

18.05 hrs.

APPROPRIATION (NO. 4) BILL*

THE MINISTER OF FINANCE (SHRI R. VENKATARAMAN): Sir, I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1981-82.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1981-82."

The motion was adopted.

SHRI R. VENKATARAMAN: Sir, I introduce** the Bill.

MR. DEPUTY-SPEAKER: The hon. Finance Minister to move the motion for consideration.

SHRI G. M. BANATWALLA (Ponnani): On a point of order, Sir....

THE MINISTER OF FINANCE (SHRI R. VENKATARAMAN): I have taken the permission of the Chair already and he has permitted me.

SHRI G. M. BANATWALLA: I am on a point of order under rule 218(2). I quote:

"At any time after the introduction in the House of an Appropriation Bill, the Speaker may allot a day or days, jointly or severally, for the completion of all or any of the stages involved in the passage of the Bill by the House, and when such allotment has been made, the

Speaker shall, at 17.00 hours on the allotted day or the last of the allotted days, as the case may be, forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted."

Today, the Appropriation Bill has been introduced. Now, Sir, you will have to allot a day or days and, on that particular day alone, the Appropriation Bill could be discussed and on that day at 5 O' Clock, that is, at 17.00 hours, the matter is to be disposed of. That is very clear according to sub-rule (2) of rule 218. I, therefore, most emphatically request you not to allow the hon. Finance Minister to rush up with his demands and the Appropriation Bill. You fix a few days for the discussion of the Appropriation Bill and on the last day of the allotted days, at 5 O' Clock that is, at 17.00 hours, you may put it to the vote of the House.

SHRI R. VENKATARAMAN: In the case of the Appropriation Bill the Speaker has, on request received from the Minister, allowed the Appropriation Bill to be introduced, considered and passed on the same day. This is the rule. Therefore, I have asked for permission and the Chair has permitted me.

SHRI G. M. BANATWALLA: 5 O' Clock will not come today. Is it 5 O' Clock in the morning? How can you contravene the rule?

MR. DEPUTY-SPEAKER: Mr. Banatwalla, you are a very senior parliamentarian. You know that there is a well-established practice. Therefore, I have allowed the Finance Minister to move the motion.

SHRI G. M. BANATWALLA: It is not well-established; it is badly established.

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**Introduced with the recommendation of the President.

SHRI R. VENKATARAMAN: Sir, I beg to move:*

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1981-82, be taken into consideration."

MR. DEPUTY-SPEAKER: Motion Moved:

"That the Bill to authorise Payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1981-82 be taken into consideration."

Shri Jyotirmoy Bosu—not here.

SHRI G. M. BANATWALLA: You have already had your say.

SHRI G. M. BANATWALLA: I would request you to bear with me for some time.

Mr. Deputy-Speaker, Sir, I rise to refer to a serious situation with respect to our Agreement with Bangladesh on the sharing of Ganga waters at Farakka and on the augmentation of its flow. For a long-term solution, article 9 of the Agreement envisaged activation of a Joint Rivers Commission. It is rather unfortunate that this Joint Rivers Commission could not make any recommendation. Its mandate has also expired in November, 1980. The Agreement itself will lapse shortly, that is, in November, 1982. This is a sad state of affairs. Let us hope and pray for the success of this Agreement and let us hope and pray that there is no repetition of the situation in 1975-76 when no agreement could be reached with respect to dry season, and when Bangladesh tried to internationalise the whole issue alleging unilateral withdrawal by India. The issue was taken by Bangladesh to the

Islamic Conference in Istanbul, to the non-aligned summit in Colombo and finally to the 31st session of the United Nations General Assembly.

The present agreement is pursuant to the consensus statement of this United Nations General Assembly.

Very recently the Hon. Minister for Irrigation made a statement in this House on 7th April, 1981. He said "The question of augmentation would have to be decided by the two Governments at a high political level."

I welcome this statement. But I must insist that there should be a sense of urgency. I rise to emphasise upon the Government that our attitude to the entire question should be in the spirit in which the agreement was arrived at.

The former Prime Minister Shri Morarji Desai while placing this agreement on the Table of the House on the 14th November, 1977, had said that the prevailing spirit was one of shared sacrifices and mutual co-operation. I must emphasise the importance of the agreement which Shri Morarji Desai, the then Prime Minister, pointed out in the House and I would quote him. He said "Mr. Speaker, Sir, in considering this agreement one should cast one's mind back to the long years of differences, suspicion and even hostilities, that have prevailed in our sub-continent. We should also remember that India is a nation which, by tradition of the principles that it has upheld, both nationally and internationally, is committed to policies of cooperation and friendly relations with other nations. This Government has recognised that for the sake of our own development and effectiveness of our foreign policy, the crucial test is whether or not we could make the sub-continent free of friction, allowing us to concentrate our resources on our primary task of development and the welfare

*Moved with the recommendation of the President.

[Shri G. M. Banatwalla]

of our people. If we are convinced that India's own interest is also served in the prosperity of our neighbours, then, we cannot but make a serious attempt to resolve such problems which affect development in both countries."

Therefore, Sir, I may, before I conclude, say that serious attempt is necessary and for the success of this agreement, there must be a re-look at the attitude both by the Bangladesh Government as also by our own Government.

MR. DEPUTY SPEAKER: I thought you are concluding.

SHRI G. M. BANATWALLA: I have given you three or four matters. I will finish with the first one and not touch the others. Sir, I must say that it is absolutely essential that the Joint Rivers Commission be revived by the two Governments.

SHRI HARIKESH BAHADUR (Gorakhpur): I rise on a point of order. How long will this discussion continue?

MR. DEPUTY-SPEAKER: Another 10 or 15 minutes. There are one or two statements. I have got to allow them. There is no other way out. This is Appropriation Bill.

SHRI K. P. UNNIKRISHNAN (Badagara): Has the House extended itself?

MR. DEPUTY-SPEAKER: There was no objection to continuation of it. Is it the pleasure of the House to extend the time?

SEVERAL HON. MEMBERS: Yes.

SHRI G. M. BANATWALLA: It is absolutely essential that the Joint Rivers Commission be revived or the two Governments mutually agree to some other mechanism to seize upon

this problem of augmenting the Ganga waters.

Let it be recognised that the source of the water is in Nepal and, therefore there can be no conceivable harm in allowing the participation of Nepal in our discussion of the crucial issue.

If I am not mistaken, the former Prime Minister Shri Morarji Desai had also agreed to the participation of Nepal in all these discussions.

SEVERAL HON. MEMBERS: No, that is not correct.

SHRI G. M. BANATWALLA: That we should be practical enough to recognise the arguments against India's proposal to divert the Brahmaputra through a canal half-a-mile broad and connected with the Ganga at Farakka for increasing the flow of Ganges.

I, therefore, hope that a sense of urgency prevails upon both the Governments and serious efforts are made by both the Governments for the success of this agreement.

श्री जयपाल सिंह कश्यप (आंवला) : माननीय उपाध्यक्ष जी, इस समय देश के सब से अधिक लोंगों, खास तौर से देश के साठ सैंकड़ा लोंगों का ध्यान बी० पी० मंडल कमीशन की रिपोर्ट के ऊपर लगा हुआ है। इस से पहले भी काका कलिलकर कमीशन की रिपोर्ट आयी थी लेकिन उस पर भी अमल नहीं हुआ। आज भी इसी तरह की स्थिति हो रही है।

आज देश में इस तरह की व्यवस्था हो रही है, ऐसी हालत हो रही है देश के लोंगों की अपनी जान-माल की सुरक्षा की गारन्टी है, वह पूरी की पूरी समाप्त हो गयी है। एक तरफ तो गुजरात के आन्दोलन को समाप्त करने की बात है वहीं वह आन्दोलन पूरे देश में फैलता

हुआ चला जा रहा है। दिल्ली में भी आज इस तरह की रैली की खबर आयी है। इस तरह की जो देश में हालत है उससे लोगों में अविश्वास की भावना का बसना स्वाभाविक है।

पुलिस को इतने अधिकार दे दिये गये हैं कि उनकी कल्पना नहीं की जा सकती। पुलिस के अधिकारों को तीन हिस्सों में बांटना होगा। एक एफ० आई० आर० दर्ज करन वाला महकमा हो, एक इन्वेस्टीगेशन करने वाला महकमा हो और एक एडमिनिस्ट्रेशन करने वाला महकमा हो जब तक यह नहीं किया जाएगा तब तक पुलिस निष्पक्ष नहीं होगी।

इस देश में लाखों लाख मुकद्दमों फर्जी चलाये जाते हैं। अदालतों के सामने ऐसा कोई मापदंड नहीं रह पाता जिससे कि वे देख सकें कि कौन-सा मुकद्दमा झूठा है, कौन-सा सच्चा है। जिन मुकद्दमों में अपराधी छूट जाते हैं और यह सिद्ध हो जाता है कि मुकद्दमा झूठा है उनमें भी पुलिस वालों को दंडित नहीं किया जाता।

इन सारी बातों की ओर मैं आपका ध्यान खींचता हूँ।

MR. DEPUTY-SPEAKER: The Minister will reply.

SHRI R. VENKATARAMAN: Rao Birendra Singh will reply to this.

THE MINISTER OF AGRICULTURE AND RURAL RECONSTRUCTION AND IRRIGATION AND CIVIL SUPPLIES (RAO BIRENDRA SINGH): With regard to the point raised by hon. Member Shri Banatwalla about the Farakka Agreement, I have given a detailed statement in this House some time ago. There is not much that I would like to add to it. All I want to say is that we have attached all importance to the successful working of this Agreement. It

expires in November, 1982. It was for a period of five years. A review was due at the end of three years. It was stated last November. Several meetings were held. In the last meeting held in Dacca from 2nd to 4th of this month, we could complete our covering report. But, as I have stated earlier, though it was agreed to by Bangladesh that, so far as distribution of water from Farakka was concerned, the Agreement worked very well—there was no complaint at all—the question of augmentation could not be solved. The Joint Rivers Commission had a mandate to investigate as to how waters could be augmented in the interest of both India and Bangladesh, but they could not do anything. They could not even start the work, and after the end of three years, in accordance with the terms of agreement, the mandate of Joint Rivers Commissions has ended. Nothing further could be done.

As regards augmentation, we know the importance because we ourselves have been suffering. Bangladesh also needs more water. It was, therefore, decided that since the Joint Rivers Commission cannot look into the matter any longer, the two Governments at a higher level should try and find out some solution if possible.

With regard to the demand of the hon. Member for bringing in a third party, our position is very well known. It was clearly stated in the last meeting which was held in Delhi at the ministerial level that this is a bilateral agreement. The Government of India and the Government of Bangladesh entered into this agreement and it is for these two Governments to try and work it and find a solution and the question of a third party does not arise, in the opinion of the Government of India. Therefore, I hope the hon. Member would not talk of extraneous matters. We are as keen as he is that our relations with Bangladesh remain good. We are two very close neighbours and the closest neighbours and we remain very good.

[Rao Birendra Singh]

neighbours. We have tried to help Bangladesh not only in this matter but in several other matters also we have been extending the fullest co-operation. But, now, as I have said this matter can only be solved at a higher level of the Government. The Joint Rivers Commission is out of the picture.

There is another review due six months before the end of this agreement. Further discussions will be held in that last meeting and then it depends upon the attitude of Bangladesh as to whether in future this agreement is to be extended. If the two Governments agree, it could be extended for a further period. Therefore, I would request that this matter, as it is a delicate one, should be left at that.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1981-82 be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: I will now put the clauses to vote.

The question is:

"That Clauses 2, 3, 4 and the Schedule stand part of the Bill."

The motion was adopted.

Clauses 2, 3, 4 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI R. VENKATARAMAN: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

MR. DEPUTY-SPEAKER: The House now stands adjourned to reassemble tomorrow at 11 a.m. Thank you.

18.23 hrs.

[The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 22nd April, 1981/Vaisakha 2, 1903 (Saka).]