â€{(व्यवधान)

श्री बसुदेव आचार्य (बांकुरा) : हाऊस में यह क्या हो रहा है, क्या हाऊस इस तरह चलेगा?...(व्यवधान)

Clause 8 Insertion of new Section 3A

संशोधन किया गया:

पृष्ठ 4, पंक्ति 22,

"2007" के स्थान पर, "2008" रखें। (9)

पृष्ठ 4, पंक्ति 26 के पश्चात् निम्नलिखित धारा अंतःस्थापित करें,-

"3ख (1) समुचित सरकार, भूमि अर्जन के प्रस्तावों की परीक्षा करने के लिए मुख्य सचिव की अध्यक्षता में एक समिति का गठन करेगी जिसमें वित्त, ग्रामीण विकास और संबंधित विभाग के सचिव और सुसंगत क्षेत्रों से तीन से अनधिक विशेषज्ञ होंगे। " (10)

(डॉ. रघुवंश प्रसाद सिंह)[\[r128\]](#)

SHRI HANNAN MOLLAH): I beg to move:

Page 4, *after* line 17, --

Insert "The Social Impact Assessment team shall amongst other

things:

- (a) appraise project proposal in terms of its public purpose;
- (b) assess the impact of the acquisition on fertile and irrigated agricultural lands, common property resources, livelihoods, displacement, environmental sustainability, on the scheduled castes, the scheduled tribes and other vulnerable sections of the society;
- (c) identify and consider other less-displacing alternatives; and
- (d) consult with the Gram Sabhas, interested persons and families likely to be affected and to take into consideration their suggestions;" (30)

MR. CHAIRMAN : I shall now put amendment no. 30, moved by Shri Hannan Mollah to the vote of the House.

The amendment was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Clause 9 Amendment of Section 4

संशोधन किए गए;

पृष्ठ 4, पंक्ति 28 के स्थान पर निम्नलिखित रखें,-

(क) उपधारा (1) के स्थान पर निम्नलिखित उपधारा रखी जाएगी, अर्थात्:-

" (1) जब कभी समुचित सरकार को यह प्रतीत होता है कि किसी क्षेत्र में किसी लोक प्रयोजन के लिए भूमि की आवश्यकता है या आवश्यकता होने की संभावना है तो ग्रामीण और शहरी क्षेत्रों में अर्जित की जाने वाली भूमि के ब्यौरे सहित इस निमित्त एक अधिसूचना निम्नलिखित रीति में प्रकाशित की जाएगी, अर्थात्,-

- (i) राजपत्र में;
- (ii) परिक्षेत्र में प्रकाशित होने वाले तीन दैनिक समाचार पत्रों में जिनमें से एक-एक हिन्दी, अंग्रेज़ी और स्थानीय भाषा में होगा;
- (iii) पब्लिक डोमेन में समुचित सरकार की वेबसाइट पर;
- (iv) तहसील या ग्राम पंचायत या शहरी स्थानीय निकाय के कार्यालय में प्रभावित व्यक्तियों के निरीक्षण के लिए उपलब्ध करवाया जाएगा;
- (v) कलक्टर ऐसी अधिसूचना के सार की सार्वजनिक सूचना उक्त परिक्षेत्र में सुविधाजनक स्थानों पर लगाएगा।" (11)

पृष्ठ 5, पंक्ति 4 के पश्चात् निम्नलिखित अंतःस्थापित करें --

स्पष्टीकरण.- ऐसे प्रकाशन और ऐसी लोक सूचना दिए जाने की अंतिम तारीखों को इसके पश्चात् अधिसूचना के प्रकाशन की तारीख कहा गया है।
" (12)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 9, as amended, stand part of the Bill."

The motion was adopted.

Clause 9, as amended, was added to the Bill.

MOTION UNDER RULE 388

Suspension of Rule 80 (i)

THE MINISTER OF RURAL DEVELOPMENT (DR. RAGHUVANSH PRASAD SINGH): I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 13 to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 13 to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

The motion was adopted.

New Clause 9A Amendment of Section 5A

संशोधन किया गया;

पृष्ठ 5, पंक्ति 21 के पश्चात् निम्नलिखित अंतःस्थापित करें --

'9 क, मूल अधिनियम की धारा 5क में, --

"(क) उपधारा (1) में "अधिसूचना के प्रकाशन की तारीख से तीस दिन के भीतर" शब्दों के स्थान पर अधिसूचना के प्रकाशन की तारीख से साठ दिन के भीतर" शब्द रखे जाएंगे।

(ख) उपधारा (2) में "अपने द्वारा की गई कार्यवाही के अभिलेख सहित" शब्दों के पश्चात् "मैदानी या पहाड़ी क्षेत्रों में विस्थापित होने वाले प्रभावित कुटुंबों की संख्या का विवरण देते हुए एक पृथक रिपोर्ट के साथ" शब्द रखे जाएंगे।" (13) (डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That New Clause 9A be added to the Bill."

The motion was adopted.

New Clause 9A was added to the Bill.

Clause 10 Amendment of Section 6

संशोधन किया गया;

पृष्ठ 5, पंक्ति 22 के स्थान पर निम्नलिखित रखें,-

"10. मूल अधिनियम की धारा 6 में,-

(क) उपधारा (1) में,-"; (14)

पृष्ठ 5, पंक्ति 25 के पश्चात् निम्नलिखित अंतःस्थापित करें --

'(ख) उपधारा (2) में, "और कलक्टर" शब्दों के पश्चात्, "पब्लिक डोमेन में संबंधित जिले के वेबसाइट पर लोक सूचना डालने के अतिरिक्त," शब्द अंतःस्थापित किए जाएंगे। (15)

(डॉ. रघुवंश प्रसाद सिंह)

SHRI HANNAN MOLLAH : I beg to move:

Page 5, omit line 4 (31)

MR. CHAIRMAN: I shall now put amendment no. 31, moved by Shri Hannan Mollah to the vote of the House.

The amendment was put and negatived.

MR. CHAIRMAN: The question is:

"That clause 10, as amended, stand part of the Bill."

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Clause 11 was added to the Bill.

MOTION UNDER RULE 388

Suspension of Rule 80 (i)

DR. RAGHUVANSH PRASAD SINGH: I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 16, to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No. 16, to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

The motion was adopted.

New Clause 11A Amendment of Section 9

संशोधन किया गया;

पृष्ठ 5, पंक्ति 34 के पश्चात् निम्नलिखित अंतःस्थापित करें --

"11 क. मूल अधिनियम की धारा 9 की उपधारा (1) में "कलक्टर" शब्द के स्थान पर "कलक्टर पब्लिक डोमेन में उस जिले की वेबसाइट पर लोक सूचना डालने के अतिरिक्त," शब्द रखे जाएंगे; (16)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That New Clause 11A be added to the Bill."

The motion was adopted.

New Clause 11A was added to the Bill.

Clause 12 Substitution of new section for Section 11A

संशोधन किया गया;

पृष्ठ 5, पंक्ति 39,

"2007" के स्थान पर, "2008" रखें। (17)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill. [p129]

Clause 13 Insertion of new sections after Section 11A

संशोधन किया गया :

पृष्ठ 6, पंक्ति 32 में,-

हिन्दी पाठ में संशोधन की आवश्यकता नहीं है। (18)

(डॉ. रघुवंश प्रसाद सिंह)

SHRI HANNAN MOLLAH : Sir, I beg to move:

Page 5, for lines 34 to 44,-

substitute "the highest value of the sale price as example for similar type of land situated in the village or vicinity from the preceding three years, with a 50 per cent, mark-up to be added for every year.". (32)

Page 6, for lines 30 to 43,-

substitute "11C.(1) When land is acquired for a company authorized to issue shares and debentures, such company shall provide 20 per cent, of its shares or debentures free to be shared equally amongst the interested persons.

(2) Shares and Debentures shall be given over and above the compensation, as a part of profit-sharing.

(3) For this, the Government shall create a Corpus Fund/Depository which can manage the shares and debentures of the affected persons and provide them with a future stream of assured monthly income.

(4) The allotment of shares and debentures mentioned in this section shall be made by the company in such manner as may be prescribed.

Explanation.- In this section, the expression "shares and debentures" has the same meaning as assigned to it under the Companies Act, 1956.". (33)

MR. CHAIRMAN: I shall now put amendment Nos. 32 and 33 moved by Shri Hannan Mollah to the vote of the House.

SHRI BASU DEB ACHARIA : Sir, we press for Division.

MR. CHAIRMAN: Let the Lobbies be cleared –

Now, the Lobbies have been cleared.

The question is:

"Page 5, for lines 34 to 44,-

substitute "the highest value of the sale price as example for similar type of land situated in the village or vicinity from the preceding three years, with a 50 per cent, mark-up to be added for every year.". (32)

Page 6, for lines 30 to 43,-

substitute "11C.(1) When land is acquired for a company authorized to issue shares and debentures, such company shall provide 20 per cent, of its shares or debentures free to be shared equally amongst the interested persons.

(2) Shares and Debentures shall be given over and above the compensation, as a part of profit-sharing.

(5) For this, the Government shall create a Corpus Fund/Depository which can manage the shares and debentures of the affected persons and provide them with a future stream of assured monthly income.

(6) The allotment of shares and debentures mentioned in this section shall be made by the company in such manner as may be prescribed.

Explanation.- In this section, the expression "shares and debentures" has the same meaning as assigned to it under the Companies Act, 1956." (33)

The Lok Sabha divided:[\[R130\]](#)

DIVISION NO. 1 AYES 21.00 hrs.

Acharia, Shri Basu Deb

Barman, Prof. Basudeb

Bauri, Shrimati Susmita

Choudhury, Shri Bansagopal

Manoj, Dr. K.S.

Mollah, Shri Hannan

Radhakrishnan, Shri Varkala

Seal, Shri Sudhangshu

Sen, Shrimati Minati

Topdar, Shri Tarit Baran

NOES

Aaron Rashid, Shri J.M.

Agarwal, Dr. Dharendra

Ansari, Shri Furkan

'Baba', Shri K.C. Singh

Bansal, Shri Pawan Kumar

Barku, Shri Shingada Damodar

Botcha, Shrimati Jhansi Lakshmi

Chaure, Shri Bapu Hari

Chitthan, Shri N.S.V.

Dubey, Shri Chandra Shekhar

*Elangovan, Shri E.V.K.S.

Fanthome, Shri Francis

Gaikwad, Shri Eknath Mahadeo

Gamang, Shri Giridhar

Gavit, Shri Manikrao Hodlya

Goyal, Shri Surendra Prakash

Hanumanthappa, Shri N.Y.

*Harsha Kumar, Shri G.V.

Hussain, Shri Anwar

Jha, Shri Raghunath

* Corrected/voted through slip.

Kerketta, Shrimati Sushila

Kharventhan, Shri S.K.

Krishna, Shri Vijoy

Lalu Prasad, Shri

Meena, Shri Namon Narain

Mehta, Shri Alok Kumar

Meinya, Dr. Thokchom

Mistry, Shri Madhusudan

Nikhil Kumar, Shri

Oraon, Dr. Rameshwar

Panabaka Lakshmi, Shrimati

Paswan, Shri Ramchandra

Paswan, Shri Virchandra

Patel, Shri Dinsha

Patel, Shri Kishanbhai V.

Patil, Shri Pratik P.

Prabhu, Shri R.

Rana, Shri Rabinder Kumar

Ranjan, Shrimati Ranjeet

Rao, Shri K.S.

*Sangma, Kumari Agatha K.

Saradgi, Shri Iqbal Ahmed

* Corrected/voted through slip.

Shivanna, Shri M.

Singh, Kunwar Manvendra

Singh, Shri Ganesh Prasad

Singh, Shri Manik

Singh, Shri Rampal

Singh, Shri Sita Ram

Singh, Shrimati Kanti

Solanki, Shri Bharatsinh Madhavsinh

Sumbrui, Shri Bagun

Suryawanshi, Shri Narsingrao H.

Thangkabalu, Shri K.V.

Virupakshappa, Shri K.

Vundavalli, Shri Aruna Kumar

Yadav, Shri Anirudh Prasad alias Sadhu

Yadav, Shri Kailash Nath Singh

Yadav, Shri Ram Kripal

MR. CHAIRMAN : Subject to correction*, the result of the Division is:

Ayes – 10

Noes – 55

The motion was negatived.

MR. CHAIRMAN: The question is:

"That clause 13, as amended, stand part of the Bill.

The motion was adopted.

Clause 13, as amended, was added to the Bill.

Clause 14 Amendment of Section 12

संशोधन किया गया:

पृष्ठ 7, पंक्ति 32 से 36 का लोप करें। (19)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 14, as amended, stand part of the Bill.

The motion was adopted.

Clause 14, as amended, was added to the Bill.

Clause 15 was added to the Bill.

* The following Members also recorded their votes through slip.

Noes: 55 + Shri E.V.K.S. Elangovan, Shri G.V. Harsha Kumar and Kumari Agatha Sangma = 58

MOTION UNDER RULE 388

Suspension of Rule 80(i)

DR. RAGHUVANSH PRASAD SINGH: Sir, I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No.20 to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No.20 to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

The motion was adopted.

New Clause 15A payment of compensation and taking over possession

संशोधन किया गया:

पृष्ठ 7, पंक्ति 38 के पश्चात् निम्नलिखित अंतःस्थापित करें -

'15क. मूल अधिनियम की धारा 16 के स्थान पर निम्नलिखित धारा रखी जाएगी, अर्थात् :-

"(1) कलक्टर यह सुनिश्चित करेगा कि प्रतिकर का पूर्ण संदाय धारा 11 के अधीन अधिनिर्णय की तारीख से आरंभ होकर नब्बे दिन की अवधि के भीतर हकदार व्यक्तियों को संदत्त कर दिया जाता है या निविदत्त कर दिया जाता है।

(2) उपधारा (1) में उपबंधित शर्त के पूरा होने पर कलक्टर अर्जित भूमि पर कब्जा करेगा जो ऐसा होने पर सभी विलंगमों से मुक्त होकर सरकार में आत्यंतिकतः निहित हो जाएगी।"; (20)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That new clause 15A be added to the Bill.

The motion was adopted.

Newclause 15A was added to the Bill.

Clause 16 was added to the Bill.

MOTION UNDER RULE 388

Suspension of Rule 80(i)

DR. RAGHUVANSH PRASAD SINGH: Sir, I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No.21 to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No.21 to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

The motion was adopted.

New Clause 16A Amendment of Section 17

संशोधन किया गया:

पृष्ठ 7, पंक्ति 44 के पश्चात् निम्नलिखित अंतःस्थापित करें,-

धारा 17 का संशोधन।

"16क, मूल अधिनियम की धारा 17 में उपधारा (1) के पश्चात् निम्नलिखित उपधारा अंतःस्थापित की जाएगी, अर्थात् :-

"1(क) उपधारा (1) के अधीन समुचित सरकार की शक्तियां भारत की रक्षा या राष्ट्रीय सुरक्षा के लिए अपेक्षित न्यूनतम क्षेत्र तक निर्बंधित की जाएंगी और प्रतिकर रकम का प्राक्कलन विधेयक के खंड 11ख और धारा 11ग को ध्यान में रखते हुए किया जाएगा।" (21)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That new clause 16A be added to the Bill.

The motion was adopted.

New clause 16A was added to the Bill.

Clause 17 Insertion of new parts 11A and 11B

संशोधन किया गया:

पृष्ठ 9, पंक्ति 31,

"इस अधिनियम के अधीन भूमि अर्जन प्रतिकर" के पश्चात्, "या पुनर्वास और पुनर्व्यवस्थापन अधिनियम, 2008 के उपबंधों के अधीन प्रभावित कुटुंब के पुनर्वास और पुनर्व्यवस्थापन से संबंधित विवादों के हल" अंतःस्थापित करें। (22)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 17, as amended, stand part of the Bill.

The motion was adopted.

Clause 17, as amended, was added to the Bill.

Clauses 18 and 19 were added to the Bill.

Clause 20 Insertion of new sections after Section 28A

MR. CHAIRMAN: The question is:

"That clause 20 stand part of the Bill."

The motion was negatived.

Clause 21 Omission of part VII

MR. CHAIRMAN: The question is:

"That clause 21 stand part of the Bill."

The motion was adopted.

Clause 21 was added to the Bill. [\[R131\]](#)

MOTION UNDER RULE 388

Suspension of Rule 80(i)

DR. RAGHUVANSH PRASAD SINGH: Sir, I beg to move:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No.23 to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

MR. CHAIRMAN: The question is:

"That this House do suspend clause (i) of rule 80 of Rules of Procedure and Conduct of Business in Lok Sabha in so far as it requires that an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates, in its application to the Government amendment No.23 to the Land Acquisition (Amendment) Bill, 2007 and that this amendment may be allowed to be moved."

The motion was adopted.

New Clause 21A Amendment of Section 45

संशोधन किया गया:

पृष्ठ 12, पंक्ति 6 के पश्चात् निम्नलिखित अंतःस्थापित करें,-

'21क. मूल अधिनियम की धारा 45 की उपधारा (3) में "किसी वयस्क पुरुष सदस्य" के स्थान पर "वयस्क सदस्य" शब्द रखे जाएंगे।' (23)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That new clause 21A be added to the Bill.

The motion was adopted.

New clause 21A was added to the Bill.

Clauses 22 and 23 were added to the Bill.

Clause 1 Short title and commencement

संशोधन किया गया:

पृष्ठ 1, पंक्ति 2,

"2007" के स्थान पर, "2008" रखें। (2)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

संशोधन किया गया:

पृष्ठ 1, पंक्ति 1,

"अठानवे" के स्थान पर, "उनसठवें" रखें। (1)

(डॉ. रघुवंश प्रसाद सिंह)

MR. CHAIRMAN: The question is:

"That Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Long Title was added to the Bill.

DR. RAGHUVANSH PRASAD SINGH: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

MR. CHAIRMAN: The House stands adjourned to meet tomorrow, the 26th February, 2009 at 11.00 a.m.

21.09 hrs

The Lok Sabha then adjourned till Eleven of the Clock

on Thursday, February 26, 2009/Phalguna 7, 1930 (Saka). [\[r132\]](#)

* Moved with the recommendation of the President

**** This part of the speech was laid on the Table

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[\[R\]](#)fld by C1

cd.. by d1 &Q. 121 cd.. [\[r4\]](#)

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Bargodia cd [\[R7\]](#)

Fd. By 'h' [\[R8\]](#)

[\[R9\]](#)Three pages for printed question

cd. by j [\[R10\]](#)

Contd. By k1 [\[R11\]](#)

[\[U12\]](#)fd. by l

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[\[a14\]](#)Fd. By n1

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Shri basu deb acharia ctd [\[r22\]](#)

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shri laxman singh cd. [\[R65\]](#)

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Shri hannan mollah cd. [\[R115\]](#)

cd by f5 [\[R116\]](#)

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[\[r132\]](#) Friday, March 10, 2000/Phalguna 20, 1921 (Saka).