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RAJYA SABHA  
OFFICIAL REPORT  
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RAJYA SABHA

Monday, 7th December, 2009/16 Agrahayana, 1931 (Saka)

The House met at eleven of the clock,  
MR. CHAIRMAN125 in the Chair.

ORAL ANSWERS TO QUESTIONS

**“अग्रीड लिस्ट” में अनुसूचित जातियों/अनुसूचित जनजातियों के अधिकारियों की संख्या**

\*241. **सुश्री अनुसुइया उइके:** क्या **कोयला मंत्री** यह बताने की कृपा करेंगे कि:

(क) पश्चिमी कोयला क्षेत्र में पाथरखेड़ा पेंच एवं कन्हान क्षेत्र की कोयला खानों के अनुसूचित जाति एवं अनुसूचित जनजाति वर्ग के ऐसे कितने अधिकारी हैं जिन्हें पिछले तीन वर्षों में “अग्रीड लिस्ट” में रखा गया है और इसके क्या कारण हैं;

(ख) अधिकारियों को उक्त सूची में रखे जाने के मानदण्डों का ब्यौरा क्या है;

(ग) इन अधिकारियों को उक्त सूची में रखे जाने के बाद की जाने वाली कार्यवाही का ब्यौरा क्या है;

(घ) क्या उक्त सूची में रखे गए परन्तु दोषी नहीं पाए गए अधिकारियों को पहले की तरह कार्य आबंटित किया गया है; और

(ङ) यदि नहीं तो इसके क्या कारण हैं?

**कोयला मंत्रालय के राज्य मंत्री (श्री श्रीप्रकाश जायसवाल):** (क) से (ङ) एक विवरण-पत्र सभा पटल पर रख दिया गया है।

**विवरण**

(क) तथा (ख) डब्ल्यूसीएल के पाथरखेड़ा, पेंच और कन्हान क्षेत्रों की कोयला खानों में अग्रीड लिस्ट में रखे गए अनुसूचित जातियों (एससी) और अनुसूचित (एसटी) जनजातियों (एसटी) के अधिकारियों की संख्या नीचे दिए अनुसार है-

कोलफील्डों/एरिया के नाम	2007		2008		2009	
	एससी	एसटी	एससी	एसटी	एससी	एसटी
पेंच एरिया	शून्य	शून्य	शून्य	शून्य	1	शून्य
पाथरखेड़ा एरिया	शून्य	शून्य	1	शून्य	1	शून्य
कन्हान एरिया	शून्य	शून्य	शून्य	शून्य	2	शून्य

अग्रीड लिस्ट में अधिकारियों को रखने के गृह मंत्रालय के दिनांक 5.5.66 के पत्र सं. 130/1/66-एवीडी तथा पत्र सं. 105/1/66-एवीडी में यथा उल्लिखित मानदंड निम्नवत हैं-

राजपत्रित दर्जे के उन अधिकारियों की “अग्रीड लिस्ट” तैयार की जाएगी, जिनकी ईमानदारी अथवा सत्यनिष्ठा के विरुद्ध संबंधित विभागों और सीबीआई के बीच परामर्श के पश्चात् शिकायतें,

अथवा संदेह हैं। बंदरगाह न्यासों, सार्वजनिक क्षेत्र के उपक्रमों और संघ शासित क्षेत्रों को छोड़कर इन सूचियों को संबंधित विभागों के प्रमुखों तथा सीबीआई के अपर आईजीपी तथा डीआईजी (विशेष) के बीच दिल्ली में विचार-विमर्श के द्वारा तय किया जाएगा। बंदरगाह न्यासों सार्वजनिक क्षेत्र के उपक्रमों और संघ शासित क्षेत्रों के संबंध में “अग्रीड लिस्ट” को बंदरगाह न्यासों सार्वजनिक क्षेत्र के उपक्रमों तथा संघ शासित क्षेत्रों के प्रमुखों अथवा संबंधित संघ शासित क्षेत्र के मुख्य सचिव तथा सीबीआई के डीआईजी पुलिस और सीबीआई की स्थानीय शाखा के एसपी के बीच परस्पर विचार-विमर्श द्वारा तय किया जाएगा। सर्वोत्तम परिणाम प्राप्त करने के लिए यह महत्वपूर्ण है कि इन विचार-विमर्शों के दौरान सूचना का स्वतन्त्र और निःसंकोच आदान प्रदान हो।

(ग) किसी ऐसे कार्य जो संवेदनशील प्रकृति का नहीं है, के लिए अधिकारी की तैनाती के अलावा निम्नलिखित कार्रवाई की जाती है-

- (i) विशेषकर उन क्षेत्रों में जहां स्वेच्छा अथवा पक्ष लेने की गुंजाईश है, संबंधित विभागों द्वारा उनके कार्य और निष्पादन की गहन तथा अनेक बार जांच और निरीक्षण।
- (ii) विभाग और केन्द्रीय जांच ब्यूरो (सीबीआई), दोनों द्वारा उनकी ख्याति के बारे में गुपचुप जांच।
- (iii) सीबीआई द्वारा उनके सम्पर्कों, जीवनशैली आदि की निर्बाध निगरानी।
- (iv) उनकी परिसम्पत्तियों और वित्तीय संसाधनों के बारे में सीबीआई द्वारा गुप्त जांच। विभाग उनकी सम्पत्तियों के विवरण और अन्य संगत कारक सीबीआई को उपलब्ध कराएंगे।
- (v) सीबीआई द्वारा रिश्वतखोरी और भ्रष्टाचार प्रचलनों के विशिष्ट उदाहरणों की सूचना एकत्रित किया जाना।

(घ) तथा (ङ) जिस अधिकारी का नाम वर्ष 2008 के लिए “अग्रीड लिस्ट” में रखा गया, उसके संबंध में, उनका नाम “अग्रीड लिस्ट” से हटा दिए जाने के परिणामस्वरूप उसे उपलब्धता और कम्पनी की आवश्यकताओं के अनुसार नया कार्य सौंपा गया है।

जिन अधिकारियों को 2009 की “अग्रीड लिस्ट” में रखा गया है, उन्हें गैर-संवेदनशील स्वरूप के कार्यों पर लगाया गया है।

#### Number of officers of SC/ST in the Agreed List

† \*241. MISS ANUSUIYA UIKEY: Will the Minister of COAL be pleased to state:

(a) the number of officers of Scheduled Castes and Scheduled Tribes category who have been kept in the Agreed List pertaining to coal mines of Patharkhera, Pench and Kanhan area in western coal sector and the reasons therefor;

(b) the details of the norms for keeping the officers in the List;

(c) the details of the action taken after keeping the officers in the List;

(d) whether the officers, kept in the above List but not found guilty, have been allocated work as earlier; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) to (e) A statement is laid on the Table of the House.

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†Original notice of the question was received in Hindi.

***Statement***

(a) and (b) The number of officers of Scheduled Castes (SC) and Scheduled Tribes (ST) belonging to coal mines of Pathakhhera, Pench and Kanhan Areas of WCL kept in the agreed list is as under :

Name of Coalfields/ Area	2007		2008		2009	
	SC	ST	SC	ST	SC	ST
Pench Area	NIL	NIL	NIL	NIL	1	NIL
Pathakhhera Area	NIL	NIL	1	NIL	1	NIL
Kanhan Area	NIL	NIL	NIL	NIL	2	NIL

The norms for keeping the officers in the agreed list as contained in letter No. 130/1/66-AVD dated 05.05.66 and letter No. 105/1/66-AVD, from Ministry of Home Affairs are as under :

“Agreed lists will be prepared of officers of Gazetted status against whose honesty or integrity there are complaints, doubts or suspicions after consultations between the Departments concerned and of CBI. Except in regard to Port Trusts, Public Sector Undertakings and Union Territories, these lists will be settled by discussion at Delhi between Head of the Departments concerned and the additional IGP and DIG(Spl) of the CBI. The agreed lists relating to Port Trusts, Public Sector Undertakings and Union Territories will be settled by mutual discussion between the Head of the Post Trust or the Public Sector Undertakings or the Chief Secretary of the Union Territory concerned and the DIG of Police CBI and the SP of local branch of the CBI. To achieve best result it is important that there should be free and frank exchange of information during these discussions.”

(c) In addition to posting the officer to a job which is not of sensitive nature, the following action is taken :

- (i) Closer and more frequent scrutiny inspection of their work and performance by the Departments concerned, particularly in spheres there is scope for discretion or for showing favours.
- (ii) Discrete check about their reputation both by the Department and the Central Bureau of Investigation (CBI).
- (iii) Unobtrusive watch of their contacts, style of living etc. by the CBI.
- (iv) Secret enquiry by the CBI about their assets and financial resources. The Departments will make available their property returns and other relevant records to the CBI.
- (v) Collection of information by the CBI of specific instances of bribery and corruption practices.

(d) and (e) Regarding the officer, whose name was kept in agreed list for the year 2008, consequent upon his name being dropped from the agreed list, he has been assigned new work as per the availability and requirements of the company.

The officers who are kept in the agreed list of 2009 are posted to jobs on non-sensitive nature.

**सुश्री अनुसुइया उइके :** माननीय सभापति महोदय, मेरे प्रश्न के भाग 'घ' तथा 'ड.' का जवाब मुझे मिला है कि जिस अधिकारी का नाम वर्ष 2008 के लिए "अग्रीड लिस्ट" में रखा गया, उसके संबंध में, उसका नाम "अग्रीड लिस्ट" से हटा दिए जाने के परिणामस्वरूप उसे उपलब्धता और कम्पनी की आवश्यकताओं के अनुसार नया कार्य सौंपा गया है। मैं माननीय मंत्री जी का ध्यान आकर्षित करना चाहती हूँ कि डब्ल्यू.सी.एल., पाथरखेड़ा क्षेत्र के एक अनुसूचित जाति के अधिकारी, श्री वेणुगोपाल की अपील पर राष्ट्रीय अनुसूचित जाति आयोग, भारत सरकार द्वारा उसे तत्काल "अग्रीड लिस्ट" से निकाल कर पूर्ववत पदस्थ करने के आदेश दिए गए, जिसका दस्तावेज मेरे पास सबूत के रूप में भी मौजूद है, लेकिन उन्हें पूर्ववत पदस्थ नहीं किया गया। तो मैं माननीय मंत्री जी से पूछना चाहती हूँ कि उन्हें पूर्ववत पदस्थ क्यों नहीं किया गया? क्या यह संवैधानिक संस्था के निर्णय की अवमानना नहीं है?

**श्री श्रीप्रकाश जायसवाल :** माननीय सभापति जी, कोल इंडिया में "अग्रीड लिस्ट" में डाले जाने की एक व्यवस्था है, जिसके तहत कोल कंपनी का सी.एम.डी., सी.बी.आई. और सी.वी.ओ. बैठकर यह तय करते हैं कि किस ऑफिसर का चरित्र संदेहास्पद है और तब उसको "अग्रीड लिस्ट" में डालते हैं। उसी व्यवस्था के तहत किसी को "अग्रीड लिस्ट" में डाला जाता है। प्रत्येक वर्ष जिन अधिकारियों को, जिन कर्मियों को "अग्रीड लिस्ट" में डाला जाता है, उसको रिव्यू किया जाता है। अगर वह "अग्रीड लिस्ट" से निकाले जाने लायक स्थिति में होता है, तो एक वर्ष बाद उसको "अग्रीड लिस्ट" से निकाल कर सामान्य लिस्ट में डाल दिया जाता है। यह व्यवस्था कोल इंडिया की सभी कंपनियों में चल रही है। माननीय सदस्या ने जो पूछा है, हम आपको यह आश्वासन करते हैं कि किसी भी व्यक्ति विशेष के साथ किसी तरह का कोई भेदभाव नहीं किया जाता है। अगर वह ऑफिसर इस स्थिति में होगा कि उसको "अग्रीड लिस्ट" से निकाल कर बाहर कर दिया जाए, तो जो सालाना रिव्यू मीटिंग होती है, उसमें उसको उस लिस्ट से निकाल कर बाहर कर दिया जाएगा।

**सुश्री अनुसुइया उइके :** माननीय सभापति जी, जैसा कि मैंने बताया कि डब्ल्यू.सी.एल., पाथरखेड़ा क्षेत्र के एस.सी. के एक अधिकारी को बिना कोई कारण बताए और बिना सुनवाई के "अग्रीड लिस्ट" में रखा गया था और बाद में राष्ट्रीय अनुसूचित जाति आयोग द्वारा उसे पूर्ववत स्थान देने का आदेश दिया गया, लेकिन उसके साथ फिर भी भेदभावपूर्ण व्यवहार किया गया और उसे वह स्थान नहीं दिया गया। तो मैं माननीय मंत्री जी से यह पूछना चाहती हूँ कि आयोग के निर्देश के अनुसार अधिकारियों के द्वारा उसको जो पूर्ववत स्थान दिया जाना चाहिए था, जो कि नहीं दिया गया, तो क्या माननीय मंत्री जी इस अधिकारी के साथ न्याय करेंगे?

**श्री श्रीप्रकाश जायसवाल :** माननीय सभापति जी, आपके माध्यम से माननीय सदस्या को मैंने पहले ही सूचित किया कि इसका एक सिस्टम होता है, उस सिस्टम के तहत जो अधिकारी "अग्रीड लिस्ट" में डाले जाने लायक होते हैं, उनको सी.बी.आई., सी.वी.ओ. और सी.एम.डी. की संस्तुति पर "अग्रीड लिस्ट" में डाला जाता है और जैसे ही उस अधिकारी का चरित्र सही समझ में आएगा, progress समझ में आएगी, तो हमारे वे तीनों अधिकारी मिलकर तय करेंगे और उसको "अग्रीड लिस्ट" से बाहर कर दिया जाएगा।

DR. K. MALAISAMY: Sir, I am more concerned about the principle. While replying to the agreed list, it is said that there will be discussion in case of officers whose honesty and integrity are questionable. Even in such a case, there is a discussion between the Department and the

CBI. What I am trying to say is this. To quote Shakespeare "Ceasers wife must be above suspicion." In such a situation, should they make any compromise with honesty and integrity? They should not. So, what is the reaction of the hon. Minister on this?

**श्री श्रीप्रकाश जायसवाल :** सभापति महोदय, माननीय सदस्य ने जो बात कही है, इस तरीके की व्यवस्था पर समय-समय पर विचार होता रहता है। हम यह नहीं कहते हैं कि सारी प्रक्रिया पूरी तरह से शत-प्रतिशत पारदर्शी ही होती होगी, लेकिन इस बात का हमेशा ध्यान रखा जाता है कि किसी भी कर्म के खिलाफ किसी तरीके का भेदभाव न होने पाए। इसके अलावा माननीय सदस्य ने जो हमसे आग्रह किया है, मैं भविष्य में उसका भी ध्यान रखूंगा।

**SHRI PRAVEEN RASHTRAPAL :** Sir, in fact, the hon. Minister has not given specific reply to question raised by the hon. Member, Ms. Ukey. When there is specific information regarding advice given by the SC/ST Commission, the hon. Minister is supposed to give the exact reply. But, that is not coming. However, my colleague has lost the opportunity of putting that question. But, I am asking the hon. Minister whether such a list is being prepared only for SC/ST or is it prepared for general category also. And, if it is prepared for general category also, will the hon. Minister give us the same information of any particular year of the number of people from general category.

**श्री श्रीप्रकाश जायसवाल :** माननीय सभापति महोदय, general category और एससी, एसटी category - सारे अधिकारियों के लिए यह व्यवस्था की गयी है। मैं माननीय सदस्य को आश्चस्त करता हूँ और उन्हें सूचित करना चाहता हूँ कि डब्ल्यूसीएल में agreed list में जो एससी, एसटी को डाला गया है, उसका प्रतिशत 20 परसेंट है और जनरल लोगों का प्रतिशत 80 परसेंट है। इस प्रकार 1 और 5 का अंतर है, इसलिए यह कहना कि उनके साथ कोई भेदभाव किया जाता है या किसी वर्ग के खिलाफ पक्षपात किया जाता है, यह उचित नहीं है।

**SHRI PRAVEEN RASHTRAPAL :** Sir, I have not made any such allegation. I want the exact figure.

**MR. CHAIRMAN :** You will have to give a separate notice for that. What you have asked is not a part of the main Question.

**SHRI PRAVEEN RASHTRAPAL :** Sir, I asked only the exact figure.

**श्री श्रीप्रकाश जायसवाल :** महोदय, मैं exact figure दे देता हूँ। 2007 में केवल 3 general लोगों को agreed list में डाला गया था। 2008 में एक एससी, एसटी को agreed list लिस्ट में डाला गया था और 7 general लोगों को agreed list में डाला गया था। 2009 में 4 एससी, एसटी को agreed list में डाला गया और 15 general लोगों को agreed list में डाला गया।

**श्री रुद्रनारायण पाणि :** धन्यवाद सभापति महोदय, हमारे कोयला मंत्री बहुत ऊंचे दर्जे के नेता हैं।

**श्री सभापति :** आप सवाल पूछ लीजिए।

**श्री रुद्रनारायण पाणि :** सर, वे नेता के नाते बहुत बड़े दर्जे के हैं लेकिन उनकी आवाज धीमी होती है। ऐसा लगता है कि कोल इंडिया के अधिकारीगण उनके ऊपर हावी हो जाते हैं।

**श्री सभापति :** आप सवाल पूछिए।

**श्री रुद्रनारायण पाणि :** महोदय, आपके माध्यम से मेरा यह विनम्र निवेदन है कि क्या कोल इंडिया की जो recruitment policy है, यह पारदर्शी है? दूसरा...

**श्री सभापति :** एक ही सवाल करें।

**श्री रुद्रनारायण पाणि :** सर, यह इसी से related है। प्राइवेट कम्पनी, घरेलू कम्पनी campus selection करती है किन्तु कोल इंडिया, जो एक सार्वजनिक संगठन है, पब्लिक सेक्टर है, उसमें campus selection करना कतई उचित नहीं है। ऐसा करने से इसकी पारदर्शिता पर सवालिया निशान उठ जाते हैं। महोदय, जहाँ पर कोयला उठाने पर विस्थापन होता है, वहाँ के लड़कों को विस्थापन नीति के तहत जो काम दिया जाता है, उस काम के तहत उनको category-I मजदूर में डाल देते हैं। उन लड़कों के बीच कुछ लड़के ऐसे हैं जिनके पास इंजीनियरिंग की डिग्री है, कुछ जूनियर इंजीनियर हैं, क्या उन विस्थापित इलाकों के जो लड़के हैं, उन्हें आप उनकी योग्यता के अनुसार कहीं नियुक्ति देंगे या केवल category-I मजदूर ही बनाएंगे?

**श्री श्रीप्रकाश जायसवाल :** माननीय सभापति महोदय, कोल इंडिया मजबूरी में कैम्पस सलेक्शन के लिए मजबूर हुई है, क्योंकि हमारे यहाँ माइनिंग सैक्टर के इंजीनियर्स की कमी है इसलिए कोल इंडिया ने यह सिस्टम बनाया है कि हम जाकर खुद ही कैम्पस सलेक्शन के माध्यम से माइनिंग इंजीनियर्स का सलेक्शन करेंगे। जहाँ तक माननीय सदस्य ने कहा है, मैं तो बहुत छोटा सा कार्यकर्ता हूँ, पता नहीं वे क्या कह रहे हैं। हम पर न तो कोई अधिकारी हावी हो सकता है और न हम कोशिश करते हैं हम किसी के ऊपर हावी होने की। जो नॉर्म में आएगा उसका सलेक्शन किया जाएगा। अगर माननीय सदस्य हमारी जानकारी में किसी भी तरह का करप्शन का केस लाएंगे, चाहे वह सलेक्शन में हो, चाहे किसी भी क्षेत्र में हो, मैं आपको आश्वस्त करता हूँ कि उसके खिलाफ कड़ी से कड़ी कार्रवाई की जाएगी।

#### **Un-licensed television channels**

**\*242. SHRI RAJEEV SHUKLA:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the number of television channels permitted by Government for viewing in the country;

(b) whether Government has received any complaints/reports that some cable operators, in league with the unscrupulous broadcasters, transmit several un-licensed television channels into Indian households;

(c) if so, the details thereof; and

(d) the action taken by Government in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI AMBIKA SONI): (a) to (d) A Statement is laid on the Table of the House.

#### **Statement**

(a) As on date, 512 private satellite TV channels have been permitted under uplinking and downlinking guidelines. Out of these, only 485 TV are permitted to downlink in India. Remaining 27 channels are permitted to only uplink from India.

(b) and (c) The Government is in receipt of inputs regarding downlinking and re-transmission of unregistered satellite channels by cable operators in their networks in certain parts of the country.

(d) The Programme Code as prescribed under the Cable Act and Rules made thereunder permits cable operators to carry only such satellite TV channels as are registered with the Ministry. The Authorized Officers under the Cable Act which include District Magistrates,

Sub-Divisional Magistrates and Commissioners of Police are empowered to take action against the cable operators in case of carriage of unregistered channels. The Ministry has been communicating with the State Governments for setting up of State and District level Monitoring Committees to ensure compliance of the provisions of the Cable Act and the Rules thereunder. Recently the Government on 7.10.2009 has issued an advisory to all authorized Multi System Operators and Cable Operators Associations to discontinue with immediate effect transmission/re-transmission of illegal channels failing which penal action would be taken. The Ministry is also in touch with the Ministry of Home Affairs in this regard.

**श्री राजीव शुक्ल :** सभापति महोदय, मैं आपके माध्यम से मंत्री महोदया से जानना चाहता हूँ कि उन्होंने अपने जवाब में लिखा है कि कई कारगर कदम उठाए जा रहे हैं, MSOs को भी बोला जा रहा है, डिस्ट्रिक्ट मजिस्ट्रेट को भी बोला गया है कि इस तरह के जो गैर कानूनी चैनल्स हैं, उनके खिलाफ कार्यवाही की जाए, जो डाउनलैंक हो रहे हैं। क्या माननीय मंत्री महोदया ने केन्द्रीय गृह मंत्री जी को भी कोई पत्र लिखा था और उसका गृह मंत्रालय से क्या जवाब आया है और उसके बाद क्या-क्या कदम उठाए गए? क्या अभी भी गैर-कानूनी चैनल्स चल रहे हैं ?

**श्रीमती अम्बिका सोनी :** सर, यह बात सच है कि हम लोगों को मंत्रालय में कई शिकायतें मिली थीं कि देश के अलग-अलग कोनों में कुछ केबल ऑपरेटर्स गैरकानूनी चैनल्स डाउनलैंक करके प्रसारित कर रहे हैं। तो पिछले एक साल के अन्तर्गत हम लोगों ने न सिर्फ़ स्टेट गवर्नमेंट के चीफ़ सैक्रेटरीज को, लेकिन जैसे माननीय सदस्य ने बताया कि MSOs, cable operators सब को चेतावनी के रूप में भी और उनसे रिक्वेस्ट करते हुए भी कहा है कि वे डिस्ट्रिक्ट लेवल पर मॉनिटरिंग सेंटर्स खोलें। इसके अलावा हाल में जब यह बात दोबारा नजर में आई और इनपुट्स मिले हैं, तो मैंने जरूर गृह मंत्री जी को भी एक खत लिखा था, क्योंकि कुछ अरसा पहले जब प्रदेश की सरकारों ने जहां-जहां ये शिकायतें आई थीं, कदम उठाए थे। तो वहां किसी कारणवश कानूनी व्यवस्था बिगड़ गई थी, इसलिए मैंने गृह मंत्री को भी एक खत लिखा था, जिसके जवाब में उन्होंने कहा है कि हमें सख्त से सख्त कार्रवाई करनी चाहिए और वह अपने मंत्रालय के तहत भी इसे पूरा ध्यान देंगे।

**श्री राजीव शुक्ल :** सर, मेरी दूसरी सप्लीमेंट्री है। अगर डिस्ट्रिब्यूशन सिस्टम दुरुस्त हो तो इस तरह की बात करना या इस तरह के चैनल्स को चलाना दुरुह हो जाता है। तो Conditional Access System पर क्या प्रगति है, उसको हम कैसे पूरी तरह सब जगह लागू कर सकते हैं?

**श्रीमती अम्बिका सोनी :** सर, 2002-2003 में जब यह Conditional Access System की बात लागू की गई थी तो हम लोगों ने देखा था कि देश में जो मौजूदा स्थिति थी, उसमें एकदम से अनिवार्य रूप से चलाना मुश्किल था। लेकिन अब कानूनी आदेश के बाद चार मैट्रोज में partially CAS implement हो चुका है, मतलब मुम्बई, कलकत्ता, दिल्ली और चैन्नई, पूरी तरह से नहीं, लेकिन कुछ हद तक यह CAS इम्प्लीमेंट हो चुका है। अगला कदम 55 नॉन मैट्रो सिटीज में CAS को इम्प्लीमेंट करना है। लेकिन इसमें हमने एक और भी हाल में यूनियन केबिनेट के जरिए HIT system जो digitalisation के लिए एक बहुत बड़ा कदम आगे माना गया है, उसको भी इंटीग्रेट करने की स्वीकृति ले ली है। हम केबल ऑपरेटर्स, डिस्ट्रिब्यूशन सिस्टम जो पूरे देश में नेटवर्क है, उसमें STBs बहुत जरूरी हैं CAS सिस्टम के लिए। पिछले बजट में 5 परसेंट कस्टम ड्यूटी लगाई गई थी बाहर से imported set top boxes के लिए। हम बराबर इस कोशिश में हैं कि डिजिटलाइजेशन की तरह कदम उठाए जाएं, क्योंकि spectrum की कमी देखते हुए यह भी एक अहम रास्ता होगा अच्छी viewing के लिए और spectrum के इकोनॉमिकल इस्तेमाल के लिए।



**श्री साबिर अली :** सर, मेरा क्वेश्चन थोड़ा सा अलग हटकर है। मैं आपके माध्यम से जानना चाहता हूँ कि आपके यहां जो लड़के रिपोर्टर्स हैं या बड़े ऑफिसर्स हैं, वे 20-20 साल से काम कर रहे हैं...(व्यवधान)

**श्री सभापति :** क्वेश्चन से रिलेटिड सवाल पूछिए, हटकर मत पूछिए।

SHRI SABIR ALI: Sir, this is a very important issue. It may be a little deviated from the question, but still, very important. It is related to the same Ministry and not very deviated from the issue. मैं पूछना चाहता हूँ कि आपके यहां 20-20 साल से लड़के काम करते हैं, उनको पी0एफ0 नहीं मिलती, उनको किसी तरह की मेडिकल फेसिलिटी नहीं है। इतनी तादाद में...(व्यवधान)

MR. CHAIRMAN: No. This is not related to this question. It cannot be allowed. No. आप इस सवाल पर सवाल पूछिए।

SHRI SABIR ALI: Sir, this is very important. The question is just a little varied.

**श्री सभापति :** नहीं, नहीं, इस सवाल का इससे कोई ताल्लुक नहीं है। आप यह सवाल नहीं पूछ सकते हैं। ..(व्यवधान) ..

**श्री साबिर अली :** सर, इन्हीं के चैनल से संबंधित सवाल है। ऐसे कम से कम 500 लड़के हैं, जो ..(व्यवधान) ..

**श्री सभापति :** आप पहले सवाल पूछिए। ..(व्यवधान) ..

**श्री साबिर अली :** जो बीस-बीस साल से काम कर रहे हैं, उन्हीं कोई मेडिकल फेसिलिटी नहीं मिल रही है। ..(व्यवधान) ..

**श्री सभापति :** नहीं। Please resume your place. ..(Interruptions) .. Please resume your place. ..(Interruptions) ..

SHRI SABIR ALI: This is very important. ..(Interruptions) ..

MR. CHAIRMAN: Shrimati Shobhana Bhartia.

SHRIMATI SHOBHANA BHARTIA: Sir, I would like to ask the hon. Minister: Is there any special mechanism whereby you are actually trying to control pirated contents? Film gets released on Friday and on Saturday several cable channels all across actually starts showing it. When India is taking a moral high position on IPR, is the I&B Ministry focusing on pirated contents as well?

SHRIMATI AMBIKA SONI: Sir, I would like to inform the hon. Member that on 5th December, that is, two days ago we had a whole day meeting of the stakeholders in this whole issue including the Ministers of Information, Public Relations & Cinematography in Delhi. It was a full day discussion and one of the principal issues to be discussed in the conference was video film DVD piracy. A lot of suggestions have come in place during the course of that conference. We have constituted a small group to look into the details and the suggestions, and how the suggestions can be implemented. Most of the State Governments which are charged with the responsibility of dealing with piracy are having laws in place to check this piracy of films, video and DVD. We are very much sensitised to this issue. States like Maharashtra and Tamil Nadu have special laws. Every State Government is being requested to take stringent steps against piracy. It is very much in our agenda.

PROF. P.J. KURIEN: Sir, my question is regarding programme contents of channels, whether licensed or unlicensed. There is what is called cultural invasion from abroad and that is maximum in the media sector, especially in the visual media. Sir, there are programmes whether it is advertisement or other programmes which we cannot see because of obscenity and women are shown half nude. Is it because of the defects in your programme Code or is it because of the violations of code by these operators? In either case, what are the steps you would like to take?

SHRIMATI AMBIKA SONI: Sir, I will try to answer this, though this question does not quite flow from this. There is another question coming at the end of the Question Hour. Sir, it is a fact that any downlinking of channels has to be done by a company registered under the Indian Companies Act, 1956 and that company has to abide by our Cable Television Network Regulation Act, 1995. This Act passed by Parliament has codes on both contents and advertisement and violations of those codes at the moment are addressed by a special Committee put up in the Ministry of I&B which is an inter-Ministerial Committee comprising of Women & Child Development Ministry, External Affairs, Defence, Home and Health. After they feel that there are channels which are violating the contents of this Act, we either send advisories or notices and very often you might have seen that when this has been accepted by both sides that the Code has been violated there are apologies of or disclaimers about the controversial broadcast in question. But we do realise that this is not enough. There has been a debate in this august House also a few months' ago and we are working, almost I would say, over-time with the stakeholders to evolve a system where content could be monitored in a more effective way. There is a very strong debate, as the hon. Member knows, the channels, whether news or entertainment channels, have set up bodies of self-regulation. They feel that they should be given a chance. They have put in place their own codes, and I am personally monitoring it, and I do feel that channels have shown a certain aptitude for self-regulation.

**श्री बृजभूषण तिवारी :** सभापति महोदय, मैं माननीय मंत्री जी की सद्‌इच्छा पर कोई शंका नहीं करता हूँ, मगर उनसे यह पूछना चाहता हूँ कि आपने कितने ऐसे केबल ऑपरेटर्स के खिलाफ कार्यवाही की है, जिन्होंने नियमों का उल्लंघन किया है तथा इस प्रकार के चैनल्स का प्रसाण किया है? आपने जो जिलों में मॉनिटरिंग कमेटी बनाई है, क्या आपने उनकी कोई समीक्षा की है?

**श्रीमती अम्बिका सोनी :** सर, हमारे मंत्रालय के जरिए जो कार्यवाही होती है, वह चैनल्स के खिलाफ होती है और उनको एडवाजरी भेजे जाते हैं। उनके चैनल्स को रुकवाया जाता है या उनमें परिवर्तन करवाया जाता है। अगर उन्होंने किसी के जज्बात को ठेस पहुंचाई है, तो कई दफा चैनल्स ने disclaimers डालकर माफी भी मांगी है। केबल ऑपरेटर्स के खिलाफ सख्त कार्यवाही करवाने का काम हमारी प्रदेश सरकार के तहत आता है। हम इसके लिए बार-बार लिख रहे हैं कि District Monitoring System होना चाहिए। यदि कोई इल्लिगल चैनल प्रसारित करता है, तो डिस्ट्रिक्ट मैजिस्ट्रेट, सब-डिस्ट्रिक्ट मैजिस्ट्रेट और पुलिस कमिश्नर तथा जो अधिकृत अफसरान हैं, जिनको केबल ऑपरेटर्स के खिलाफ कार्यवाही करने का अधिकार है और उनकी मशीनरी को 8-9 दिन तक जब्त करने का भी अधिकार है। इसके साथ ही उनको सुनवाई का मौका

भी दिया जाता है। यदि सब ठीक हो जाता है, तो फिर उनको छोड़ दिया जाता है। इसमें कानूनी कार्यवाही करने की तथा जुर्माना करने की भी गुंजाइश है, लेकिन वह स्टेट का अधिकार होने के कारण, हमने देखा है कि लॉ एंड आर्डर का मसला भी खड़ा हो जाता है। हम बराबर स्टेट गवर्नमेंट के सम्पर्क में रहते हैं। मेरा मंत्रालय चैनल्स और ब्रॉडकास्ट के ऊपर कार्यवाही करता है और advisories इश्यु करता है। हमने सिर्फ कंटेन्ट रेगुलेशन के बारे में इस साल अलग-अलग कैटेगरीज़ के कुल पचास नोटिसेज़ जारी किए हैं।

MR. CHAIRMAN: Now, Question No.243; Hon. Members not present.

Question No. 244; Hon. Member not present.

SHRI SITARAM YECHURY: Sir, please amend the rules.

MR. CHAIRMAN: The rule is being amended and this situation shall be done away with very soon.

\*243. \* [The questioner(s) Shri A. Elvarasan and Shri N.R. Govindraj were absent. For answer *vide* page 37 *infra*.]

\*244. \* [The questioner Dr. Prabha Thakur was absent. For answer *vide* page 37 *infra*.]

#### **Losses to NFDC**

\*245. SHRI MOHD. ALI KHAN: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether there have been losses to the National Film Development Corporation (NFDC);
- (b) if so, the details thereof and the reasons therefor;
- (c) the amount to be collected from the advertisement agents; and
- (d) the steps being taken to strengthen NFDC in each State?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI AMBIKA SONI): (a) to (d) A Statement is laid on the Table of the House.

#### ***Statement***

(a) and (b) Yes, Sir. The National Film Development Corporation (NFDC) has accumulated losses of Rs. 27.62 crores as on 31.03.2009. These losses are mainly due to decline in gross profit margins, loss of business of marketing of Free Commercial Time (FCT) of Doordarshan, loss of royalty due to discontinuation of business of acquisition of films by DD through NFDC, a part of revenue of TV marketing being under litigation, expenditure on VRS for reduction of manpower and high personnel and administrative expenditure over the years not in consonance with the business activities and income of NFDC.

(c) NFDC has aggregate outstanding dues of Rs.36,75,17,102.44 to be collected from the advertisement agents as on 31.03.2009.

(d) NFDC, with its headquarters in Mumbai, has three regional offices, one each in Delhi, Kolkata and Chennai catering to the needs of the film industry in their respective regions. It also

has one branch office in Thiruvananthapuram in Kerala. Government has provided funds under the Eleventh Plan Scheme to NFDC to produce films in various regional languages. Further, in an effort to strengthen the business of NFDC in various states, a request has been made by the Ministry of Information and Broadcasting to the Chief Ministers of various states for giving the production work of documentaries and video spots of their states to the National Film Development Corporation. Govt. has initiated a major restructuring Proposal for NFDC in order to strengthen the organization.

**श्री मोहम्मद अली खान :** चेयरमैन साहब, मैं वजीरे मोहत्रमा से यह जानना चाहता हूँ कि जो प्राइवेट ऑपरेटर्स का NFDC का बकाया है, वह करोड़ों, अरबों और खरबों रुपयों में है। आपको, हमको और इस हाउस को जानकारी है कि यह एक आम आदमी का पैसा है। सर, यह ऑपरेटर्स का बकाया रहने के बावजूद भी उनका एडवर्डटाइजमेंट कम्पलीट चल रहा है, मैं वजीरे मोसूफ़ से यह जानना चाहता हूँ कि उनका बकाया कलेक्ट करने के लिए, क्या कोई खास कमेटी बनाई है या कोई अन्य कार्यवाही की है? सरकार ने यह बकाया वसूल करने के लिए क्या तरीका अख्तियार किया है, मैं यह जानना चाहता हूँ?

جناب محمد علی خان : چیئر مین صاحب، میں وزیر محترمہ سے یہ جاننا چاہتا ہوں کہ جو پرائیویٹ آپریٹرز کا این۔ایف۔ڈی۔سی۔ کا بقایا ہے، کروڑوں، اربوں اور کھربوں روپے میں ہے۔ آپ کو، ہم کو اور اس ہاؤس کو اگر اس بارے میں جانکاری ہے کہ یہ ایک عام آدمی کا پیسہ ہے، سر، یہ آپریٹرز کا بقایا رہنے کے باوجود بھی ان کا ایڈورٹائزمنٹ کمپلیٹ چل رہا ہے، میں وزیر موصوفہ سے یہ جاننا چاہتا ہوں کہ ان کا بقایا کلیکٹ کرنے کے لئے، کیا کوئی خاص کمیٹی بنائی ہے یا کوئی اور کارروائی کی ہے؟ سرکار نے یہ بقایا وصول کرنے کے لئے کیا طریقہ اختیار کیا ہے، میں یہ جاننا چاہتا ہوں۔

**श्रीमती अम्बिका सोनी :** सर, यह बात सच है कि कुछ अर्से से National Film Development Corporation नुकसान में जा रहा था और 31.03.2009 तक उनके losses Rs. 27.62 crores हो गए थे। इस प्रकार के कई कारण थे, जिनके कारण उनके budgetary provisions में यह कमी आई। उसका एक प्रमुख कारण यह भी था कि जो दूरदर्शन में उनको फ्री कमर्शियल टाइम मिलता था, वह खत्म किया गया, तो उससे उनका काफी नुकसान हुआ। अब 36,75,17,102.44 रुपया वसूल करना है, इसके लिए NFDC ने 16 कम्पनियों के खिलाफ मुकदमे शुरू किए हैं। हम लोग कोर्ट्स और कचहरियों में उनको follow कर रहे हैं, लेकिन यह जो इन्होंने सिर्फ फ्री कमर्शियल टाइम के जरिए 591 करोड़ का टर्न ओवर किया था, कंपनी का जो accounting system होता है, उसके मुताबिक 36 करोड़ जो करीब 6 कुछ फीसदी बनता है, जो अब तक बहुत बड़ी रकम नहीं मानी जाती है। उसके बावजूद, क्योंकि यह आम आदमी का पैसा माना जाता है, इसलिए पैसा वसूल करने के लिए कानूनी कार्यवाही की जा रही है।

† [ ] Transliteration in Urdu Script.

**श्री मोहम्मद अली खान :** सभापति जी, मेरा दूसरा सवाल है कि National Film Development Corporation ने मुखलिफ़ रियासतों में regional film बनाने के लिए उनको finance किया है, मैं वजीरे मौसूफ़ा से यह जानना चाहता हूँ कि क्या आंध्र प्रदेश में या इस देश में उर्दू, तेलुगू या हिंदी फिल्म बनाने के लिए कुछ पैसा दिया गया है? अगर दिया गया है तो कितना दिया गया है? मैं यह जानकारी चाहता हूँ।

**جناب محمد علی خان :** سبھا پتی جی، میرا دوسرا سوال ہے کہ National Film

Development Corporation نے مختلف ریاستوں میں ریجنل فلم بنانے کے لئے ان

کو فائننس کیا ہے، میں وزیر موصوفہ سے یہ جاننا چاہتا ہوں کہ کیا آندھرا پردیش میں

یا اس دیش میں اردو، تیلگو یا ہندی فلم بنانے کے لئے کچھ پیسہ دیا گیا ہے؟ اگر دیا گیا

ہے تو کتنا دیا گیا ہے؟ میں یہ جانکاری چاہتا ہوں

**श्रीमती अम्बिका सोनी :** सभापति जी, मेरे पास इस वक्त एक-एक State की जानकारी नहीं है, क्योंकि हमारे पास यह एक बहुत बड़ी रकम नहीं है। कुछ समय पहले NFDC को बंद करने की राय दी गई थी, लेकिन सरकार ने इनको 27 करोड़ रुपये देकर इनकी कार्रवाई फिर से शुरू करवाई ताकि Regional languages की फिल्में बनाने के लिए मदद मिल सके। मेरे पास इस वक्त यह जानकारी है कि इन्होंने हाल में अलग-अलग languages में कौन-सी फिल्म बनाई है। पहले फिल्म बनाने पर लगभग साठ लाख रुपया लगता था, अब दो करोड़ में एक फिल्म बनती है। इन्होंने हाल ही में जो फिल्में बनाई हैं, वह 2004 में हिंदी और तेलुगू में *आनंद* फिल्म बनाई है। कई और फिल्में बनीं। इसको NFDC से रकम दी गई थी ना। इसने आगे जाकर इनाम भी जीता था। इन्होंने हाल ही में तमिल में एक फिल्म *सासाराम* बनाई है, मलयालम में *बायोस्कोप* बनाई है, कोंकणी में *पलटादाचो* फिल्म बनाई है, राजस्थानी में *हाट* और बंगाली में *माया बजार* बनाई है।

SHRI BHARATKUMAR RAUT: Mr. Chairman, Sir, the NFDC was formed to give boost to quality film making, niche film making and make it commercially viable. I come from Mumbai. The experience of new film makers — those who want to make new films — about the red tapism and the bureaucracy within NFDC is that for three years, four years, the scripts are not passed, and, because of this, good film makers are shying away from NFDC. This is number one. Secondly, Sir...

MR. CHAIRMAN: One question please. ...*(Interruptions)*...

SHRI BHARATKUMAR RAUT: Please, Sir. It is a related question. Another thing is that those films which are produced by NFDC are, perhaps, meant only for competitions abroad. When the films go for competition, our people are happy. Thirdly, Sir, NFDC has a very good theatre in Mumbai. This is a *zamana* of multiplexes, small theatres, mini-theatres, and, the NFDC's theatre is just waiting for audience because of our rules which are outdated. Will the Minister look into this?

SHRIMATI AMBIKA SONI: Sir, we are looking into the whole gamut of revamping, reinventing and revitalising the NFDC. As I informed the august House, that a few years ago, it

† [ ] Transliteration in Urdu Script.

had been decided to wind it up because it was a loss making public sector undertaking. We have decided to give it yet another opportunity because the principal mandate of the NFDC is to encourage first-time directors and producers to make films, especially, in regional languages and to make quality films. Sir, given the very small budgetary allocation, which this public sector undertaking has, as I just said, in 2008-09, they made about eight films which was the maximum that they could do within the budgetary restrictions. What used to be a sixty-lakh rupees grant initially has gone up to two crore of rupees per film.

In 2009-10, we are making five films as of now At the Goa Film Festival, we have a Film Market where NFDC tries to market the quality films made by them. Recently, we have entered into an MoU with Public Service broadcasting trust and Mr. Shyam Benegal, Mr. Rajiv Mahrotra, Mr. Adoor Gopalakrishnan, Mr. Mrinal Sen and other eminent filmmakers are associated with it. We are having an MoU with them to encourage producers and try to identify first-time directors. Then we had VRS where we reduced the strength of the NFDC from 211 to something like 141. And we are further going to reduce it. While we are cutting off the flab making it more serviceoriented, budgetary provisions are not adequate to do as much as we would like to do. But we are trying our best.

**श्रीमती विप्लव ठाकुर :** माननीय सभापति जी, मंत्री जी ने NFDC के बारे में बहुत कुछ बताया कि यह एक ऐसी institution थी, एक ऐसी Public Sector Undertaking थी, जिससे लोगों को फिल्म बनाने के लिए encouragement मिलती थी। मैं यह जानना चाहती हूँ कि दूरदर्शन में इनकी free commercial क्यों बन्द कर दी गई है? इसका क्या reason था कि इनके पास profit का जो एक जरिया था, उसे बन्द कर दिया गया है?

**श्रीमती अम्बिका सोनी :** सर, 2002-03 में यह जो commercial time sharing थी, जहाँ Friday, Saturday and Sunday को दूरदर्शन के जरिए ये फिल्में दिखाते थे और दूरदर्शन को उन फिल्मों के लिए एक minimum price दी जाती थी, ताकि उनको revenue loss न हो, लेकिन उस दौरान जो advertisements आते थे, वे NFDC के खाते में ही होते थे। आपको मालूम है कि 1990 में प्रसार भारती एक्ट पास किया गया और 1997 में हम लोगों ने प्रसार भारती को कायम किया। यह उनका निर्णय था। उनको अपना निर्णय लेने की autonomy है। उन्होंने इसे क्यों बन्द किया, मेरे लिए यह जवाब देना कठिन है।

**डा. के. केशव राव :** सर, सवाल सिर्फ फिल्म प्रोडक्शन का नहीं है। जब वे फिल्म इंडस्ट्री की बात करती हैं, तो मैं आपके द्वारा मंत्री जी से पूछना चाहता हूँ कि क्या आपने exhibition को थियेटर के साथ जोड़ दिया है, क्योंकि exhibition की और थियेटरर्स की जो monopoly होती है, वह प्रोड्यूसर्स के साथ होती है? आप कितनी भी क्वालिटी फिल्म बनाएँ, वे वहाँ exhibit नहीं करते। इसलिए अगर NFDC चाहती है, हर राज्य में या हर जिले में, जैसा भी हो, वहाँ exhibition की सहूलियत पैदा की जाए, जिससे फायदा होता हो। क्या आपके पास ऐसी कोई स्कीम है?

**श्रीमती अम्बिका सोनी :** सर, मुझे पूरी तरह से प्रश्न समझ में नहीं आया, मैं माफी चाहती हूँ। पहले फिल्म डिवीजन जो फिल्में बनाता था, उन्हें थियेटरर्स में फिल्म शुरू होने से पहले दिखाया जाता था। काफी अरसा हो चुका है कि थियेटर owners ने उसे दिखाना बन्द कर दिया है। हाल में कुछ कानूनी आदेश आए हैं, जिनके अनुसार किसी-न-किसी तरह की फिल्म दिखाना अनिवार्य है। सर, मैं आपको बताना चाहती हूँ कि पिछले

5 महीने में हमने प्रयास किया है और हर मंत्रालय और हर मुख्यमंत्री को मैंने स्वयं पत्र लिख कर अनुरोध किया है कि जो documentaries स्टेट की तरफ से या अलग-अलग मंत्रालयों की तरफ से बनती हैं, उनके लिए NFDC को chance दिया जाए। मुझे यह बताते हुए खुशी है कि पिछले 3-4 महीने में NFDC को इस जरिए काफी काम मिला है। मुझे इस बात की उम्मीद है कि हम आने वाले समय में अच्छी documentaries बना सकेंगे और वे मुफ्त में नहीं दिखाई जाएंगी, बल्कि उनकी एक market price निर्धारित की जाएगी।

#### Power allocation to Goa

\*246.SHRI SHANTARAM LAXMAN NAIK: Will the Minister of POWER be pleased to state:

- (a) whether the Government of Goa has made any request for additional power;
- (b) whether any decision has been taken in this regard;
- (c) the power requirements of the State fulfilled in the last five years;
- (d) whether coastal villages of the State are to be provided with underground cables; and
- (e) if so, the details of the proposal made in this regard by the State Government and the decision taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINGH SOLANKI): (a) to (e) A Statement is laid on the Table of the House.

#### Statement

(a) and (b) Government of Goa had requested in August, 2009 for allocation of additional power from unallocated power of Central Generating Stations. Goa has been allocated 50 MW (25 MW from unallocated power of Kawas and Gandhar Gas Based Power Stations and 25 MW from the unallocated power of Central Generating Stations of Western Region) on 16.11.2009.

(c) Goa has an installed capacity of approximately 78 MW in the State and Private Sector. In addition, it has firm allocation of 403 MW from Central Generating Stations (CGSs) in Western Region and Southern Region and approximately 50 MW presently allocated from the unallocated power of Central Generating Stations to cater the power requirements of the State.

The power supply position in the state of Goa for the last five years is given below:

Year	Energy				Peak			
	Requirement (MU)	Availability (MU)	Shortage (MU)	(%)	Demand (MU)	Met (MU)	Shortage (MU)	(%)
1	2	3	4	5	6	7	8	9
2004-05	2146	2146	0	0	356	356	0	0
2005-06	2338	2338	0	0	368	368	0	0

1	2	3	4	5	6	7	8	9
2006-07	2624	2606	18	0.7	459	419	40	8.7
2007-08	2740	2707	33	1.2	457	408	49	10.7
2008-09	2801	2754	47	1.7	466	413	53	11.4
2009-10 *	1760	1709	51	2.9	455	410	45	9.9

\*Upto October, 2009 (Provisional) MU = Million Unit MW = Mega Watt

(d) and (e) According to Government of Goa, there is no proposal to provide underground cables to the coastal villages of the State.

SHRI SHANTARAM LAXMAN NAIK: Sir, Goa being a tourist State, there is a demand for laying underground cables throughout the western coast where most of the beaches lie and 99 per cent of the tourists visit. Secondly, Sir, during monsoon, power disruptions are constant and, therefore, total darkness is there. Underground cables will be of use there, and the number of offences will be less than are reported. Secondly, if you are propagating monsoon tourism also, this laying of underground cable will be helpful. There was a proposal made by the Goa Government earlier, but it lapsed because of the Tenth Plan. Now, if the proposal is made by the Goa Government again for laying underground cables on Calangute, Baga, Colva, Benaulim, Varca, etc., will you consider it?

SHRI BHARATSINH SOLANKI: Mr. Chairman, Sir, according to the Government of Goa, right now, there is no proposal for providing underground cables to coastal villages of the State of Goa. As mentioned by the hon. Member, under the Tenth Plan of APDRP in Goa, development project of Margao city at the cost of Rs.37.34 crores was also approved and five kilometres of underground conversion of distribution system was done in that part of the component. Now, as we know, electricity is a concurrent subject. The State can take up the issue, and under the scheme of restructured APDRP, we have allotted almost Rs.288.94 crores to the Goa Government.

SHRI SHANTARAM LAXMAN NAIK: Presently, Goa Government does not have self-generating capacity. Was there any discussion of any proposal to establish a self-generating plant in Goa, whether coal-based or otherwise? If the Government proposes for a self-generating plant, will you consider the proposal?

SHRI BHARATSINH SOLANKI: Mr. Chairman, Sir, for thermal generation, there is no requirement of any regulation by the Government or the Power Ministry. At the same time, the State Government can undergo two categories of new power generation. They can have in adjoining States also. Right now, Goa has been allocated 50 megawatt power for their own utility. They are producing only 78 and from Central allocation also, Goa has been given 403 and their peak demand peak shortage compared to the national average is also below and their position is much better. After so many of UNCPS are coming up, in future, the power situation in



the country is going to improve. The State Government can send a proposal and we can think over it.

SHRI GOVINDRAO WAMANRAO ADIK: Sir, Goa had a shortage of nearly five megawatt in the month of October. Now, Goa is given very generously the allocation of 75 megawatt by the Government of India and in particular, the Power Ministry. Really, it is very good job which you have done for Goa. I would like to ask the hon. Minister for Power: Are they going to apply the same principle to the neighbouring States where the shortage of electricity is much more than Goa?

SHRI BHARATSINH SOLANKI: Mr. Chairman, Sir, Goa has been allocated 50 megawatt from unallocated quota. Sir, the hon. Member has made a request where a progressive State like Maharashtra can produce more electricity. There is a great scope and many projects are coming up also. Unallocated quota is for emergency or very critical conditions where the States require. ...(*Interruptions*)...

MR. CHAIRMAN: You have asked one question.

#### **Effects of climate change**

\*247. DR. (SHRIMATI) NAJMA A. HEPTULLA:††

SHRI N.K. SINGH:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the effects of climate change could lead to as much as a 5 per cent drop in the GDP of the countries in South Asia and Africa, including India;

(b) if so, the details thereof;

(c) whether Government has since initiated any action to address the effects of climate change in an effective way; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (d) A Statement is laid on the Table of the House.

#### ***Statement***

(a) and (b) According to world Development Report 2010 published by the World Bank recently, warming of climate by 2 degree celsius above pre-industrial temperatures could result in a 4 to 5% reduction in annual income per capita as compared with likely global average loss in gross domestic product by about 1 per cent.

(c) and (d) Government has outlined its strategy for addressing climate change in the National Action Plan on Climate Change (NAPCC) that was released by the Prime Minister on 30th June 2008. The National Action Plan outlines steps that will enable the country to adapt to climate change and enhance the ecological sustainability of India's development path.

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††The question was actually asked on the floor of the House by Dr. (Shrimati) Najma A. Heptulla.

Eight National Missions form the core of the National Action Plan, representing multi-pronged, long term and integrated strategies for achieving key goals in the context of climate change.

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, I am very happy that the Minister is still here to answer our questions and he is not somewhere far away. Sir, I read his reply. Sir, the major problem is, my question is about the decline in the GDP. Sir, ours is basically an agricultural country and disasters which have taken place frequently are due to the climate change — whether it is drought, floods or Tsunami or any other thing. Now, keeping in view the fact that a millennium development goes to which India is also a party which says that the world's poverty will be reduced to half in 2015, I want to ask the hon. Minister— I do not know whether it is his Ministry—but the question is being addressed to you that how you are going to keep the production of foodgrains to keep the food security. We have the food security legislation also. How are you going to manage the climate change? I know the Prime Minister has released a detailed National Action Plan. Do you think that this National Action Plan will be in line with or in tune with or will be on the proper road or you will have to have some difficulties? You have also mentioned about the World Bank report.

SHRI JAIRAM RAMESH: Mr. Chairman, Sir, the first step is to understand what impact climate change will have on different sectors of the economy. As I explained on the 24th of November in response to a Calling Attention Motion, we have set up for the first time an Indian National Network for comprehensive climate change assessment. This is a network of 127 research institutions in the country, 250 scientists are involved, and every year, they will come out with assessment reports on what the impact of climate change is in different sectors of the economy and different regions of our country. That is very important because the North-East will be different from the Himalayan States and the Western Ghats. Sir, so far, all the information on the impact of climate change in India is derived from foreign sources, from western scientists. We do not have our own scientific capacity. I am glad to say that on the 14th of October, we had launched this network. I want to reassure the hon. Member that by November 2010, the first Indian Assessment Report on the impact of climate change on key sectors of the economy and key regions of our country will be made available. The first sector we have taken up is agriculture, and the first regions we have taken up are the North-East of India, the North-West of India and the Western Ghats. Subsequently, every year, comprehensive assessment reports will be issued, and as and when the assessment reports are issued, the Government will come up with adaptation plans to ensure that the impacts are mitigated. I know that Sunderbans, for example, has faced a huge calamity recently. We have taken up a special study of the impact of climate change on critical areas like Sunderbans. So, I will be able to answer this question more confidently and robustly once these comprehensive assessments are available.

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, I expected a very satisfactory and long answer. The question is, now that we know the hon. Prime Minister has also agreed to attend the Copenhagen Conference, and the other day, the Minister of External Affairs in his statement before the House has mentioned that while the hon. Prime Minister was in US, he had a discussion with President Obama.

MR. CHAIRMAN: Please focus on the question.

**डा० (श्रीमती) नजमा ए० हेपतुल्ला:** सर, जब तक हम कुछ पूछेंगे नहीं, पता कैसे चलेगा? यह इतना complicated question है, मैं क्या question पूछूँगी? प्राइम मिनिस्टर वहाँ जाकर क्या करेंगे? अगर आप कहिए तो मैं यह सवाल पूछ लेती हूँ कि प्राइम मिनिस्टर वहाँ जाकर क्या करेंगे? Because the main thing is that if he agreed with the President of the United States for exchange of technology, are you going to take up the matter of exchange of technology regarding the pollutant should pay, and the pollutant can only pay by exchange of friendly technology?

SHRI JAIRAM RAMESH: Mr. Chairman, Sir, on the 18th of December, there is a summit of the Heads of States, and in his capacity as Prime Minister, the Prime Minister is attending that Heads of States summit. The President of the United States, the Prime Minister of China, the President of France, the Prime Minister of U.K. and 50 odd other Heads of States will be present. It is but natural that an important country like India should be represented by the Prime Minister. Sir, may I remind the hon. Member that in the last UN Conference on the Human Environment held in Stockholm in 1972, the only Head of State to attend that conference was Shrimati Indira Gandhi.

She was the only Head of State. ...*(Interruptions)*... Dr. Karan Singh was on the delegation. So, he informs us, and we take it on record. ...*(Interruptions)*... Sir, I do want to say this because I have seen some criticism as to why the Prime Minister is attending the Summit.

MR. CHAIRMAN: Please let us stick to the question.

SHRI JAIRAM RAMESH: Sir, I want to address this. Prime Minister is attending because it is the Heads of State Summit, and he has to attend.

MR. CHAIRMAN: Shri N.K. Singh. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Sir, the question was not if he is attending the Summit.

**श्री सभापति:** देखिए, आपका जो question था ...

**डा. (श्रीमती) नजमा ए० हेपतुल्ला:** मेरा जवाब नहीं आया है।

MR. CHAIRMAN: ...that was away from your own question.

DR. (SHRIMATI) NAJMA A. HEPTULLA: No, Sir, it was not away. I said, the exchange of technology is the most important thing. The Minister forgot to reply that.

MR. CHAIRMAN: Shri N.K. Singh. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Mr. Chairman, Sir, this will ...(*Interruptions*)...

MR. CHAIRMAN: Shri N.K. Singh.

SHRI N.K. SINGH: Sir, in response to the question, the Minister has pointed out that it was 18 months ago, in June, 2008, that the integrated project was launched with eight Special Missions. In view of the growing public perception, in the 18 months, negligible progress has been made by these eight Special Missions. I would like to find out from the hon. Minister, whether, particularly in respect of access to affordable technology and on means of financing, there has been any accommodation by the developed countries to make the outcome of the Missions consistent with the broad aims and objectives since we are now about to embark on making unilateral concessions even prior to the Copenhagen Summit.

SHRI JAIRAM RAMESH: Sir, It is not true that there has been no progress on the eight Missions. Out of these eight Missions, two Missions have been launched in full earnest. The National Solar Mission, of which my distinguished colleague is responsible, we have committed; we have a roadmap; we have a detailed Action Plan for having 22,000 megawatts of solar power-generating capacity by the year 2022. This is the most ambitious solar power-generating programme in the entire world, if I might add so.

Sir, the second Mission that has advanced is the National Mission on Energy Efficiency and amendments to the Energy Conservation Act are being brought to Parliament so that we can introduce the concept of an Energy Efficiency Certificate. My distinguished colleague, the Minister for Power, is responsible for this, and this would introduce a domestic cap in trade system in order to ensure that energy intensity of the economy reduces and that our mitigation objectives are also fulfilled. So, out of the eight Missions, two Missions have been launched. Other Missions like the National Mission on Sustainable Himalayan Eco System have also been approved by the Prime Minister's Council and you will see much action on this front.

Sir, on the other point that the hon. Member has raised, we are dissatisfied with the level of response from the developed countries, both in terms of finance and technology, and we expect that in the negotiations that are going to begin, and also at the high level Summit which the Prime Minister will attend, the crux of the discussions will focus on expanded financial and technology commitments on the part of developed countries.

MR. CHAIRMAN: Prof. Swaminathan.

PROF. M.S. SWAMINATHAN: Thank you, Sir. I think, the Minister has rightly pointed out that there is a need for more research, more assistance, more reports, and so on, but I do not agree with him that there is not enough scientific capability in the country. Sir, the question I want to ask from him is this. We know clearly now that looking at today's agriculture, one degree

centigrade more will reduce wheat production in this country by seven million tonnes, to a minimum. There is a lot of overwhelming, critical data available; this is a modest one. At L'Aquila, two degree centigrade has been agreed as a sort of what we should try although it is now clear that the rise will be more than that. Now, the food security of the country is in grave crisis and danger. I would like to suggest that waiting for more and more reports and so on is not going to add to for our knowledge. The Minister, of course, is not directly concerned with agriculture, but he will, at least as a coordinator, alert the other concerned Ministries that not a day should be lost to start an anticipatory action. Thank you, Sir.

SHRI JAIRAM RAMESH: Sir, it is presumptuous on my part to say anything after the hon. Member, India's most distinguished agricultural scientist, has spoken, but I do want to reassure him that on food security, the National Mission on Sustainable Agriculture is one of the eight National Missions.

The greatest danger that we face from climate change is on Indian agriculture from the greater frequency of droughts and floods and, as the hon. Member has himself said, from the increase in temperature leading to yield stagnations particularly in wheat that we have already noticed. His own institution is involved in the search for new varieties. I think it is only through a massive investment in new agricultural research and agricultural technology and extension that we will be able to face this problem of food security. I will certainly convey his sentiments to the Minister of Agriculture with whom he is in touch every day, I might add, Sir.

SHRIMATI BRINDA KARAT: Sir, in the Minister's reply, he has spoken about the National Action Plan on Climate Change. Now this is a domestic matter. The nation is involved in it. But we have learnt recently that the Indian representatives, the negotiators... (*Interruptions*)..

MR. CHAIRMAN: Could you stick to the question, please? That is a separate issue.

SHRIMATI BRINDA KARAT: No, no. Please listen to me, Sir. It is very much in relation to the question. Excuse me, Sir. After I have spoken, you can rule it out, if you so desire. I will accept whatever you say. My question is that the National Action Plan is for the nation. The negotiators, who are representing Indian at Copenhagen, have now made a public protest that the Minister's statements regarding many of the issues which we are discussing domestically can be interpreted to mean that we are going to accept international monitoring. I believe the Minister, on the eve of the summit, has done a great disservice to the nation by dividing the team going to the Copenhagen.

MR. CHAIRMAN: Please. What is your question?

SHRIMATI BRINDA KARAT: Will the Minister kindly clarify whether he is agreeing to any type of international monitoring of our domestic plans?

MR. CHAIRMAN: Please answer the part that relates to the question only.

SHRI AMAR SINGH: Hon. Minister, I associate myself with Brindaji's question.

MR. CHAIRMAN: No, no. There is no system of associating with the supplementary questions.

SHRI JAIRAM RAMESH: Sir, I believe that this matter is going to be raised during Zero Hour and I will respond to it then accordingly.

SHRI RAHUL BAJAJ: Mr. Chairman, Sir, I support the National Action Plan on Climate Change for which he has to take a lot of steps and has to protect us against climate change and global warming. We support that. But those steps may adversely affect the GDP growth rate as well as the *per capita* income as the reply of the Minister has stated. But we all know that to address the climate change many steps can be taken which can have very adverse effects on economic and industrial growth, *per capita* income, etc. As the Minister has himself stated, the developed world is not being cooperative. They are the polluters and they will do nothing.

MR. CHAIRMAN: Question, please.

SHRI RAHUL BAJAJ: The question which I would like to ask, through you, Sir, this very competent Minister, this very hard working Minister is: What is the meaning of flexibility which he has managed to get from the Lok Sabha during the discussion? My request is that under that flexibility he should not do anything which will hurt the national interest of India.

MR. CHAIRMAN: The question does not relate to this question. Please don't answer that part which does not relate to this question.

SHRI JAIRAM RAMESH: Sir, the question will be raised during Zero Hour. I will respond to it during Zero Hour.

\*248. [The questioner (Shri Nand Kumar Sai) was absent. For answer *vide* page 22 *infra*.]

#### **Energy Efficiency Mission**

\*249. SHRI TARIQ ANWAR:††

DR. T. SUBBARAMI REDDY:

Will the Minister of POWER be pleased to state:

(a) whether the country is ready to bring down its annual energy consumption by about five per cent in the next six years and reduce its carbon dioxide emissions by nearly 100 million tonnes every year through energy efficiency measures;

(b) if so, whether the Prime Minister's Council on Climate Change gave its in-principle approval to the National Mission of Enhanced Energy Efficiency, one of eight missions identified under the National Action Plan on Climate Change; and

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††The question was actually asked on the floor of the House by Shri Tariq Anwar.

(c) whether the Mission is going to introduce 'Perform, Achieve and Trade' mechanism which would assign energy efficiency improvement targets to the most energy intensive industrial units?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINGH SOLANKI): (a) to (c) A Statement is laid on the Table of the House.

***Statement***

(a) to (c) The Government of India has set a target of achieving savings of 5% in electricity consumption through energy efficiency measures by 2012 which amounts to an avoided capacity addition of 10,000 MW. In addition, the National Mission for Enhanced Energy Efficiency (NMEEE), one of the 8 national missions announced under the National Action Plan on Climate Change, was accorded in-principle approval by the Prime Minister's Council on Climate Change on 24th August, 2009. The National Mission for Enhanced Energy Efficiency (NMEEE) seeks to reduce Carbon Dioxide emissions by 98.55 million tones annually after 2015. The total avoided capacity addition as a result of the implementation of this mission will be 19,598 MW.

The Perform, Achieve and Trade (PAT) is market based mechanism to enhance cost effectiveness of improvements in energy efficiency in energy-intensive large industries and facilities, through certification of energy savings in excess of the target set that could be traded.

SHRI TARIQ ANWAR: Sir, my first supplementary question to the hon. Minister is this. The hon. Minister has given some reply to my question. But I will again put part of my question to the hon. Minister, whether the Prime Minister's Council on Climate Change took up the National Mission for Enhanced Energy Efficiency at its meeting held in August, 2009. If so, whether any of the eight national missions under the National Action Plan on Climate Change is found to enhance the energy efficiency, in addition to the programme on the field being pursued by the Ministry of Power and the Bureau of Energy Efficiency.

SHRI BHARATSINGH SOLANKI: Mr. Chairman, Sir, the Bureau of Energy Efficiency, as mentioned by the hon. Member, is planning in the Eleventh Five Year Plan, an avoided capacity addition of 10,000 megawatt energy efficiency, a saving of 10,000 megawatt. The NMEEE is one of the eight national missions, which was accorded in-principal approval by the Prime Minister's Council on Climate Change on 24th August, 2009. The first part of the component is PAT - Perform, Achieve and Trade. It is a market based mechanism to enhance cost effectiveness. It has been worked out for large industries. Sir, nine industries have been identified and they would be given consumption norms. A baseline data is being collected. It will be collected by the beginning of January. The industries will be requested and asked to perform in such a way that their energy consumption is reduced in three years' time. For that a certificate would also be issued to them.

SHRI TARIQ ANWAR: I would like to know whether the NMEEE has set out a comprehensive strategy to create demand for energy efficient projects, goods and services among Government policies and programmes to integrate energy efficiency process and prepare bankable projects to stimulate the Mission? If so, are were the other decisions taken? What steps are being taken to improve energy efficiency?

SHRI BHARATSINH SOLANKI: A new energy efficiency programme is coming up in the country and for that, naturally, great amount of resources, around Rs. 74,000 crores, are required. A public-private partnership kind of a system is being evolved. There are two mechanisms for that. One is PRGF and the other is venture capital fund, which would, definitely, promote the scheme. Generally, we are not sure how much energy we will be able to save after investing certain amount of money. For that we need to create confidence. In order to create confidence, naturally these partial risk guarantee funds are created. For funding also, public-private partnership is being created by which resource mobilisation will be done. In the coming five years, in 2014, this scheme will be implemented.

#### **Appointment of judges in higher judiciary**

\*250. SHRI RAJKUMAR DHOOT:

SHRI N. K. SINGH:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government proposes to bring changes in the procedure of appointment of judges to the higher judiciary and also intends to come out with a comprehensive Bill to deal with complaints of corruption against judges;

(b) if so, the details thereof;

(c) whether the procedure of appointment of judges would be strengthened to ensure that corrupt or tainted judges are not given promotion, etc.; and

(d) if so, to what extent the complaints of corrupt judges would be looked after expeditiously?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (d) A Statement is laid on the Table of the House.

#### ***Statement***

(a) to (d) The existing procedure for appointment of Judges of the Supreme Court and the High Courts is based on the Supreme Court Judgement of October 6, 1993 in the case of Supreme Court Advocates on Record and Anr. Vs. Union of India, and the Advisory Opinion of the Supreme Court dated October 28, 1998. There is no proposal at present before the Government to reconsider this procedure.

The Government is considering to bring in a new legislation on the subject of Judicial standards and Accountability of Judges. The details of the Bill are being worked out.

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††The question was actually asked on the floor of the House by Shri N.K. Singh.



SHRI N.K. SINGH: Mr. Chairman, Sir, in the light of the recent statement by the hon. Chief Justice of India that the Collegium system needed major modifications in the selection process, is the hon. Minister contemplating any major significant changes in the process for making selection to the higher judiciary?

SHRI M. VEERAPPA MOILY: Mr. Chairman, Sir, this is a matter which is engaging the attention of the Parliamentarians in the Department-related Parliamentary Standing Committee, and it is also being debated among the jurists. But the Government has not taken any view on this, and I will not be in a position to give a positive reply with regard to the next step to be taken in this sector.

MR. CHAIRMAN: Question Hour is over.

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## WRITTEN ANSWERS TO STARRED QUESTIONS

### Infrastructure projects running behind schedule

\*243. SHRI A. ELAVARASAN:

SHRI N. R. GOVINDARAJAR:

Will the Minister of STATISTICS AND PROGRAMME IMPLEMENTATION be pleased to state:

- (a) whether it is a fact that around 50 per cent of the infrastructure projects are running behind schedule, resulting in an extra burden of Rs. 40,000 crores on the exchequer;
- (b) whether 423 projects out of 925 projects, each costing 20 crores or more have failed to meet the deadline and majority of them are road and power projects;
- (c) if so, the details thereof, project-wise and State-wise; and
- (d) the reasons for the delay and the steps taken by Government to complete these projects in time?

THE MINISTER OF STATE OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION (SHRI SRIPRAKASH JAISWAL): (a) to (c) As on 30.06.2009, out of 951 Central Sector projects costing Rs.20 crore and above on the monitor of the Ministry of Statistics and Programme implementation, 466 projects, which is about 49%, have been delayed with respect to their approved completion schedule. The cost overrun in these delayed projects is of the order of Rs. 37693 crore. Majority of these delayed projects are in Road Transport and Highways, Railways, Coal, Steel, Petroleum and Natural Gas and Power Sectors. The details of 466 delayed projects State-wise/Sector-wise are given in the Annexure. [See Appendix 218 Annexure No. 7]

(d) The main reasons for delay in ongoing projects include: slow progress by contractors due to labour supply and financial problems, fund constraints, delay in land acquisition, delay in supply of equipment by indigenous and foreign suppliers, law and order problems, geological problems, inadequate infrastructure etc. The steps taken by the Government to complete the ongoing projects, *inter alia* include:

- (i) adequate provision of funds for implementation;
- (ii) in-depth review of projects on monthly and quarterly basis by the Government;
- (iii) follow up with the State Governments in respect of problems relating to land acquisition, rehabilitation related issues, forest clearances, infrastructure facilities, ensuring law and order at project sites, etc.;
- (iv) setting up of an Empowered Committee in the administrative Ministries for review and resolving problems of departmentally executed projects;
- (v) inter-ministerial coordination for resolving unresolved problems;
- (vi) setting up of Standing Committees in the Ministries/Departments to fix responsibility for time and cost overruns; and
- (vii) appointment of nodal officers for each projects with continuity of tenure.

#### **Honorarium for Anganwadi Workers**

†\*244. DR. PRABHA THAKUR: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether the honorarium to be paid to Anganwadi Workers had been increased by the previous UPA Government;
- (b) if so, the quantum of increase and since when this amount is being paid to Anganwadi Workers;
- (c) whether any complaints regarding irregularities have been received from any quarter; and
- (d) if so, the nature thereof and the details of the redressal measures taken by Government?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) The honorarium of Anganwadi Workers of Anganwadi Centres (AWCs) was enhanced by the Government by Rs.500/- per month over and above the last honorarium drawn by them which varied from Rs.938/- to Rs.1063/- per month. For Anganwadi Helpers of AWCs and Anganwadi Workers of Mini-AWCs, the honorarium was enhanced from Rs.500/- to Rs.750/- per month. The enhanced honorarium is payable w.e.f. 1.4.2008.

(c) and (d) All the State Governments including Government of Uttar Pradesh had been requested to ensure that arrears of enhanced honoraria are disbursed fully. The Government of Uttar Pradesh has confirmed that arrears of enhanced honoraria has been released by the State Government for disbursement. However, a complaint has recently been received from Mahila Anganwadi Karamchari Sangh. State Government of Uttar Pradesh have informed that arrears of honorarium for 11 months w.e.f. 1.4.2008 would be disbursed to the Anganwadi Workers and Anganwadi Helpers of Behraich District by 7.12.2009.

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†Original notice of the question was received in Hindi.

### **Television channels in the country**

\*248. SHRI NAND KUMAR SAI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether Government proposes to curb television channels in the country;
- (b) if so, the number of existing television channels, as on date and the number of new channels which have applied for operation to Government;
- (c) the existing criteria for granting permission to television channels;
- (d) whether Government proposes to bring stringent norms for up-linking and down-linking of channels in the country; and
- (e) if so, the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI AMBIKA SONI): (a) No Sir, however, a reference has been made by this Ministry to Telecom Regulatory Authority of India (TRAI) in October 2009. Among other things, TRAI has been requested to examine the maximum number of channels which can be permitted in the country keeping in view available spectrum and transponder capacities as well as technological developments and general practice internationally.

(b) As on date, 512 private satellite TV channels have been permitted under uplinking and downlinking guidelines. Whereas 152 applications are pending for permission to uplink from India and 14 applications are pending for permission to downlink in India.

(c) Detailed eligibility criteria and other requirements for private satellite TV channels have been prescribed in the Guidelines for Uplinking from India and Policy Guidelines for Downlinking of Television Channels. These guidelines are available on the Ministry's website at <http://www.mib.nic.in>.

(d) and (e) TRAI recommendations are awaited.

### **Financial malpractices in companies**

\*251. SHRI NANDAMURI HARIKRISHNA:  
SHRI PENUMALLI MADHU:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether it is a fact that in view of high volatility in the Indian markets due to global economic crisis, the small and medium investors are the worst hit;
- (b) whether it is also a fact that in order to overcome the crisis, the companies often resort to manipulation of financial management; and
- (c) in what manner his Ministry ensures, through corporate governance and other methods, that no malpractices in financial and other management of a company take place?

THE MINISTER OF CORPORATE AFFAIRS (SHRI SALMAN KHURSHID): (a) Investments in equity market are subject to market risk. Investors whether small or big should take informed

investment decisions based on their understanding of the market. The loss or gain that accrues to the investors on account of Market volatility depend on the composition and size of their portfolio and the cost of acquisition of securities.

(b) and (c) Companies Act, 1956 has been amended from time to time for better corporate governance of companies. Some of the amendments *inter alia* includes transparency in annual accounts, setting up of an Audit Committee, Director Responsibility Statement, filing of statutory returns through e-governance mode, introduction of Director Identification Number (DIN) under which identity of authorised directors and professionals are established in a secure manner. Further, Companies Bill, 2009 which has already been introduced in the Parliament and has been referred to the Parliamentary Standing Committee, is based on the principle that law should encourage good corporate governance and includes stringent provisions.

Further Clause 49 of the listing agreement as prescribed by SEBI *inter alia* contains provisions on constitution of independent Audit Committee, role of the Audit Committee and the information to be reviewed by them, disclosures by the Senior Management about material, financial and commercial transactions in which they are interested, CEO/CFO certification on the evaluation of the internal control mechanism. These provisions are made to strengthen the process of financial reporting and minimise the possibilities of malpractices in the management or financial reporting of the companies.

Ministry also encourages Professional Institutions like Institute of Chartered Accountants of India (ICAI), Institute of Company Secretaries of India (ICSI) and Institute of Cost and Works Accountants of India (ICWAI) to organise investors education and awareness programmes to sensitise investors for taking informed decisions while investing in Capital Market. Investor Helpline namely [www.investorhelpline.in](http://www.investorhelpline.in) and other websites namely [www.watchoutinvestors.com](http://www.watchoutinvestors.com) and [www.iepf.gov.in](http://www.iepf.gov.in) have been launched to create investor awareness and for serving as a knowledge sharing platform in the area of financial literacy as a measure of investor awareness and education.

#### **Supply of coal to thermal power stations in Madhya Pradesh**

†\*252. SHRI RAGHUNANDAN SHARMA: Will the Minister of COAL be pleased to state:

(a) whether any proposals have been received to increase the supply of coal to the thermal power stations in Madhya Pradesh and to provide them coal linkage with the mines of the State itself; and

(b) if so, the action taken thereon, so far and by when a decision would be taken and approval accorded thereto?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):  
(a) Yes, Sir.

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†Original notice of the question was received in Hindi.

(b) Presently, supply of coal to power stations, including those located in Madhya Pradesh, is being governed by Fuel Supply Agreements, which, inter, alia, indicates the Annual Contracted Quantity (ACQ) as allocated by Central Electricity Authority power station-wise for 2009-10. During 2009-10 (upto November, 2009) (provl.) the power plants located in Madhya Pradesh, including Vindhyachal Thermal Power Plant of NTPC, have been supplied 20.374 million tonnes, which is about 99% of proportionate Annual Contracted Quantity (ACQ) of 20.499 million tonnes. An inter-Ministerial Sub Group in the Ministry monitors the supply of coal and stock position in respect of 78 Thermal Power Plants including those located in Madhya Pradesh.

Further, while the coal production is limited to only eight states, consumers are located all over the country and therefore supply of coal from producing states to non-producing states becomes inevitable. At present, the power stations located in Madhya Pradesh are getting coal supplies from mines located in Madhya Pradesh, Chhattisgarh and nearby areas of Maharashtra.

#### **Assessment of implementation of Dowry Prevention Act**

\*253. SHRI M.P. ACHUTHAN:

SHRI D. RAJA:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government has made any assessment as to what extent the Dowry Prohibition Act, 1961 has been implemented in different States;

(b) if so, the details thereof;

(c) the details of the dowry-related cases registered, conviction rate and the women died in such cases during the last three years, State-wise;

(d) whether it is a fact that most of the State Governments have not appointed separate prohibition officers as required under this Act; and

(e) if so, the details thereof and what action has been taken to ensure proper implementation of the law in the States?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) The implementation of the Dowry Prohibition Act, 1961 is the responsibility of the respective State Government and UT Administration in the country. The National Commission for Women had organised a convention of Chairpersons of State Commissions for Women, members of civil society organisations and civil servants including Police Officers to discuss the issues relating to this social evil and implementation of the Act. The consensus at this convention was that the present law has not been effective enough to curb this social evil.

(c) The State/UT wise list of cases registered under Dowry Prohibition Act, 1961 and Section 304-B of the Indian Penal Code for the period 2005-2007 as per the National Crime Records Bureau is given in the enclosed Statement (*See below*).

(d) and (e) The information is being collected and will be laid on the Table of the House. The Government is considering making amendments to the existing Dowry Prohibition Act, 1961 with a view to make it more effective.

**Statement**

*(A) Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) and Persons Convicted (PCV), under dowry deaths during 2005-2007*

Sl. No.	State	2005						2006						2007					
		CR	CS	CV	PAR	PCS	PCV	CR	CS	CV	PAR	PCS	PCV	CR	CS	CV	PAR	PCS	PCV
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1.	Andhra Pradesh	443	473	118	1280	1329	202	519	426	73	1274	1062	248	613	573	97	1562	1450	252
2.	Arunachal Pradesh	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
3.	Assam	99	61	15	174	99	31	105	74	30	201	144	33	100	72	20	172	139	29
4.	Bihar	1014	680	110	2323	2162	223	1188	749	138	2674	2255	355	1172	1028	167	3265	2512	375
5.	Chhattisgarh	100	91	26	296	289	60	103	99	23	273	267	69	100	106	23	247	241	131
6.	Goa	2	3	9	2	9	0	0	1	0	0	1	0	2	0	0	8	0	0
7.	Gujarat	48	48	10	136	139	16	50	43	3	150	133	5	42	38	4	121	139	11
8.	Haryana	212	185	52	481	502	141	255	215	69	533	514	169	269	238	62	572	581	160
9.	Himachal Pradesh	2	1	1	6	3	1	3	4	1	12	13	1	8	5	1	31	29	3
10.	Jammu and Kashmir	5	7	1	26	23	1	10	8	0	12	13	0	9	7	0	21	21	0
11.	Jharkhand	257	166	71	503	421	118	281	170	60	557	474	140	303	223	92	559	518	131

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
12.	Karnataka	261	233	63	578	538	129	244	213	41	587	521	81	251	189	27	582	620	66
13.	Kerala	21	18	10	31	19	18	25	21	6	39	37	13	27	27	4	40	52	8
14.	Madhya Pradesh	739	715	262	1992	2023	716	764	735	280	2203	2187	663	742	738	279	2127	2120	727
15.	Maharashtra	341	336	34	1379	1315	72	387	374	27	1348	1266	76	436	376	30	1349	1286	89
16.	Manipur	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17.	Meghalaya	1	0	0	1	0	0	6	3	0	0	2	0	2	1	0	4	1	0
18.	Mizoram	4	4	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19.	Nagaland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20.	Orissa	334	268	35	708	714	72	457	317	44	969	990	123	461	338	31	958	866	175
21.	Punjab	99	89	28	246	248	89	130	106	31	331	259	106	133	119	43	316	291	141
22.	Rajasthan	361	281	119	560	559	256	394	327	127	665	672	357	439	330	118	683	374	215
23.	Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24.	Tamil Nadu	215	212	71	492	507	152	187	169	48	457	403	98	208	189	64	503	457	117
25.	Tripura	34	28	7	43	35	4	35	22	10	25	11	8	36	21	11	42	40	23
26.	Uttar Pradesh	1564	1367	678	4523	4233	1900	1798	1464	695	5280	4944	2206	2076	1768	739	7310	6018	2551
27.	Uttarakhand	63	48	14	160	135	43	80	51	18	227	187	66	70	74	28	244	225	81

28. West Bengal	446	389	94	956	805	173	445	478	57	1058	1039	129	451	459	46	1068	1148	73
TOTAL STATE	6665	5703	1821	16896	16107	4417	7467	6069	1781	18875	17394	4946	7950	6919	1886	21784	19428	5358
29. Andaman and Nicobar Islands	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0	0
30. Chandigarh	3	4	0	6	9	0	10	9	0	30	24	0	1	2	3	3	7	8
31. Dadra and Nagar Haveli	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0
32. Daman and Diu	1	1	0	0	0	0	0	1	0	1	1	0	1	1	0	3	3	0
33. Delhi UT	114	95	40	267	227	158	137	134	47	320	309	192	138	123	56	313	272	211
34. Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35. Puducherry	4	2	0	4	5	0	3	7	2	7	9	6	2	3	1	8	7	3
TOTAL UT	122	102	40	277	241	158	151	151	49	359	343	198	143	129	60	329	289	222
TOTAL ALL INDIA	6787	5805	1861	17173	16348	4575	7618	6220	1830	19234	17737	5144	8093	7048	1946	22113	19717	5580

Note: Information on disposal by police and courts includes the information on pending cases from previous years also.



**Statement**

*(B) Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) and Persons Convicted (PCV), under dowry prohibition act, 1961 during 2005-07*

Sl. No.	State	2005						2006						2007					
		CR	CS	CV	PAR	PCS	PCV	CR	CS	CV	PAR	PCS	PCV	CR	CS	CV	PAR	PCS	PCV
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1.	Andhra Pradesh	306	242	39	452	394	76	474	342	28	705	515	71	817	591	26	1201	1176	35
2.	Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3.	Assam	82	45	8	122	88	15	31	58	19	49	77	19	16	21	13	75	40	23
4.	Bihar	789	606	76	1898	1517	149	909	544	68	1674	1621	156	978	681	106	2295	1896	237
5.	Chhattisgarh	5	5	15	16	16	31	9	9	1	31	30	2	14	10	8	38	38	40
6.	Goa	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7.	Gujarat	0	0	0	0	0	0	1	1	3	2	2	8	0	0	0	0	0	0
8.	Haryana	7	3	0	10	10	0	7	6	0	23	21	0	8	6	0	21	20	0
9.	Himachal Pradesh	1	2	0	12	7	0	2	2	0	0	5	0	4	2	0	8	4	0
10.	Jammu and Kashmir	0	0	0	0	0	0	2	1	0	1	1	0	1	0	0	0	0	2
11.	Jharkhand	313	187	21	566	579	124	345	244	32	578	432	60	453	274	71	857	706	98

12. Karnataka	361	245	13	730	615	29	476	353	28	1096	1040	51	517	535	23	1239	1190	52
13. Kerala	4	2	0	3	1	0	5	5	1	5	6	2	9	3	0	6	4	0
14. Madhya Pradesh	36	32	23	94	94	35	32	36	15	107	108	36	52	46	15	140	140	28
15. Maharashtra	23	23	1	75	74	4	55	51	1	178	167	4	45	41	0	141	158	0
16. Manipur	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17. Meghalaya	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18. Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19. Nagaland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20. Orissa	446	324	34	1059	1026	81	1394	896	47	1193	1254	62	1460	1108	63	1509	1404	215
21. Punjab	5	1	0	11	2	0	7	3	0	7	6	0	6	3	0	7	5	0
22. Rajasthan	1	0	0	0	0	0	3	1	1	5	5	4	2	1	1	4	4	2
23. Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24. Tamil Nadu	193	233	68	512	534	147	81	44	104	193	167	596	368	293	28	971	853	75
25. Tripura	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
26. Uttar Pradesh	586	424	172	1498	1464	526	628	400	266	1682	1579	843	803	448	203	1612	1512	710
27. Uttarakhand	2	1	1	4	4	3	1	0	0	0	0	3	2	1	0	2	2	0

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
28.	West Bengal	18	32	6	97	90	16	25	18	10	27	38	16	40	17	5	145	79	15
	Total State	3178	2407	477	7159	6515	1236	4487	3014	624	7556	7074	1933	5595	4081	562	10271	9231	1532
29.	Andaman and Nicobar Islands	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0
30.	Chandigarh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
31.	Dadra and Nagar Haveli	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
32.	Daman and Diu	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
33.	Delhi UT	9	7	5	15	14	13	15	21	7	23	12	16	16	11	5	23	22	12
34.	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35.	Puducherry	17	7	2	23	18	7	2	12	2	2	14	2	11	7	0	26	18	0
	TOTAL UT	26	14	7	38	32	20	17	33	9	25	26	18	28	18	5	50	40	12
	TOTAL ALL INDIA	3204	2421	484	7197	6547	1256	4504	3047	633	7581	7100	1951	5623	4099	567	10321	9271	1544

Note: Information on disposal by police and courts includes the information on pending cases from previous years also.

### **Emission cut *vis-a-vis* climate friendly infrastructure**

**\*254. SHRIMATI SYEDA ANWARA TAIMUR:**  
**SHRI VIJAY JAWAHARLAL DARDA:**

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that, according to McKinsey and Company's final report on "Environmental and Energy Sustainability", presented in September, 2009, 80 per cent of the country's infrastructure is still to be built and if built in a more climate friendly fashion, the country can achieve more emission cuts; and

(b) if so, whether Government will introduce a mandatory condition that in future raising of infrastructure will be in a climate friendly fashion and ensure compliance thereof through a monitoring mechanism?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) Government is aware of a report prepared by McKinsey and Company which claims that 80 per cent of the buildings and appliances yet to be built or used till 2030, there is an opportunity to capture further energy-efficiency potential in building, appliances and lighting. The Report claims that this can lead to reduction in electricity demand from this sector by more than 30 per cent and reduction in emissions by about 340 million tonnes CO<sub>2</sub> equivalent by 2030. Approximately 80 per cent of this potential could be captured by ensuring efficiency building envelopes for new building, high-efficiency appliances and electronics, and energy-efficient lighting.

The National Action Plan on Climate Change includes National Mission for Enhanced Energy Efficiency and National Mission on Sustainable Habitat that have the objective of enhancing energy efficiency, *inter alia*, in buildings and appliances. The Ministry of New and Renewable Energy (MNRE) has adopted norms for green buildings under Green Rating for Integrated Habitat Assessment (GRIHA) rating system. Bureau of Energy Efficiency (BEE) has developed Energy Conservation Building code, 2007.

### **Generation of solar power**

**\*255. SHRI S. ANBALAGAN:** Will the Minister of NEW AND RENEWABLE ENERGY be pleased to state:

(a) whether there is any proposal to generate 1,000 MW of solar power by 2013;

(b) if so, the details thereof and the action plan for the same; and

(c) the locations in the country where the solar power plants are proposed to be set up and the steps taken in this direction?

THE MINISTER OF NEW AND RENEWABLE ENERGY (DR. FAROOQ ABDULLAH): (a) and (b) Yes, Sir. Government has recently approved Jawaharlal Nehru National Solar Mission to develop solar energy technologies to make solar power competitive to conventional grid power. Government has also approved the target, for the first phase of the Mission, to set up 1,000 MW

capacity grid connected solar plants by March, 2013. NTPC Vidyut Vyapar Nigam (NVVN), the trading subsidiary of NTPC, will be the nodal agency for purchase of 1,000 MW capacity of grid solar power (connected to 33 KV and above grid) from the project developers at a tariff fixed by Central Electricity Regulatory Commission (CERC) for purchase of solar power. NVVN will sign a PPA with each project developer for a period of 25 years as fixed by CERC. For each MW capacity of solar power for which PPA is signed by NVVN, Ministry of Power will allocate to NVVN an equivalent MW capacity from the unallocated quota of NTPC stations. NVVN will bundle this with solar power and sell this power at a rate fixed as per CERC regulations. The utilities will be entitled to use solar power to meet their renewable power obligation (RPO).

(c) The Government has not proposed any specific site to set up solar power plants. A project developer can set up a solar plant anywhere in the country, based on the availability of land, solar radiation and other facilities.

#### **Setting up of power projects in Andhra Pradesh**

**\*256. SHRI NANDI YELLAIAH:** Will the Minister of POWER be pleased to state:

(a) the number and details of the proposals received by his Ministry from Andhra Pradesh Government to set up power projects in the State during the last three years;

(b) the latest status of the progress of each such project;

(c) the number and details of the proposals which have not been cleared so far; and

(d) the reasons therefor?

**THE MINISTER OF POWER (SHRI SUSHILKUMAR SHINDE):** (a) to (d) With the enactment of Electricity Act, 2003, concurrence of Central Electricity Authority (CEA) is not required for setting up of new Thermal Power Projects. However, concurrence of CEA is required for setting up of Hydro Projects estimated to involve a capital expenditure exceeding such sum as may be fixed from time to time, by Notification.

During the last three years, a proposal for Hydro Electric Project, namely, Indira Sagar Polavaram Multipurpose Project (960 MW) has been received from APGENCO, Andhra Pradesh for accord of concurrence. The proposal has been received only on October 10, 2009 in CEA.

#### **Unrealistic and objectionable programmes**

**\*257. SHRI PRAVEEN RASHTRAPAL:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the reasons for permitting television producers to exhibit un-realistic and highly objectionable programmes in the name of reality show; and

(b) whether her Ministry is aware about the so-called comedy programmes wherein

women are projected as commodity and sexist remarks are made about her life, violating all norms of customs and the law of the land?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI AMBIKA SONI): (a) There is no provision to give prior permission to private TV Channels for making/producing programmes before telecast. There is no pre-censorship of TV programmes. However, all private TV channels are required to adhere to the Programme and Advertising Code prescribe under the Cable Television Networks (Regulation) Act, 1995 and Rules framed thereunder. This Ministry has constituted an Inter Ministerial Committee (IMC) to look into specific complaint or take *suo-motu* cognizance against the violation of the Programme and Advertising Codes. Action is taken as per rules whenever violation of Codes is brought to the notice of the Government.

(b) Instances of obscenity, nudity, vulgarity etc. in TV programmes have been brought to the notice of the Government from time to time. IMC as referred to (a) above looks into complaints of violation of the Cable TV Act.

**Grant for promotion of tribal culture, museum and cultural activities**

†\*258. SHRI BALAVANT ALIAS BAL APTE:  
SHRI ANIL MADHAV DAVE:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the Central Government has received any recommendations from the State Government of Maharashtra for providing grant to the private institutions for promotion of tribal culture, museum and cultural activities;

(b) if so, the details thereof and the action taken thereon;

(c) the nature of the grant and the criteria/norms for providing such grants; and

(d) the method of coordination between the Central and State Governments for preservation, protection and promotion of tribal culture in the country?

THE MINISTER OF TRIBAL AFFAIRS (SHRI KANTILAL BHURIA): (a) No, Sir.

(b) Does not arise.

(c) Ministry of Tribal Affairs, under its Centrally Sponsored Scheme of Research and Training is providing Central Assistance on matching basis (50:50) with State Governments to various Tribal Research Institutes (TRIs) across the country, for various activities including setting up of tribal museums for exhibiting tribal artifacts and preservation of tribal culture. In addition, in order to preserve, showcase and promote various facets of tribal life relating to their culture, traditions and customs, grants are also provided to States/UTs for organizing tribal festivals at the regional level through States/UTs and at the national level in collaboration with the nodal Ministry/Department. Grants in aid are released on a year to year basis on receipt of the proposals and Utilisation Certificates of the previous years.

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†Original notice of the question was received in Hindi.

(d) Coordination of the Centre with the States for preservation, protection and promotion of tribal culture is ensured through regular interaction/meetings with the officials of the TRIs/State Governments and periodic field visits.

#### Environmental clearance for power projects in NER

\*259. SHRI KUMAR DEEPAK DAS: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government has given environmental clearance to various power projects in the North-Eastern Region;

(b) if so, the details of such projects particularly in Arunachal Pradesh during the last five years;

(c) the details of various conditions set for environmental clearance of power projects; and

(d) whether the power projects, which have been sanctioned, fulfil the required conditions for environmental clearance?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) A total of 19 power projects have been accorded Environmental Clearance during the last five years in North-Eastern Region. State-wise break-up of cleared projects is as under:

Sl. No.	Name of the North-East States	No. of cleared power projects	
		Thermal Power	Hydro-Electric
1.	Arunachal Pradesh	—	2
2.	Assam	2	—
3.	Manipur	—	1
4.	Mizoram	—	—
5.	Meghalaya	—	2
6.	Nagaland	—	—
7.	Tripura	1	—
8.	Sikkim	—	11
TOTAL:		3	16

(c) The salient conditions stipulated for environmental clearance of power projects include the following:

(i) Hydro Electric Projects

- Catchment area treatment
- Rehabilitation and Resettlement (R and R) of affected persons.

- Conservation of flora and fauna (including fishery)
- Compensatory afforestation, if forest land is involved.
- (ii) Thermal Power Projects
  - Installation of equipment to control particulate emissions.
  - Measures to control NOx emissions
  - Providing of stack of adequate height
  - Ambient air quality monitoring
  - Raising of green belt around the plant
  - Rehabilitation and Resettlement (R and R) of affected persons.

(d) All the above mentioned power projects are under construction except one hydroelectric project (Tipaimukh), which is awaiting forest clearance. No violation of any of the stipulated conditions in respect of the above mentioned projects has been reported to this Ministry by the regulatory authorities.

#### **Emission reduction**

\*260. MS. SUSHILA TIRIYA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that the United States has indicated that it would not make any significant emission reduction;
- (b) if so, the reasons therefor; and
- (c) the steps taken in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (c) A Statement is laid on the Table of the House.

(a) to (c) In the international negotiations on climate change taking place under the United Nations Framework Convention on Climate Change, discussions on aggregate emission reduction target for Annex I countries including the USA are being held.

Parties are expected to reach an agreed outcome on these negotiations including emission reduction target for the United States at the 15th Conference of Parties in Copenhagen in December, 2009.

#### **WRITTEN ANSWERS TO UNSTARRED QUESTIONS**

##### **Increase in prices of coal**

†1832. SHRI RAJ MOHINDER SINGH MAJITHA:  
SHRI SHIVANAND TIWARI:

Will the Minister of COAL be pleased to state:

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†Original notice of the question was received in Hindi.



(a) whether it is a fact that Coal India Limited has recently increased the prices of all its products by 10 to 15 per cent;

(b) if so, the details in this regard;

(c) whether it is also a fact that prices were also increased in December, 2007; and

(d) if so, the percentage of this price rise and increase in production during the years 2007-08, 2008-09 and so far in the first half of the current year?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) and (b) Yes, Sir. Run of Mine (RoM) coal prices in all coal companies of Coal India Ltd. (CIL) other than Eastern Coalfields Ltd. (ECL) and Bharat Coking Coal Ltd. (BCCL) have been increased *w.e.f.* 16th October, 2009 by 10% for all grades of coal over the then existing prices and the increase in respect of coal produced by ECL and BCCL is 15%, except for the portion of Raniganj coal of grades A and B from such mines of ECL which are supplied under a Memorandum of Understanding (MoU) to specific consumers at special prices.

(c) and (d) Yes, Sir. The prices of coal had earlier been revised by CIL in December, 2007 *w.e.f.* 13.12.2007. RoM coal prices for all coal companies of CIL other than North Eastern Coalfields (NEC) were increased by 10% for all grades of coking and non-coking coal over the then existing prices and in case of NEC the increase was 15%.

The rate of increase in production in CIL during 2007-08 and 2008-09 was 6.4% and 8.8% respectively. The rate of increase in production during the period from April 2009 to Oct. 2009 was 8.77%.

#### **Reforms in coal industry**

1833. SHRI JAI PRAKASH NARAYAN SINGH: Will the Minister of COAL be pleased to state:

(a) whether it is a fact that coal industry is moving towards a big reform and is readying to usher-in an open bidding regime;

(b) whether it is also a fact that Government is likely to bring a legislation for appointment of a Regulator to open up coal mining to private players without restriction of private use; and

(c) if so, the details in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) With a view to bring greater transparency and objectivity in the process of allocations of coal blocks, the Mines and minerals (Development and Regulation) Amendment Bill, 2008 was introduced in the Rajya Sabha on 17.10.2008, which seeks to adopt auctioning of coal and lignite blocks for captive use through competitive bidding as the selection process.

(b) and (c) A proposal for setting up of an independent regulatory body for coal sector is

under consideration of the Government. Since setting up of regulator involves enactment of legislation by the Parliament, it may not be possible to indicate the exact time frame for the same. Within the extant legal framework, appointment of an independent regulator for coal sector would result in more optimal development and conservation of coal resources, more effective regulation, adoption of best mining practices, rational pricing, better distribution, evolution of a more competitive market etc. It would also help in creating a level playing field for new entrants in the coal sector.

#### **Import of coal**

†1834. SHRI AMIR ALAM KHAN: Will the Minister of COAL be pleased to state:

- (a) whether Government has decided to import coal during 2008 and 2009;
- (b) if so, the quantity of coal imported/ to be imported;
- (c) the name of the country and price at which it was imported/to be imported;
- (d) the reserved stock of coal in tonnes in the country and the production of coal during the above mentioned period; and
- (e) the extent to which the shortage of coal in domestic sector would be met as a result thereof?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):  
(a) to (c) As per the present import policy of the Government, coal can be imported by any entity under Open General Licence (OGL) on payment of applicable import duties. Coal India Ltd., has not been importing coal directly so far.

(d) The total closing stock of coal with CIL as on 01.04.2008 and 01.04.2009 was 45.59 mts and 47.72 mts respectively. The production during 2007-08 and 2008-09 was 379.46 mts and 403.73 mts respectively.

(e) During the year 2007-08 and 2008-09, the shortage of coal was met by imports by the end users which were 49.79 mts and 59.00 mts respectively.

#### **Use of railway racks by MCL in Talchar coalfield area**

1835. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of COAL be pleased to state:

- (a) whether the Mahanadi Coalfields Ltd. (MCL) is encouraging movement of coal by railway racks even within short distances, say within a radius of 100 km. from Talchar;
- (b) what is the number of displaced/ substantially affected persons who are earning a livelihood by transporting coal by road in Talchar coalfields area; and
- (c) considering the distress which would be caused to the DPs and SAPs of Talchar area, whether Government would consider directing the MCL authorities not to use railway racks within a radius of 100 km from Talchar?

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†Original notice of the question was received in Hindi.

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):  
(a) Since sale of coal is made on free on Rail/Road (FOR) basis, the decisions in respect of mode of transportation is taken by the buyer and Mahanadi Coalfields Limited has limited scope, irrespective of distance, in encouraging movement of coal by Rail.

(b) About 9382 persons are earning their livelihood by engaging themselves as tipper operator mechanic and helpers with Ex-Servicemen Transporting Agency and Civilian Transport Contractors.

(c) As indicated in the reply to part (a) above, Mahanadi Coalfields Limited has limited scope to consider mode of transport to be used by consumers. However, Mahanadi Coalfields Ltd. encourages Project Affected People (PAPs) to form a Co-operative Society and start transporting coal as contractor at a approved scheduled rate without entering into tendering process. In addition to that, nearby consumers are also being allowed to transport by road and displaced/Substantially affected persons are being engaged by them also. In addition to above, 1900 trucks of coal are being lifted by different consumers through road transport from Talcher field.

#### **Underground fire in coal mines in Jharkhand**

1836. SHRI T.K. RANGARAJAN: Will the Minister of COAL be pleased to state:

- (a) whether underground fire has been noticed in the coal mines in Jharkhand;
- (b) if so, whether Government has calculated the extent of area where this problem exists;
- (c) the reasons for the problem;
- (d) whether any action has been taken to contain the fire in these mines; and
- (e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):  
(a) As reported by Coal India Limited (CIL), three subsidiary companies of CIL namely Eastern Coalfield Limited (ECL), Bharat Coking Coal Limited (BCCL) and Central Coalfield Limited (CCL) are in operation in the State of Jharkhand. Out of above three subsidiaries, in two subsidiaries namely BCCL and CCL, fire has been noticed. In BCCL fire has been noticed over an extensive area in Jharia Coalfield and in CCL fire has been noticed in two underground coal mines.

(b) BCCL : At the time of Nationalisation of coal mines, BCCL had inherited 70 mine fires, covering an area of 17.32 sq. km. Due to some concrete efforts by BCCL, 10 fires could be liquidated completely. In the meantime, 7 more fires have been identified in Jharia coalfield. Presently, there are 67 fires out of which 9 are underground fires sealed behind the stopping and are now at dormant state. Remaining 58 fires cover a total surface area of 8.90 sq. km.

CCL : In CCL leasehold area, fire exists in Sarubera and Churi underground mines only with the approximate extent of fire being 26719 square meters.

(c) In BCCL, cause of underground fire is basically unscientific mining activities done in the past.

In CCL, the reason for both the mine was spontaneous heating of coal.

(d) and (e) Efforts made by BCCL to combat the fires, are as under :

- (i) During 1976-88, 22 fire projects dealing with fire were sanctioned by the coal company, for a total investment of Rs. 114.57 crores covering the then 58 fires out of 70 fires existing at the time of nationalisation.
- (ii) Approximately sum of Rs. 76 crores has been spent in fire fighting measures against these fire projects till March 1997. The implementation of these schemes, though could not extinguish all the fires completely, but facilitated to achieve following:
  - Liquidated 10 fires completely.
  - Controlled majority of the fires from total devastation.
  - Reduced the total surface area affected by fire to 8.90 sq. km. from earlier reported area of 17.32 sq. km.
  - Reduced the blockage of coal from 1864 MT to 1453 MT.

Presently, as per the Master Plan for Jharia coalfield dealing with fire, subsidence, rehabilitation and diversion of surface infrastructure, approved by the Government in August 2009, an Action Plan has been prepared for dealing all 67 fires (58+9) and a total fund of Rs.2311.50 cores has been earmarked.

In CCL, Experts were engaged from Central Institute of Mining and Fuel Research (CIMFR) for conducting detailed scientific studies immediately after detection of fires. The fire fighting measures were taken as per the guidance and under the supervision of the experts.

#### **Closure of power plants due to short supply of coal**

1837. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of COAL be pleased to state whether it is a fact that many public and private sector power plants would be closed down because of short supply of coal?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL): As reported by the Central Electricity Authority, the coal stock at power plants improved from a level of 9.29 Million Tonnes as on 31st October, 2009 to 10.65 Million Tonnes as on 30th November, 2009. The number of critical power stations having coal stock of less than 7 days reduced from a level of 27 to 25 during the same period. It is expected that coal production and transportation are likely to improve further and therefore, closing down of power plants due to short supply of coal is not being apprehended.

#### **Allocation of coal blocks to CIL**

1838. SHRI MAHENDRA MOHAN: Will the Minister of COAL be pleased to state:

(a) whether Government has been actively considering allocating a large number of blocks to the Coal India Limited;

(b) if so, the details thereof;

(c) whether a large number of coal blocks, allocated to the State run as well as private power and steel utilities for captive use are lying idle despite years having elapsed; and

(d) if so, the details thereof and the steps taken by Government to make use of such allocated coal blocks?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) and (b) An exercise was carried out for identification of new coal blocks. Out of these blocks, Coal India Limited (CIL) has sought to retain 138 coal blocks.

(c) and (d) Development of coal blocks involves a gestation period of 3 to 7 years for reaching the production stage and another two to three years for reaching the optimal production capacity. As per the guidelines, coal production from a captive coal block should commence within 36 months (42 months in case the area falls in forest land) in case of open cast mines and in 48 months (54 months in case the area falls in forest land) in case of underground mine, from the date of allocation. If the coal block is not explored, additional two years are allowed for detailed exploration and three months for preparation of geological report. The allocatees of coal blocks, who have not started production so far, are in various stages of obtaining statutory clearances and mining lease, preparing mining plan, acquisition of land, procuring machinery and equipment etc. for both mining as well as end-use project. So far 208 coal blocks have been allocated with an approximate geological reserves of 48.82 billion tonnes, upto November, 2009 and majority of the coal blocks have been allotted after 2005.

The responsibility of developing the coal block as per the prescribed guidelines and milestone chart attached with the allocation letter rests entirely with the allocatee company. In the terms and conditions of the allocation letters, it is categorically mentioned that in the event of willful delay in the development of coal blocks and in setting up of the end use project, the Government shall take appropriate action to de-allocate the said block. Government periodically monitors and reviews the development of allocated blocks as well as end use plants by the allocatee companies in the Review Meetings. Wherever delays are noticed, Government issues show cause notices and advisories to such allocatees cautioning them to bring the coal blocks into production as per the guidelines/milestones chart. Similarly, the Coal Controller's office is also monitoring on regular basis the achievement of different milestones. Further, the allocatees have to submit Bank Guarantee which remains valid all the times till the production from the coal block reaches its peak rated capacity. The last review meeting was held on 22nd and 23rd June, 2009 with all the coal block allocatees to review the development of coal blocks and the end use projects.

The State Governments have also been requested to form a Monitoring Committee headed by the Chief Secretary to facilitate expeditious development of coal/lignite blocks.

So far, seven coal blocks have been de-allocated after following due process.

#### **Production of synthesis gas at Talchar in Orissa**

1839. SHRI MOHAMMED AMIN: Will the Minister of COAL be pleased to state:

(a) whether it is a fact that M/s SASOL-TATA combine are producing synthesis gas from their own Coal To Liquid (CTL) project at Talchar in Orissa; and

(b) if so, the details thereof along with the end products and consumers?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):  
(a) and (b) M/s Strategic Energy Technology Systems Limited, a joint venture formed by TATA and SASOL, has been allocated North of Arkhapal coal block on 27.02.2009 with geological reserves of 1500 million tonnes of coal for their coal-to-liquid project in Orissa. The block is unexplored and as per the guidelines for development of coal block, 27 months is allowed for detailed prospecting. There is no coal production at present.

#### **Revival of MAMC**

1840. SHRI MOHAMMED AMIN: Will the Minister of COAL be pleased to refer to answer to Starred Question 334 given in the Rajya Sabha on the 16th August, 2007 and state:

(a) the present status of implementation of MoU that had been signed between CIL and DVC on 1st June, 2007 on the revival of MAMC; and

(b) the tentative date for commencement of the revival process?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):  
(a) and (b) The Memorandum of Understanding (MoU) signed between Coal India Ltd. (CIL) and Damodar Valley Corporation (DVC) was firmed up by an agreement signed on 18.09.2007. Subsequently, Bharat Earth Movers Limited (BEML) also joined to form a consortium and a tripartite agreement was signed on 27.09.2007. An application was filed by the consortium praying for the taking over of the Mining and Allied Machinery Corporation (MAMC) was heard by the Hon'ble High Court, Kolkata and stay on liquidation was granted. With the leave granted by the Hon'ble Court, due diligence was conducted by the consortium.

Following the due diligence, various creditors were approached for waiver of their respective dues. Government of West Bengal has agreed in principle to waive its dues if the Central Government took a similar stand. The State Bank of India, being the principal secured creditor, has agreed to settle for substantially reduced amount.

Very recently BEML has expressed a desire to withdraw from the consortium. After settlement of the issues of withdrawal by BEML and the waiver of dues by Government of West Bengal and Central Government the matter will be placed before Hon'ble High Court, Kolkata for further directions.

### New coal mines

1841. SHRI SYED AZEEZ PASHA: Will the Minister of COAL be pleased to state:

(a) the number of underground and open cast coal mines in the country, as on date, company-wise and State-wise;

(b) the details of the new coal mines opened during the last three years and the current year, State-wise;

(c) whether Government proposes to open more coal mines to increase coal production;

(d) if so, the details thereof, location-wise and State-wise; and

(e) the investment likely to be made for the purpose and the sources from where funds are likely to be mobilised in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) The number of underground and open cast mines in Coal India Limited (CIL) and in Singareni Collieries Company Ltd. (SCCL) as on 01.04.2009, company-wise and State-wise is given at Table-A of the Statement-I (See below).

(b) The new coal mines opened during the last three years and the current year in respect of CIL and SCCL State-wise is given at Table-B Statement-I (See below).

(c) to (e) Yes Sir. In Coal India Limited (CIL), 134 projects have been identified to be taken up during the Eleventh Plan period for an ultimate capacity of 367.86 Mty. with estimated capital investment of Rs.35,772.63 crore. Out of these, 67 projects for a capacity of 157.42 Mty at an investment of Rs.8,870.67 crore have been approved and are under different stages of implementation. In Singareni Collieries Company Limited (SCCL), 23 projects have been identified to be taken up during the Eleventh Plan period for an ultimate capacity of 38.053 Mty with estimated investment of about Rs.2,871.43 crore. The proposed investment in case of CIL and SCCL is entirely to be funded through internal resources. The details of the State-wise and location-wise projects are given in Table-C of Statement-I

### Statement

**Table : A**

*List of the Mines of CIL and SCCL as on 1.4.2009 (Provisional)*

Company	State	Underground Mines	Open Cast Mines	Mixed Mines	Total Mines
1	2	3	4	5	6
Eastern Coalfields Ltd.(ECL)	West Bengal (WB)	73	15	6	94
	Jharkhand(JH)	9	6	1	16

1	2	3	4	5	6
Bharat Coking Coal Ltd. (BCCL)	West Bengal	2	1	0	3
	Jharkhand	45	17	17	79
Central Coalfields Ltd. (CCL)	Jharkhand	24	36	2	62
Northern Coalfields Ltd. (NCL)	Madhya Pradesh (MP)	0	5	0	5
	Uttar Pradesh (UP)	0	5	0	5
Western Coalfields Ltd. (WCL)	Madhya Pradesh	22	7	4	33
	Maharashtra (MS)	21	32	0	53
South Eastern Coalfields Ltd. (SECL)	Madhya Pradesh	28	8	0	36
	Chhattisgarh (CG)	41	13	1	55
Mahanadi Coalfields Ltd. (MCL)	Orissa (OR)	9	15	0	24
North Eastern Coalfields Ltd. (NEC)	Assam (ASM)	4	3	0	7
	Meghalaya	1	0	0	1
Coal India Limited (CIL)	Total	279	163	31	473
Singareni Collieries Co. Ltd. (SCCL)	Andhra Pradesh (AP)	36	14	0	50

**Table : B**

*List of the Mines opened during the last three years and in current year*

State	Name of the Mines
1	2
Madhya Pradesh	1. Block B (NCL)
	2. Urdhan (WCL)
	3. Amadand (SECL)
	4. Khaira (SECL)
	5. Haldibari (SECL)



1	2
	6. Damini (SECL)
Chhattisgarh	1. Vijay West (SECL)
	2. Amere (SECL)
	3. Haldibari (SECL)
	4. Ketki (SECL)
	5. Chhal (SECL)
Uttar Pradesh	1. Krishnashila (NCL)
Maharashtra	1. Ghonsa (WCL)
	2. Inder UG to OC (WCL)
	3. Navinkanada Ph.1 (WCL)
Orissa	1. Kulde (MCL)
	2. Bhubeneshwari (MCL)
Assam	1. Ledo (NEC)
Andhra Pradesh	1. BPA OC-II Extension (SCCL)
	2. KTK 8 Inc. (SCCL)
	3. SRP OC-I (SCCL)
	4. DORLI OC-I (SCCL)
	5. KTK OC Sector I (SCCL)
	6. GDK 11 A Continuous miner (SCCL)
	7. Kondapuram UG (SCCL)

**Table : C**

*List of proposed projects in CIL and SCCL*

Sl. No.	Location/ Company	State	Approved Projects	Projects, yet to be approved	Total Projects
1	2	3	4	5	6
1.	ECL	West Bengal (WB)	6	5	11
		Jharkhand (JH)	0	0	0
2.	BCCL	West Bengal	0	0	0
		Jharkhand	0	6	6

1	2	3	4	5	6
3.	CCL	Jharkhand	13	12	25
4.	NCL	Madhya Pradesh (MP)	2	1	3
		Uttar Pradesh (UP)	0	0	0
5.	WCL	Madhya Pradesh	5	2	7
		Maharashtra (MS)	16	14	30
6.	SECL	Madhya Pradesh	1	3	4
		Chhattisgarh (CG)	9	12	21
7.	MCL	Orissa (OR)	11	7	18
8.	NEC	Assam (ASM)	4	5	9
		Meghalaya	0	0	0
	(CIL)	<b>Total</b>	<b>67</b>	<b>67</b>	<b>134</b>
9.	(SCCL)	Andhra Pradesh (AP)	22	1	23

**Shortage of coal supply**

1842. SHRI RAMDAS AGARWAL : Will the Minister of COAL be pleased to state :

(a) whether it is a fact that there is a big gap between demand and supply of coal to various industries particularly steel and energy sector during the last three years including the current year, year-wise;

(b) if so, what is the projected shortage of coal, industry-wise, during the next three years; and

(c) what remedial steps Government has taken to meet the demand of various industries indicating the quantity of coal likely to be imported during the next three years?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) The gap between demand and Supply of coal during last three years namely 2006-07, 2007-08 and 2008-09 and the current year as envisaged in the Annual Plan was/is 53.39, 38.01, 60.15 and 70.00 million tonnes respectively. The supply demand gap during this period in respect of Steel (Coking Coal) and Power Utilities was/is as under:-

(In million tonnes)

Sector	2006-07	2007-08	2008-09 (Prov.)	2009-10 (Plan)
1	2	3	4	5
<b>Steel (Coking Coal)</b>				
Demand	43.70	38.00	44.00	20.29

1	2	3	4	5
Supply	16.32	16.99	16.39	19.78
Gap	27.38	21.01	27.61	00.51
<b>Power Utility Sector</b>				
Demand	322.00	330.00	373.00	397.54
Supply	286.20	322.25	344.57	362.27
Gap	35.80	7.75	28.43	35.27

(b) As per the Annual Plan 2009-10, the projected shortage of coal on all India basis is about 70 million tonnes. The demand supply gap projected by the Working Group on Coal and Lignite for the terminal year of Eleventh Five Year Plan *i.e.* 2011-12 is 51.10 million tonnes. However, the information on industry-wise shortage of coal is not maintained specifically though sector-wise demand is worked out by the Planning Commission.

(c) With a view to augment the domestic Coal Production, Government has allotted a number of new captive coal blocks, besides taking up a number of new coal projects under coal PSUs to bridge the gap between demand and supply. While the factual position shall emerge only after CIL has concluded Fuel Supply Agreements with all the consumers, during 2009-10, however, it is planning to import about 4 million tonnes for supply to intending Power Stations.

#### **Allocation of coal blocks**

1843. SHRI RAMDAS AGARWAL: Will the Minister of COAL be pleased to state:

(a) whether Government proposes to introduce competitive bidding in the country for allocation of coal blocks for captive use, as under the current system, many non-serious players have been allocated coal blocks; and

(b) if so, the details of the action Government is contemplating against such companies that do not start work on captive mines within two years of allotment of coal blocks?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) and (b) With a view to bring greater transparency and objectivity in the process of allocation of coal blocks, the Mines and Minerals (Development and Regulation) Amendment Bill, 2008 was introduced in the Rajya Sabha on 17.10.2008, which seeks to provide for auctioning of coal and lignite blocks for captive use through competitive bidding as the selection process.

Development of coal blocks involves a gestation period of 3 to 7 years for reaching the production stage and another two to three years for reaching the optimal production capacity. As per the guidelines, coal production from a captive coal block should commence within 36 months (42 months in case the area falls in forest land) in case of open cast mines and in

48 months (54 months in case the area falls in forest land) in case of underground mine, from the date of allocation. If the coal block is not explored, additional two years are allowed for detailed exploration and three months for preparation of geological report. The allocatees of coal blocks, who have not started production so far, are in various stages of obtaining statutory clearances and mining lease, preparing mining plan, acquisition of land, procuring machinery and equipment etc. for both mining as well as end-use project. So far 208 coal blocks have been allocated with an approximate geological reserves of 48.82 billion tonnes, upto November, 2009 and majority of the coal blocks have been allotted after 2005.

The responsibility of developing the coal block as per the prescribed guidelines and milestone chart attached with the allocation letter rests entirely with the allocatee company. In the terms and conditions of the allocation letters, it is categorically mentioned that in the event of willful delay in the development of coal blocks and in setting up of the end use project, the Government shall take appropriate action to de-allocate the said block. Government periodically monitors and reviews the development of allocated blocks as well as end use plants by the allocatee companies in the Review Meetings. Wherever delays are noticed, Government issues show cause notices and advisories to such allocatees cautioning them to bring the coal blocks into production as per the guidelines/milestones chart. Similarly, the Coal Controller's office is also monitoring on regular basis the achievement of different milestones. Further, the allocatees have to submit Bank Guarantee which remains valid all the times till the production from the coal block reaches its peak rated capacity. The last review meeting was held on 22nd and 23rd June, 2009 with all the coal block allocatees to review the development of coal blocks and the end use projects.

The State Government have also been requested to form a Monitoring Committee headed by the Chief Secretary to facilitate expeditious development of coal/lignite blocks.

So far, seven coal blocks have been de-allocated after following due process.

#### **Exploration of unproved coal deposits**

1844. SHRI ISHWAR SINGH:  
PROF. ALKA BALRAM KSHATRIYA:  
SHRI MAHENDRA MOHAN:  
DR. JANARDHAN WAGHMARE:

Will the Minister of COAL be pleased to state:

- (a) whether the Coal India Limited has asked the Central Mine Planning and Design Institute to explore the unproved coal deposits in the country;
- (b) if so, the details thereof;
- (c) whether any exact estimate of coal reserves has been assessed and if so, the details thereof;

(d) whether several coal mines of CIL are lying abandoned; and

(e) if so, the steps taken by Government to explore possibilities of digging coal from those mines?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) and (b) Within the command area of the Coal India Limited (CIL) in the country. Central Mine Planning and Design Institute is taking up exploration of unproved coal deposits in CIL, Non-CIL captive and other blocks. In 2009-10, a total of 3.60 lakh meters of exploratory drilling has been programmed through departmental resources (2.10 lakh m) and outsourcing (1.50 lakh m). Out of 3.60 lakh m of exploratory drilling, 2.31 lakh m is targeted in CIL blocks, 1.17 lakh m in non-CIL/Captive mining blocks and 0.12 lakh m in promotional (regional) exploration blocks.

(c) As per the latest inventory of geological resources of coal in India, prepared by Geological Survey of India (GSI), a cumulative total of 267.21 billion tonnes (bt) of geological resources of coal (105.82 bt in 'proved category', 123.470 bt in 'indicated category' and 37.920 bt in 'inferred category') have so far been estimated in the country as on 1.4.2009.

(d) and (e) Yes, Sir. A global Expression of Interest (EOI) was floated by CIL for 18 abandoned/derelict underground coalmines of CIL for salvaging, rehabilitation and operation through Joint Venture. 14 companies participated in this global EOI out of which 10 companies have been shortlisted. A general Bid document for selection of joint venture partner has been prepared.

#### **Import of coal**

1845. MS. MABEL REBELLO:

DR. T. SUBBARAMI REDDY:

Will the Minister of COAL be pleased to state:

(a) whether the country has faced coal shortage in many power projects;

(b) if so, to what extent the country has so far been able to import coal from Australia and other countries where prices have fallen to the lowest level; and

(c) whether JSW Energy has started talks to source coal from Indonesia and South Africa?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):

(a) Central Electricity Authority (CEA) has estimated that as against the total coal requirement of 404 million tonnes required by power utilities during 2009-10, the indigenous availability would be about 363 million tonnes. Therefore, Ministry of Power has advised the power utilities to import 28.70 million tonnes which is equivalent to about 41 million tonnes of indigenous coal, during 2009-10 to bridge the gap between demand and indigenous availability.

(b) Import of coal is under Open General Licence (OGL) and consumers are free to import coal. During the year 2007-08 and 2008-09, various consumers including consumers from power sector have imported coal from Australia, Indonesia etc. to the tune of 49.79 million tonnes and 59.00 million tonnes respectively.

(c) Information is not available with this Ministry.

#### **Irregularities in coal mines of WCL**

1846. SHRI RANJITSINH VIJAYSINH MOHITE-PATIL: Will the Minister of COAL be pleased to state:

(a) whether Government is aware of the fact that a large scale of bullying and irregularities take place in the contract to be given in the coal mines of Western Coalfields Limited;

(b) whether such irregularities have been brought to Government's notice by the officers concerned and if so, the details thereof; and

(c) the details of the private players who have been given the contract of coal during the last three years?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI SRIPRAKASH JAISWAL):  
(a) and (b) As informed by Coal India Limited, no complaint of large scale bullying and irregularities has been received in the Vigilance Department of Western Coalfields Limited.

(c) The information is being collected and will be laid on the Table of the House.

#### **CCI's awareness campaign on procurement process**

1847. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether the Competition Commission of India (CCI) has observed that many Government departments and public sector companies are losing thousands of crores of public money while procuring goods due to faulty bidding system;

(b) whether CCI has launched an awareness campaign on the Competition Law among the Government agencies like NHAI, CPWD, AIIMS and BSNL to ensure better transparency in the procurement process; and

(c) if so, whether Government proposes to review and revive the procurement system in consultation with CCI and if so, by when?

THE MINISTER OF CORPORATE AFFAIRS (SHRI SALMAN KHURSHID): (a) No, Sir.

(b) Competition Commission of India (CCI) has launched an awareness campaign as part of its advocacy efforts under Section 49(3) of the Competition Act, 2002, to create awareness about the competition issues to all stakeholders including Government Departments and Public Sector Companies.

(c) No such proposal is under consideration at present in the Ministry of Corporate Affairs.

#### **Investor Education and Protection Fund**

1848. SHRI NAND KUMAR SAI: Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether the cases of misleading the investors, while raising money by the promoters of companies, have increased over a period of time;
- (b) if so, the details thereof and Government's reaction thereto;
- (c) the number of complaints/cases reported to Government during 2008-09 and 2009-10, so far;
- (d) the details of the companies against whom Government has taken action;
- (e) whether Government has set up an Investor Education and Protection Fund in the country; and
- (f) if so, the details thereof along with the objectives for setting up of such fund?

THE MINISTER OF CORPORATE AFFAIRS (SHRI SALMAN KHURSHID): (a) to (d) Based on information provided by Securities and Exchange Board of India (SEBI) there have been 3 public issues of Debt Securities under the SEBI (Issue and Listing of Debt Securities) Regulations 2008 in the period 2008-09 (one) and 2009-10 (two) till date. No complaints of misleading investors have been received in connection with these issues. The details of public/rights issues where complaints were received alleging misleading disclosures in the draft offer document in respect of issues and the action taken by SEBI during 2008-09 and 2009-10 is given in the Statement (*See below*).

(e) Yes, Sir.

(f) Investor Education and Protection Fund (IEPF) has been set-up under Section 205C of the Companies Act, 1956 by way of the Companies (Amendment) Act, 1999. As per the Act, the following amounts, which have remained unclaimed and unpaid for a period of seven years from the date they became due for payment, shall be credited to the IEPF:

- a. Unpaid dividend accounts of the companies;
- b. The application moneys received and due for refund;
- c. Matured deposits;
- d. Matured debentures;
- e. The interest accrued in the amounts referred to (a) to (d) above;
- f. Grants and donations by the Central Government State Government, companies or any other institutions;
- g. The interest or other income received out of the investments made from the Fund.

The objectives of the Fund are:

- (i) Educating investors about market operations;
- (ii) Equipping investors to analyze information to take informed decisions;
- (iii) Making investors aware about market volatilities;
- (iv) Empowering the investors by making them aware of their rights and responsibilities under various laws;
- (v) Continuously disseminating information about unscrupulous elements and unfair practices in securities market;
- (vi) Broadening the investors' base by encouraging new investors to participate in securities market; and
- (vii) Promoting research and investor surveys to create a knowledge base to facilitate informed policy decisions.

**Statement**

*Details of complaints received by SEBI during 2008-09 and 2009-10 while raising money through public/rights issues:*

Sl. No.	Name of Issue	Pre-issue/ post issue	Action taken/status
1	2	3	4
<b>2008-09</b>			
1.	Gokul Refoil and Solvent Limited	Pre-issue	Merchant banker advised to reply to the complainant and advised to make disclosures in the offer document. Merchant banker replied to the complainant.
2.	Chemcel Biotech Limited	Pre-issue	As above
3.	Edserve Softsystems Limited	Pre-issue	As above
4.	First Winner Industries Ltd.	Pre-issue	As above
		Post-issue	Merchant banker advised to reply to the complainant. Merchant banker replied to the complainant.
5.	Niraj Cement Structural Ltd.	Pre-issue	Merchant banker advised to reply to the complainant and advised to make disclosures in the offer document. Merchant banker replied to the complainant.



1	2	3	4
6.	Austral Coke and Projects Ltd.	Post-issue	Merchant banker advised to reply to the complainant and advised to make disclosures in the offer document. Merchant banker replied to the complainant. Complaint also taken up for investigation.
7.	Gini and Jony Ltd. (Issue not opened)	Pre-issue	Merchant banker advised to reply to the complainant and advised to make disclosures in the offer document. Merchant banker replied to the complainant.
<b>2009-2010</b>			
1.	DEN Networks Ltd.	Pre-issue	Merchant banker advised to reply to the complainant and advised to make disclosures in the offer document. Merchant banker replied to the complainant.
2.	Indiabulls Power Ltd.	Pre-issue	As above
3.	NHPC Limited	Pre-issue	As above
4.	Pipavav Shipyard Limited	Pre-issue	As above
5.	Cox and Kings(l) Ltd.	Pre-issue	As above
6.	Euro Multivision Ltd.	Pre-issue	As above
7.	Jindal Cotex Ltd.	Pre-issue	As above.

#### **Expert group for winding-up of sick companies**

1849. SHRI GIREESH KUMAR SANGHI: Will the Minister of CORPORATE AFFAIRS be pleased to state:

(a) whether Government has set up an expert group to suggest ways to speed up liquidation of sick companies by resolving procedural and legal complexities involved;

(b) whether winding up of a sick entity involves multiple regulations;

(c) if so, whether a group which comprises the members of Institute of Chartered Accountants of India is expected to suggest streamlining of court procedures and reducing the time-frame for winding up of sick company to 2 to 3 years; and

(d) if so, what are other major points the expert group would undergo and by when it is likely to submit its recommendations?

THE MINISTER OF CORPORATE AFFAIRS (SHRI SALMAN KHURSHID): (a) to (d) The Government has constituted an Expert Committee for giving recommendations for better efficiency in the conduct of liquidation and winding up proceedings of companies including sick companies in the Company Courts. The Committee is mandated to suggest suitable amendments to the Companies (Court) Rules, 1959 towards reducing the timeframe for time consuming procedures for winding up matters. The Committee is likely to submit its report by February, 2010. Winding up a sick entity involves multiple regulations.

#### **Demerger of RIL**

1850. SHRI AMAR SINGH: Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether it is a fact that Company Law Board and SEBI approved the demerger of Reliance Industries Ltd. (RIL);
- (b) if so, the details thereof; and
- (c) the basis on which the demerger of RIL was approved by SEBI and company Law Board?

THE MINISTER OF CORPORATE AFFAIRS (SHRI SALMAN KHURSHID): (a) to (c) Company Law Board and SEBI have no jurisdiction in cases of merger or de-merger. They have therefore no role in matters related to demerger.

#### **NLCPR for Meghalaya**

1851. SHRIMATI RENUBALA PRADHAN: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

- (a) the updated status of all the projects related to health and family welfare under the Non-Lapsable Central Pool of Resources (NLCPR) scheme for 2009-10 for Meghalaya;
- (b) whether a project regarding up gradation of San Ker Charitable Trust at Mawroh, Shillong is pending for a long time;
- (c) if so, by when the above project is likely to be approved;
- (d) if not, the reasons therefor;
- (e) the steps being taken to ensure timely approval and sanction of such projects; and
- (f) if not, the reasons therefor?

THE MINISTER OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI B.K. HANDIQUE): (a) From the Priority List 2009-10 submitted by Government of Meghalaya a project, namely, Construction of Jordan Counselling Center cum Clinic under Salvy Foundation, Dkhiah, West Jaintia Hills related to Health and Family Welfare has been retained under Non-Lapsable Central Pool of Resources (NLCPR) scheme at an estimated cost Rs.2.58 crore for

detailed examination. The Government of Meghalaya was requested for Detailed Project Report (DPR) of the project on 01.09.2009.

(b) The project “San Ker Charitable trust at Mawroh, Shillong” appears in the Priority List 2009-10 of Meghalaya but it has not been retained.

(c) and (d) The NLCPR Committee considers the annual Priority Lists submitted by State Governments and retains projects from it on their merit. Only such retained projects are considered for approval under NLCPR after their detailed examination.

(e) and (f) Immediately after retention, the State Governments are asked to submit the DPRs of retained projects. These DPRs are examined techno-economically with the help of concerned line Ministries. On their techno-economic clearance the projects are put up to the NLCPR Committee for approval/ sanction.

#### **Encroachment in Sanjay Van**

1852. SHRI BRIJ BHUSHAN TIWARI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government is aware of the fact that the Sanjay Van near JNU in South Delhi is being encroached upon even though it is a protected ridge area;

(b) whether it is a fact that crimes are on the rise around nearby areas owing to thick jungle and nonchalance attitude of police;

(c) whether it is also a fact that trees are being cut illegally there and the Van has become a dumping ground for home waste which is killing the vegetation of the Van; and

(d) if so, the action Government has taken or proposes to take to check encroachment and crime in nearby areas like Mehrauli, Katwaria Sarai and Aruna Asaf Ali Road?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) Yes Sir. As reported by the Delhi Development Authority (DDA), the encroachments in Sanjay Van near JNU are very old and even more than 15 years old. Most of it relate to religious Monuments (Mandir and Masjid), Institutional, Kabristan, Graveyard, Cremation ground, Government building etc., No new encroachment has been permitted since the last more than 15 years.

(b) As reported by the Office of the Commissioner of Police, Delhi, no case has been reported from Sanjay Van. Recently the jurisdiction of Police Station Mehrauli was reorganized and a new Police Station Vasant Kunj North is created to help the better policing of this area. Analyzing the comparative crime report of the present year with the last year, it has been observed the crime rate has marginally increased in the area. The details are given in the Statement (*See below*).

(c) As reported by the Delhi Development Authority (DDA), it is not correct. The cutting of trees is not permitted. However, some home waste was dumped by some unknown persons at night from time to time which has been removed immediately thereafter.

(d) As reported by the Deputy Commissioner of Police, Delhi, all out efforts are being made to check encroachment and crime. Motor cycle patrolling, foot patrolling are being carried out from time to time and anti snatching picket, checking of vehicles is also being conducted in order to prevent any other crime in the area by Delhi Police.

The State Government has taken various steps to safeguard the forest land from the encroachers through regular inspections by field staff with better communication system.

**Statement**

*Reported crime nearby Sanjay Van (Katwaria Sarai), Qutub Institutional Area,  
Aruna Asaf Ali Road for the year 2008 (upto 15.11.2008) and 2009  
(upto 15.11.2009)*

Head	2008 (upto 15.11.2008)			2009 (upto 15.11.2009)		
	Reported	Worked out	Persons arrested	Reported	Worked out	Persons arrested
1	2	3	4	5	6	7
Murder	—	—	—	01	01	01
Robbery	01	01	04	—	—	—
Rape	—	—	—	01	01	01
Snatching	02	01	03	—	—	—
Burglary	02	—	—	02	01	01
Mo of Women	—	—	—	02	02	02
Heart	01	01	02	—	—	—
Fatal Accident	04	01	01	05	04	04
Simple Accident	13	10	10	10	08	08
Kidnapping	01	01	01	—	—	—
Cheating	03	02	03	04	03	04
House theft	07	01	02	03	—	—
M.V. theft	10	01	01	18	02	02

1	2	3	4	5	6	7
Other theft	—	—	—	04	02	02
Other IPC	08	06	14	20	19	29
Arms Act	01	01	01	—	—	—
Excise Act	04	04	05	02	02	02
TOTAL	57	30	47	72	45	56
<b>GRAND TOTAL</b>		<b>134</b>			<b>173</b>	

#### **Encroachment of land in Kaziranga National Park**

1853. SHRI KUMAR DEEPAK DAS: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that there is a huge encroachment of land in the Kaziranga National Park;

(b) if so, the details thereof; and

(c) the action taken for removal of the encroachments?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) As reported by the State, there are no encroachments within the National Park.

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

#### **Climate Change - projection and plans**

1854. DR. GYAN PRAKASH PILANIA:

SHRI LALIT KISHORE CHATURVEDI:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the details of the findings of the Intergovernmental Panel on Climate Change, 4th Assessment Report published in 2007;

(b) whether climate change projections indicate increased risk of more intense, frequent and longer lasting heat waves, summer dryness and greater risk of drought, as well as floods;

(c) the salient features of the National Action Plan on Climate Change released on the 30 June 2008; and

(d) the follow-up action taken thereon?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) The Fourth Assessment Report of the Intergovernmental

Panel on Climate Change (IPCC) published in 2007 provides assessment of the scientific literature published in the international scientific journals on various aspects of climate change *inter alia* science, impact, adaptation, vulnerability and mitigation. The report indicates increased risk of more intense, more frequent and longer lasting heat waves, summer dryness indicates greater risk of drought and intense precipitation and flooding which are known to cause adverse impacts on human beings.

(c) and (d) The National Action Plan on Climate Change (NAPCC) was released on 30th June, 2008 to outline India's strategy to meet the challenge of Climate Change. The National Action Plan outlines steps that will enable the country to adapt to climate change and enhance the ecological sustainability of India's development path.

The National Action Plan outlines eight Missions in specific areas of Solar Energy, Enhanced Energy Efficiency, Sustainable Habitat, Water, Sustaining the Himalayan Eco-system, Green India, Sustainable Agriculture and Strategic knowledge for Climate Change. Eight National Missions form the core of the National Action Plan, representing multi-pronged, long term and integrated strategies for achieving key goals in the context of climate change.

#### **Setting up of Geological Survey and Research Centre at Darjeeling**

†1855. SHRI SAMAN PATHAK: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government is contemplating to set up Geological Survey and Research Centre at Darjeeling;

(b) if so, the details thereof; and

(c) the steps being taken by Government for protection of the species reaching extinction and species which are found in hill areas?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) According to the Geological Survey of India, there is no proposal to set up any Geological Survey and Research Centre at Darjeeling.

(c) Several measures have been undertaken to conserve the flora and fauna including the endangered species and also those found in hill areas. These measures include the following:

- (i) Survey and inventorization of floral and faunal resources are carried out by Botanical Survey of India and Zoological Survey of India. The Forest Survey of India assesses the forest cover to develop an accurate database for planning and monitoring purposes.

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†Original notice of the question was received in Hindi.

- (ii) A Protected Area Network of 99 National Parks and 515 Wildlife Sanctuaries, 43 Conservation Reserves, 4 Community Reserves covering more than 4.75% of the geographical area of the country has been created for in-situ conservation of habitats and ecosystems.
- (iii) Sixteen biodiversity rich areas have been designated as Biosphere Reserves for conservation of representative ecosystems.
- (iv) Species oriented conservation programmes like Project Tiger, Project Elephant, Project Snow Leopard, etc. are implemented. In addition, 14 species including marine species have been identified for their recovery.
- (v) To complement in-situ conservation efforts, ex-situ conservation of rare, endangered, threatened and endemic species has been undertaken through botanic gardens, zoos, gene banks etc.
- (vi) Under the provisions of the Biological Diversity Act, 2002, State-wise list of species of plants and animals which are on the verge of extinction alongwith guidelines to prohibit and regulate their collection and rehabilitate and preserve these species has been proposed.
- (vii) The Wildlife Crime Control Bureau for control of poaching and illegal trade in wildlife and its parts and products has been established.

#### **Polluted rivers**

†1856. SHRI SHIVANAND TIWARI:

SHRI RAJ MOHINDER SINGH MAJITHA:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that Government has decided to clean the water of big and polluted rivers of the country;
- (b) if so, the details in this regard;
- (c) the rivers whose water is not considered potable and fit for bathing;
- (d) whether Government has prepared a plan to make the water pollution free; and
- (e) if so, the outline of the plan, the estimated expenditure for the plan and by when this plan would be completed?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (e) The efforts towards conservation of rivers started with the launching of the Ganga Action Plan (GAP) Phase-I in the year 1985. Subsequently, GAP Phase-II (GAP-II) was initiated which included the tributaries of the river Ganga, namely, Yamuna, Gomti and Damodar. The Plan was expanded to cover other rivers under National River Conservation Plan (NRCP) in the year 1995.

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†Original notice of the question was received in Hindi.

This Plan presently covers 38 rivers in 167 towns spread over 20 states. Pollution abatement schemes under NRCP include interception, diversion and treatment of sewage; low cost sanitation works on river banks; electric and/or improved wood crematoria etc. Sewage treatment capacity of nearly 4000 million litres per day (mld) has been created so far. Based on independent monitoring undertaken by reputed institutions on some of the major rivers under NRCP, the water quality in terms of BOD (Bio-chemical Oxygen Demand) values has improved at most locations as compared to water quality before taking up of pollution abatement schemes. The schemes are implemented on a cost sharing basis between the Centre and State Governments through implementing agencies of the States. The State-wise details of rivers covered under NRCP are given in the Statement-I (*See below*).

The pollution load on rivers has increased over the years due to rapid urbanization and industrialization. Abstraction of water for irrigation, drinking, industrial use, power etc. compounds the challenge. Treatment of water from various sources for drinking purposes is done by Water Supply Agencies in the States. Based on water quality monitoring, the Central Pollution Control Board (CPCB) has identified 150 polluted river stretches in the country, as given in the Statement-II (*See below*), exceeding the designated bathing quality standards of BOD of 3 mg/litre.

Conservation of rivers is an ongoing and collective effort of the Central and State Governments. The Central Government supplements the efforts of the State Governments in river conservation through the central plans. River conservation activities such as creation of civic infrastructure for sewage management and disposal are also being implemented under other central schemes, such as Jawaharlal Nehru National Urban Renewal Mission, Urban Infrastructure Development Scheme for Small and Medium Towns, as well as under State schemes.

The Government has initiated an exercise for revamping the river conservation strategy to promote a holistic and integrated river basin approach. The Central Government has set up the 'National Ganga River Basin Authority' (NGRBA) on 20.2.2009 as an empowered planning, financing, monitoring and coordinating authority to ensure effective abatement of pollution and conservation of the river Ganga by adopting a holistic approach with the river basin as the unit of planning.

#### ***Statement-I***

##### *State-wise details of rivers covered under the National River Conservation Plan*

Sl.No.	State	River
1	2	3
1.	Andhra Pradesh	Godavari and Musi
2.	Bihar	Ganga



1	2	3
3.	Delhi	Yamuna
4.	Goa	Mandovi
5.	Gujarat	Sabarmati
6.	Haryana	Yamuna
7.	Jharkhand	Damodar, Ganga and Subarnarekha
8.	Karnataka	Bhadra, Tungabhadra, Cauvery, Tunga and Pennar
9.	Kerala	Pamba
10.	Madhya Pradesh	Betwa, Tapti, Wainganga, Khan, Narmada, Kshipra, Beehar, Chambal and Mandakini
11.	Maharashtra	Krishna, Godavari, Tapi and Panchganga
12.	Nagaland	Diphu and Dhansiri
13.	Orissa	Brahmini and Mahanadi
14.	Punjab	Satluj
15.	Rajasthan	Chambal
16.	Sikkim	Rani Chu
17.	Tamil Nadu	Cauvery, Adyar, Cooum, Vennar, Vaigai and Tambarani
18.	Uttar Pradesh	Yamuna, Ganga and Gomti
19.	Uttaranchal	Ganga
20.	West Bengal	Ganga, Damodar and Mahananda

**Statement-II**

*State-wise details of polluted river stretches*

Sl. No.	Name of State	Name of River	No. of polluted stretches
1	2	3	4
1.	Andhra Pradesh	Godavari, Krishana, Manjira, Musi, Maner, Nakkavagu, Pennar and Tungabhadra	9

1	2	3	4
2.	Assam	Bharalu, Burhidihing, Deepar bill and Kalong	4
3.	Chandigarh	Attawa choe, Patiala ki Rao and Sukhna choe	3
4.	Delhi	Yamuna	1
5.	Gujarat	Ambika, Anas, Amlakhadi, Bhogavo, Baleshwar Khadi, Dhadar, Daman Ganga, Khari, Kaveri, Kim, Kolak, Mindhola, Mahi, Panam, Shedi, Sabarmati, and Tapi	19
6.	Haryana	Ghaggar, Gurgaon canal, Markanda, Western Yamuna canal, and Yamuna	5
7.	Himachal Pradesh	Beas, Markanda and Sukhna,	3
8.	Madhya Pradesh	Betwa, Chambal, Kshipra, Khan, Kalisot, Mandakini, Tons and Narmada	9
9.	Maharashtra	Bhima, Godavari, Mula and Mutha, Pawana, Panchganga, Patalganga, Indrayani, Koyna, Kundalika, Kalu, Kanhan, Kolar, Mithi, Tapi, Girna, Nira, Weinganga, Wardha, Krishna, Purna, Nira, Chandrabhaga, Venna river, Ulhas, Rangavali and Bhatsa	28
10.	Punjab	Satluj and Ghaggar	2
11.	Tamil Nadu	Adyar, Coovum, Cauvery, Noyyal, Vaigai, Tambiraparani, Bhavani and Palar	9
12.	Uttar Pradesh	Yamuna, Hindon, Western kali (Partly Covered), Kali nadi eastern, Bagad, Ganga, Gomti, Ramganga, Saryu and Rihand	12
13.	Karnataka	Bhadra, Tunga, Tungabhadra, Laxmantirtha, Kali, Krishna, Hundri, Kundu, Arkavati and Malprabha	11
14.	Manipur	Nambul	1
15.	Rajasthan	Bandi, Berech, Jojari, Chambal and Khetri	5
16.	Uttarakhand	Kosi, Dhela and Kichha and Bahalla	3
17.	Jharkhand	Subarnrekha and Sankh	2
18.	Kerala	Karamana, Puzhackal and Kadambayar	3
19.	Tripura	Agartala canal and Haora	2

1	2	3	4
20. Bihar	Sikrana		1
21. Chhattisgarh	Arpa, Seonath and Mahanadi		3
22. Meghalaya	Kharkhala and Umtrew		2
23. Orissa	Kathjodi, Brahmani, Mahanadi and Kuakhai		4
24. Pondicherry	Arasalar		1
25. West Bengal	Damodar, Ganga and Barakar		3
26. Nagaland	Dhansiri		1
27. Sikkim	Dikchu, Teesta, Maney khola and Ranichu		4
TOTAL			150

#### Climate change talks

1857. SHRI MANGALA KISAN:

SHRIMATI RENUBALA PRADHAN:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the African nations stonewalled the ongoing climate change talks in Barcelona;

(b) if so, the reasons therefor;

(c) whether UN's Carbon-cutting Kyoto Protocol for a new global climate deal due at Copenhagen has been cancelled; and

(d) if so, the reasons therefor and what are the Government's views in this regard, being a member of G-77?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) African nations, operating as a bloc in the *Ad-hoc* Working Group on Kyoto Protocol refused to undertake any negotiations on procedural issues during the negotiations in Barcelona held in November 2009 unless the developed countries came up with specific targets for emission reduction against their commitments under the second phase of Kyoto Protocol, in post 2012 period.

(c) No, Sir.

(d) Does not arise.

#### Impact of climate change

1858. SHRIMATI VIPLOVE THAKUR: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government has conducted any survey on impacts of climate change and vulnerability assessment in key sectors such as agriculture, water and health in hilly States particularly in Himachal Pradesh;

(b) if so, the results thereof;

(c) whether the challenges posed by climate change have caused serious threat to ecological sustainability; and

(d) if so, the steps taken/being taken by Government to combat the impact of climate change?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) No survey has been conducted on impact of climate change and vulnerability assessment in key sectors in hilly States including Himachal Pradesh.

(c) and (d) Government is aware of the threat of climate change to ecological sustainability. Prime Minister has released National Action plan on Climate Change (NAPCC) on 30th June 2008 to outline India's strategy to meet the challenge of Climate Change. India's National Action Plan outlines a national strategy that aims to enable the country to adapt to climate change and enhance the ecological sustainability of India's development path.

#### **Study on Himalayan glaciers**

1859. SHRI B.K. HARIPRASAD: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the recently released Government sponsored study on Himalayan glaciers points out that it is premature to suggest that glaciers in the Himalayan region are retreating abnormally due to global warming;

(b) whether UN-constituted Inter Government Panel on Climate Change (IPCC) in its report, suggests that the glaciers including those in the Himalayan region are fast disappearing and would vanish by 2035 due to global warming and resultant climate change; and

(c) if so, Government's comments thereon?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) The Studies carried out by Geological Survey of India have revealed that the majority of Himalayan glaciers are passing through a phase of recession, which is a worldwide phenomenon. The recession of glaciers is a part of the natural cyclic process of changes in size and other attributes of the glaciers. These changes could be attributed to various reasons including global warming.

(b) The Inter-Governmental Panel on Climate Change in its Fourth Assessment Report published in 2007 has indicated rapid melting of Himalayan Glaciers based on assessment of the results of certain modeling studies published in international literature.

(c) Long-term studies are required in order to conclusively establish the impact of global warming on recession of glaciers in Himalayan region.

#### **Forest diversion proposals**

1860. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the list of forest diversion proposals received from the Government of Orissa over the last 10 years and the specific purpose for which such forest lands were sought to be diverted;

(b) the cases which are pending, the reasons therefor in each case and by when those are likely to be cleared; and

(c) the cases rejected so far along with the reasons in each case?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (c) The information is being collected. On its receipt and compilation, the same will be laid on the table of the house.

#### **Iron-ore mines in Goa**

1861. SHRI SHANTARAM LAXMAN NAIK: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the number of iron-ore mines operating in Goa;

(b) the nature of permission granted to them for the purpose of mining;

(c) the number of mines in the State which have been issued notices under the Forest Conservation Act and other laws;

(d) the number of mines with respect to which licenses/permissions have been cancelled/revoked recently;

(e) the number of mines out of the above which have been allowed to operate by revoking the orders of cancellation;

(f) the objections, of the environmentalists against the mining activity in the State;

(g) the number of persons directly or indirectly employed in the mining industry; and

(h) the details of the present status of mining activity in the State?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) The mining activity can only be undertaken after obtaining environmental clearance under the Environment (Protection) Act, 1986. The Ministry has, so far, granted environmental clearance to 111 iron-ore projects in Goa during the period from September 2006 to 30th November 2009.

(c) The Ministry has, so far, granted 46 forest clearances for mining of iron-ore under the Forest (Conservation) Act, 1980 in the State of Goa. However, only 23 iron-ore mines are operating after obtaining the approval to their renewal proposals at present. In respect of remaining 23 mines, the approvals granted earlier have since been expired with effect from 27.11.2007.

(d) and (e) As per the information received from the State Government, three mines have been rejected renewal permissions recently by the Director of mines and Geology, Government of Goa. Revocation of none of them has been received till date.

(f) The environmentalists are primarily raising two issues against the mining activities in the State of Goa- (i) permitting mining within one km area from the boundary of the national park/sanctuary, and (ii) granting environmental clearance to a mining lease involving both forest and non-forest areas.

(g) The Ministry does not maintain a record of such information.

(h) The Iron-ore produced in the State of Goa is of low grade having Fe content ranging between 58% and 62%, which does not have ready market in the Country. The iron ore, therefore, is exported to other countries after resorting to beneficiation. Goa exports 60% of India's Iron-Ore. During the year 2008, about 46 million tonnes of iron-ore was exported from the country.

#### **Impact of climate change on agriculture**

1862. SHRI T.T.V. DHINAKARAN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is proposed to assess the impact of climate change on agriculture; and

(b) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) The Indian Council of Agricultural Research has undertaken various studies on impacts, adaptation and vulnerability of Indian agriculture to climate change under the aegis of a National Network Project. The major findings include:

Temperature rise studies conducted so far indicate that rise in temperature will have effect crops, horticulture, water resources, livestock and fisheries sectors. Studies indicate that rise in winter temperature will have negative impacts on wheat yield. The apple cultivation may shift to higher elevation due to rise in temperature. Heat stress will have negative affect on milk yield of livestock. Increased surface sea temperature may cause migration of fish and changes in breeding habitat.

### **Himalayan glaciers**

†1863. SHRI SHREEGOPAL VYAS: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether experts are giving different statements on melting of Himalayan glaciers;
- (b) whether there is any dispute over this Ministry's report; and
- (c) the plan to present a reliable report in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (c) Different findings are reported relating to melting of Himalayan glaciers. According to Report of the Inter-governmental Panel on Climate Change (IPCC) released in April 2007, indicate that the Himalayan glaciers are receding faster than any part of the world.

Whereas the studies carried out by Geological Survey of India the majority of Himalayan glaciers are passing through a phase of recession, which is a worldwide phenomenon. The recession of glaciers is a part of the natural cyclic process of changes in size and other attributes of the glaciers. These changes could be attributed to various reasons including global warming.

Long-term comprehensive studies are required in order to conclusively establish the impact of global warming on recession of glaciers in Himalayan region.

### **Climate change funding**

1864. SHRIMATI JAYA BACHCHAN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that the countries like USA and European Union are trying to scuttle the Kyoto Protocol mechanism with a World Bank type institution to manage climate change funding;
- (b) if so, whether Government has voiced its concern at the international platform;
- (c) if so, the details in this regard; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (d) An Adaptation Fund Board has been set up with resources generated from Clean Development Mechanism under the Kyoto Protocol to finance activities for adaptation to climate change in developing countries. Negotiations are currently underway under the United Nations Framework Convention on Climate Change (UNFCCC) to reach agreed outcome on various elements of the Bali Action Plan including mechanism for financing the mitigation and adaptation actions in the developing countries. Proposals have been made by several Annex I countries including the US and EU which are currently under discussion. India has argued for a financial mechanism accountable to and under the governance of the parties

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†Original notice of the question was received in Hindi.

that should be set up with resources raised from contribution of developed country parties and should provide resources to the developing countries to meet their needs.

#### **Development and conservation of ponds**

†1865. SHRIMATI MAYA SINGH: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government of Madhya Pradesh has sent any proposal during last three years for development and conservation of ponds situated in the State;

(b) if so, the amount involved in the proposal and whether the proposal is still pending with his Ministry;

(c) whether any time-frame has been fixed for disposal of the proposal; and

(d) whether too much delay in according approval to the proposal would increase the possibility of cost overrun?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (d) This Ministry is not implementing any scheme for development and conservation of ponds. For conservation of ponds, two schemes of Repair, Renovation and Restoration (RRR) of water bodies' with domestic support and external assistance respectively, are under implementation by the Ministry of Water Resources (MoWR). During last three years, MoWR has not received any proposal from the Government of Madhya Pradesh for development and conservation of ponds in the State.

#### **Agenda for U.N. Climate Summit**

1866. DR. E.M. SUDARSANA NATCHIAPPAN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Copenhagen Climate Council could influence nation States to reset the agenda for UN Climate Summit, 2009; and

(b) if so, how it is relevant to India's stand along with supporting countries?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) Fifteenth Conference of Parties to United Nations Framework Convention on Climate Change will meet in Copenhagen in December 2009 to negotiate and reach an agreed outcome on various elements of Bali Action Plan with a view to enhance the actions of Parties in achieving objectives of the Convention. India is actively engaged in negotiations in this process and advance the global efforts. India advocates global climate protection efforts to include a growth strategy based on sustainable development. India's National Action Plan on Climate Change outlines its strategy towards climate change. India coordinates its position with other developing countries to address climate change in accordance with the principles of Common. But Differentiated Responsibilities and takes mitigation and adaptation actions in the context of sustainable development.

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†Original notice of the question was received in Hindi.



### **National lake conservation plan in Rajasthan**

1867. DR. GYAN PRAKASH PILANIA:  
SHRI LALIT KISHORE CHATURVEDI:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) the lakes covered under the scheme of National Lake Conservation Plan since June, 2001, in Rajasthan;
- (b) what has been achieved, so far;
- (c) whether any proposals from Rajasthan are pending with his Ministry in above context; and
- (d) if so, the status of their disposal?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) Under the National Lake Conservation Plan (NLCP), projects for conservation of Mansagar Lake in Jaipur, Anasagar and Pushkar Lakes in Ajmer, Fateh Sagar and Pichola Lake System in Udaipur have been sanctioned in Rajasthan at a total cost of Rs.214.98 crore.

The main objective envisaged in these projects is prevention of pollution from point sources causing lake degradation and in-situ lake conservation. While the project for conservation of Mansagar Lake in Jaipur has been completed, the other projects in different stages of implementation.

(c) and (d) The project on 'Rejuvenation of Nakki Lake' in Mount Abu has been granted 'in-principle' approval subject to the clearance from National Board for Wild Life by the State Government. No proposal from Rajasthan is pending with the Ministry for consideration under the NLCP scheme.

### **Protection of tigers**

1868. SHRI PRAKASH JAVADEKAR: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that the National Tiger Conservation Authority has come under serious attack from a Special Investigation Team (SIT) set up by his Ministry for its failure to protect tigers from poachers even in reserved parks like Panna;
- (b) how much damage has been caused by poachers to the endangered species in national reserve centuries; and
- (c) whether it is also a fact that the SIT has painted an alarming picture about the presence of tigers in Panna, once their main habitat and if so, the details thereof and the steps being taken to save the Big Cat?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) No Sir.

(b) The details of tiger mortality due to poaching during the current year, as reported by States and information gathered from the Wildlife Crime Control Bureau, are given in the Statement-I (*See below*).

(c) The Special Investigation Team (SIT) has reported that poaching was a major cause for local extinction of tigers in the Panna Tiger Reserve. The said report has been sent to the State Government for taking ecologically/administrative measures, which has the mandate for day-to-day management of the tiger reserve. The milestone initiatives taken by the Government of India for protection of tigers and other wild animals are given in the Statement-II.

**Statement-I**

*Details of tiger Mortality due to poaching (including seizures) during the current financial year (State-wise)*

Sl.No.	State	2009
1.	Andhra Pradesh	2
2.	Assam	1
3.	Karnataka	1
4.	Madhya Pradesh	3
5.	Maharashtra	2
6.	Orissa	1
7.	Tamil Nadu	1
8.	Uttarakhand	1
9.	West Bengal	1
10.	Delhi	1
11.	Goa	1
TOTAL		15*

\*As on 30.11.2009

**Statement-II**

*Milestone initiatives (including the recent) taken by the Government of India for protection of tigers and other wild animals*

**Legal Steps**

1. Amendment of the Wild Life (Protection) Act, 1972 for providing enabling provisions for constitution of the National Tiger Conservation Authority and the Tiger and Other Endangered Species Crime Control Bureau.
2. Enhancement of punishment in cases of offence relating to a tiger reserve or its core area.

**Administrative steps**

3. Strengthening of antipoaching activities, including special strategy for monsoon patrolling, by providing funding support to Tiger Reserve States, as proposed by them, for deployment of antipoaching squads involving ex-army personnel/home

guards, apart from workforce comprising of local people, in addition to strengthening of communication/ wireless facilities.

4. Constitution of the National Tiger Conservation Authority with effect from 4.09.2006, for strengthening tiger conservation by, *inter alia*, ensuring normative standards in tiger reserve management, preparation of reserve specific tiger conservation plan, laying down annual audit report before Parliament, constituting State level Steering Committees under the Chairmanship of Chief Ministers and establishment of Tiger Conservation Foundation.
5. Constitution of a multidisciplinary Tiger and Other Endangered Species Crime Control Bureau (Wildlife Crime Control Bureau) with effect from 6.6.2007 to effectively control illegal trade in wildlife.
6. Declaration of eight new Tiger Reserves and in-principle approval accorded for creation of four new Reserves, namely Sahyadri in Maharashtra, Pilibhit in Uttar Pradesh, Ratapani in Madhya Pradesh and Sunabeda in Orissa.
7. The revised Project Tiger guidelines have been issued to States for strengthening tiger conservation, which apart from ongoing activities, *inter alia*, include funding support to States for enhanced village relocation/rehabilitation package for people living in core or critical tiger habitats (from Rs. 1 lakh/family to Rs. 10 lakhs/family), rehabilitation/resettlement of communities involved in traditional hunting, mainstreaming livelihood and wildlife concerns in forests outside tiger reserves and fostering corridor conservation through restorative strategy to arrest habitat fragmentation.
8. A scientific methodology for estimating tiger (including co-predators, prey animals and assessment of habitat status) has been evolved and mainstreamed. The findings of this estimation/assessment are bench marks for future tiger conservation strategy.
9. An area of 29284.76 sq. km. has been notified by 15 Tiger States (out of 17) as core or critical tiger habitat under section 38V of the Wildlife (Protection) Act, 1972, as amended in 2006 (Andhra Pradesh, Arunachal Pradesh, Assam, Chhattisgarh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Mizoram, Orissa, Rajasthan, Tamil Nadu, Uttarakhand, and West Bengal). Two tiger States (Bihar and Uttar Pradesh) have taken a decision for notifying the core or critical tiger habitats (2765.04) sq.km.). The State of Madhya Pradesh has not identified/notified the core/critical tiger habitat in its newly constituted tiger reserve (Sanjay National Park and Sanjay Dubri Wildlife Sanctuary).

#### **Financial Steps**

10. Financial and technical help is provided to the States under various Centrally Sponsored Schemes, viz. Project Tiger and Integrated Development of Wildlife

Habitats for enhancing the capacity and infrastructure of the States for Providing effective protection to wild animals.

#### **International Cooperation**

11. India has a Memorandum of Understanding with Nepal on controlling trans-boundary illegal trade in wildlife and conservation, apart from a protocol on tiger conservation with China.
12. A Global Tiger Forum of Tiger Range Countries has been created for addressing international issues related to tiger conservation.
13. During the 14th meeting of the Conference of Parties to CITES, which was held from 3rd to 15th June, 2007 at The Hague, India introduced a resolution along with China, Nepal and the Russian Federation, with directions to Parties with operations breeding tigers on a commercial scale, for restricting such captive populations to a level supportive only to conserving wild tigers. The resolution was adopted as a decision with minor amendments. Further, India made an intervention appealing to China to phase out tiger farming, and eliminate stockpiles of Asian big cats body parts and derivatives. The importance of continuing the ban on trade of body parts of tigers was emphasized.
14. Based on India's strong intervention during the 58th meeting of the Standing Committee of the CITES at Geneva from 6th to 10th July, 2009, the CITES Secretariat has issued a notification to Parties to submit reports relating to compliance of Decisions 14.69 and 14.65 within 90 days with effect from 20.10.2009 (Progress made on restricting captive breeding operations of tigers etc.).

#### **Reintroduction of Tigers**

15. As a part of active management to rebuild Sariska and Panna Tiger Reserves where tigers have become locally extinct, reintroduction of tigers/tigresses have been done.
16. Special advisories issued for *in-situ* build up of prey base and tiger population through active management in tiger reserves having low population status of tiger and its prey.

#### **Creation of Special Tiger Protection Force (STPF).**

17. The policy initiatives announced by the Finance Minister in his Budget Speech of 29.2.2008, *inter alia*, contains action points relating to tiger protection. Based on the one time grant of Rs.50.00 crore provided to the National Tiger Conservation Authority (NTCA) for raising, arming and deploying a Special Tiger Protection Force, the proposal for the said force has been approved by the competent authority for 13 tiger reserves. Rs.93 lakhs each has been released to Corbett, Ranthambhore and

Dudhwa Tiger Reserve for creation of STPF during 2008-09. Central Assistance will be provided to States for creation of STPF in remaining 10 Tiger Reserves in 2009-10. Since then, the guidelines of the STPF have been revised for deploying forest personnel in place of Police, with scope for involving local people like the Van Gujjars.

18. In collaboration with TRAFFIC-INDIA, action has been taken for an online wildlife crime data base, and Generic Guidelines for preparation of reserve specific Security Plan has been evolved.

**Recent initiatives.**

19. Implementing a tripartite MoU with tiger States, linked to fund flows for effective implementation of tiger conservation initiatives.
20. Revised the Special Tiger Protection Force (STPF) guidelines to involve local people like Van Gujjars and others in field protection.
21. Rapid assessment of tiger reserves done (12 good, 9 satisfactory and 16 poor).
22. Special crack teams sent to tiger reserves affected by left wing extremism and low population status of tiger and its prey.
23. All India meeting of Field Directors convened on 25 and 26 July, 2009 under the Chairmanship of the Minister of State (Independent Charge) for Environment and Forests for reviewing the status of field protection and related issues in tiger reserves.
24. Chief Ministers of tiger States addressed at the level of the Minister of State (Independent Charge) for Environment and Forests on urgent issues, viz. implementation of the tripartite MoU, creation of the Tiger Conservation Foundation, stepping up protection etc.
25. Chief Ministers of States having tiger reserves affected by left wing extremism and low population status of tiger and its prey addressed for taking special initiatives.
26. Field visits to Bhadra, Corbett, Sariska and Ranthambhore made by the Minister of State (Independent Charge) for Environment and Forests to review the initiatives and problems relating to tiger conservation.
27. Steps taken for modernizing the infrastructure and field protection.
28. Advisory issued for involvement of Non-Governmental Experts in the Forthcoming all India tiger estimation.
29. Core Committee involving outside experts constituted for overseeing the forthcoming all India tiger estimation.
30. Report of the Special Investigation Team (SIT) constituted for looking into the local extinction of tiger in the Panna Tiger Reserve sent to the State (Madhya Pradesh) for the needful action.

31. Issue of tiger farming and trafficking to tiger body parts discussed at the level of Minister of State (Independent Charge) for Environment and Forests with the Chinese Authorities.
32. Action taken for amending the Wildlife (Protection) Act to ensure effective conservation.
33. Initiatives taken for improving the field delivery through capacity building of field officials, apart from providing incentives.
34. Decision taken to host the World Tiger Summit in October-November, 2010.

#### **Environmental clearance to SEZ developers from Gujarat**

1869. SHRI PARSHOTTAM KHODABHAI RUPALA:  
SHRI KALRAJ MISHRA:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) the number of applications received for environmental clearance to SEZ developers from Gujarat and the number of applications cleared, so far; and
- (b) by when the remaining applications would be cleared?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) This Ministry has received 7 applications for approval of Terms of Reference (ToR) and 4 applications for environmental clearance for SEZ projects from Gujarat, out of which, ToRs were issued to all the 7 projects and environmental clearances were granted to 2 projects, 1 project was closed due to non-submission of information and 1 project is awaiting clarifications pertaining to Coastal Regulation Zone (CRZ).

(b) The Environmental Impact Assessment Notification of September 2006 stipulates a time limit of 60 days for conveying the Terms of Reference to the applicant on receipt of application with all necessary documents. Further, a time limit of 105 days, after of the receipt of the complete application with all necessary documents, has been provided for environmental appraisal of the projects and conveying the decision.

#### **Global warming**

1870. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether Government has made any assessment on the impact of global warming in the country as being forecasted by various experts and world bodies including the United Nations;
- (b) if so, the details thereof and the Government's response in this regard;
- (c) the strategy being finalized for combating the ill effects of the climate change; and
- (d) the reasons for delay in responding to the challenge?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) As a part of the India's Initial National Communication to the United Nations Framework Convention on Climate Change (UNFCCC), studies in regard to the impacts, vulnerability and adaptation to climate change in the Indian context have been made. These studies project future climate scenarios and likely adverse impacts in various sectors such as water resources, agriculture, forests, natural eco-systems, coastal zones, health energy and infrastructure. With a view to enhance and improve our understanding of climate change the Ministry of Environment is currently engaged in the preparation of India's Second National Communication to the United Nations Framework Convention on Climate Change. A network of 127 institutions has been engaged countrywide belonging to Universities, Research and Development Institutions, autonomous institutions of the government, Non governmental organization and private institutions for studies on various aspects of climate change. These include greenhouse gas emissions of anthropogenic origin from sectors such as Energy, Industry, Agriculture, Forestry and Waste, Assessment and impact of projected climate change on key sectors such as Agriculture, Water, Natural ecosystems, Health, Extreme climate events, etc.

(c) and (d) Government has outlined its strategy for addressing climate change in the National Action Plan on Climate Change (NAPCC) that was released by the Prime Minister on 30th June 2008. The National Action Plan outlines steps that will enable the country to adapt to climate change and enhance the ecological sustainability of India's development path.

Eight National Missions form the core of the National Action Plan, representing multi-pronged, long term and integrated strategies for achieving key goals in the context of climate change and its challenges.

#### **Coastal environment regulatory framework**

1871. DR. (SHRIMATI) NAJMA A. HEPTULLA:  
SHRI MAHENDRA MOHAN:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) the details of the existing coastal environment regulatory framework;
- (b) whether Government proposes to implement a new coastal environmental regulatory framework;
- (c) if so, the reasons therefor;
- (d) the details of the proposed framework; and
- (e) by when the new framework would be implemented?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) For the purpose of conserving and protecting the coastal environment, the Government had issued the Coastal Regulation Zone Notification on 19.2.1991.

All development in the Coastal Regulation Zone area are regulated as per the provisions of the Coastal Regulation Zone Notification, 1991.

(b) No, Sir.

(c) to (e) Do not arise.

#### **Revamping of Central Pollution Control Board**

1872. DR. (SHRIMATI) NAJMA A. HEPTULLA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government proposes to revamp the Central Pollution Control Board;

(b) if so, the reasons therefor; and

(c) in what manner the said Board is going to be revamped?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) The Central Government has undertaken the task of revamping of Central Pollution Control Board (CPCB) to further enhance its capacity to meet emerging challenges in the area of environment management in the country. In this regard, Indian Institute of Management, Lucknow has submitted its report to the Government, with multi-dimensional recommendations for strengthening CPCB.

(c) The on-going process of strengthening of CPCB *inter alia* envisages augmentation of technical manpower, strengthening/up-gradation of infrastructure, and enhancing financial support.

#### **Climate change**

1873. PROF. P.J. KURIEN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the United Nations Framework Convention on Climate Change (UNFCCC) has reported that the Himalayan Glacier will disappear by 2035 due to Global Warming and if so, the details thereof and the steps Government proposes to take in order to avert this disaster;

(b) whether it is a fact that U.S. Secretary of Energy, Steven Chu, indicated that Washington may not agree to emission cuts at the UNFCCC meet in Copenhagen next month; and

(c) if so, the details thereof and Government's reaction thereto?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) According to the Fourth Assessment Report of the Inter-Governmental Panel on Climate Change, the Himalayan Glaciers are receding faster than in any part of the world and, if the present rate continues, the likelihood of them disappearing by the year 2035 and perhaps sooner is very high if the Earth keeps getting warmer at the current rate.

The National Action Plan on Climate Change includes a national mission on Sustaining the Himalayan Ecosystem with a view to, *inter alia*, strengthen observation and monitoring of



Himalayan glaciers. A new research centre on Himalayan Glaciology has been established at Wadia Institute of Himalayan Geology, Dehradun. Government has also prepared guidelines and best practices for sustaining Himalayan eco-system and has shared it with all State Governments in the Himalayan region.

(b) and (c) The emission reduction targets of developed countries including the US are currently being discussed in the *Adhoc* Working Group on Long-term Cooperative Action under the United Nations Framework Convention on Climate Change (UNFCCC). Negotiations on these issues are underway and the Parties are expected to reach an agreed outcome on the issues including such emission cuts in Copenhagen in December 2009.

#### **Carbon emissions**

1874. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether India is in agreement that the current level of carbon emissions is damaging the world's eco system;
- (b) whether India has agreed to reduce carbon emissions unilaterally;
- (c) if so, the details thereof;
- (d) whether this is in conjunction with the level of carbon emissions reduction agreed to by USA, Japan, EU, China and if so, the details thereof;
- (e) whether any capital has been proposed by the developed world to subsidize cost of technology transfer and if so, the details thereof; and
- (f) what were the outcomes of the Copenhagen meeting?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) According to Inter-governmental Panel on Climate Change (IPCC) in its 4th Assessment Report published in 2007, changes in physical and biological systems in different continents and regions have been observed which are indicative of adverse impacts.

(b) and (c) Although India does not have legally binding reduction commitments, a range of policies and programmes taken to respond to reducing emissions, *inter alia*, include:

- (i) Setting up of the Bureau of Energy Efficiency and encouraging energy conservation and introduction of energy efficiency labelling.
- (ii) promoting use of renewable energy
- (iii) power sector reforms and active renewable energy programme
- (iv) use of cleaner and lesser carbon intensive fuel for transport
- (v) fuel switching to cleaner energy
- (vi) afforestation and conservation of forests
- (vii) promotion of clean coal technologies

- (viii) reduction of gas flaring
- (ix) encouraging Mass Rapid Transport systems
- (x) environmental quality management for all sectors.

(d) Developed Countries *e.g.*, USA Japan and other Annex I Parties have quantified emission reduction obligations while developing countries like India, China and other have no emission reduction obligation under the Convention.

(e) and (f) Negotiations on the issues relating to Finance and Technology Transfer among others are underway under the Bali Action Plan. The forthcoming Conference of Parties (CoP) in Copenhagen, Denmark is expected to reach an agreed outcome on these issues.

#### **Monitoring committee for protection of tigers**

†1875. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether the National Tiger Conservation Authority (NTCA) set up by Government for the protection of tigers had entrusted the work pertaining to protection of tigers to a monitoring committee in the month of September last year;
- (b) the details of the improvement made by the committee in this area; and
- (c) the number of tigers in the country, as on date?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) A Monitoring Committee was constituted by the National Tiger Conservation Authority (NTCA) in September, 2008, for overseeing the village relocation process to suggest monitoring benchmarks, apart from providing inputs for eco-tourism to benefit fringe dwellers outside the core/critical tiger habitats, and people relocated from such areas.

(c) As per the findings of the recent All India tiger estimation in 2008 using the refined methodology, the total country-level population of tiger is 1411 (mid value); the lower and upper limits being 1165 and 1657 respectively. The State-wise tiger population and area of tiger occupied landscapes are given in the Statement.

#### ***Statement***

*Forest occupancy and population estimates of tiger as per the refined methodology*

State	Tiger km <sup>2</sup>	Tiger Numbers		
		No.	Lower limit	Upper limit
1	2	3	4	5
<i>Shivalik-Gangetic Plain Landscape Complex</i>				
Uttarakhand	1901	178	161	195

†Original notice of the question was received in Hindi.

1	2	3	4	5
Uttar Pradesh	2766	109	91	127
Bihar	510	10	7	13
Shivalik-Gangetic	5177	297	259	335
<i>Central Indian Landscape Complex and Eastern Ghats Landscape Complex</i>				
Andhra Pradesh	14126	95	84	107
Chhattisgarh	3609	26	23	28
Madhya Pradesh	15614	300	236	364
Maharashtra	4273	103	76	131
Orissa	9144	45	37	53
Rajasthan	356	32	30	35
Jharkhand**	1488		Not Assessed	
Central India	48610	601	486	718
<i>Western Ghats Landscape Complex</i>				
Karnataka	18715	290	241	339
Kerala	6168	46	39	53
Tamil Nadu	9211	76	56	95
Western Ghats	34094	412	336	487
<i>North East Hills and Brahmaputra Flood Plains.</i>				
Assam*	1164	70	60	80
Arunachal Pradesh*	1685	14	12	18
Mizoram*	785	6	4	8
Northern West Bengal*	596	10	8	12
North-East Hills, and Brahmaputra	4230	100	84	118
Sunderbans	1586		Not Assessed	
TOTAL TIGER POPULATION		1411	1165	1657

\*Population estimates are based on possible density of tiger occupied landscape in the area, not assessed by double sampling.

\*\*Data was not amenable to population estimation of tiger. However, available information about the landscape indicates low densities of tiger in the area ranging from 0.5 to 1.5 per 100 km<sup>2</sup>.

### Death of tigers

1876. SHRI A. ELAVARASAN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether death of tigers continues at an alarming rate and a prominent wildlife NGO stated that between January and end of September this year at least 67 tigers lost their lives;

(b) if so, the details thereof and the State-wise break up of tiger deaths during the above period;

(c) whether it is a fact that 23 tigers died due to poaching and remaining 44 tigers died of various reasons such as old age, in fighting accidents, etc., as per Wild Life Protection Society of India; and

(d) if so, the details thereof and the steps taken by Government to save tigers?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) During 2009, mortality of 59 tigers (including seizure of 7 tiger skins) has been reported by States and information gathered from the Wildlife Crime Control Bureau. The State-wise details are given in the Statement (*See below*).

(c) and (d) As reported by States and information gathered from the Wildlife Crime Control Bureau, 15 tigers died due to poaching and remaining due to old age, disease, accident and internecine fights. The milestone initiatives taken by the Government of India for protection of tigers and other wild animals are given in the Statement-II [Refer to Statement appended to the answer to unstarred Question No. 1868 part (c)].

### Statement

*Tiger Mortality (as reported by States/information gathered from the Wildlife Crime Control Bureau)*

(As on 30.11.2009)

Sl.No.	State	No. of tiger mortality	Remarks
1	2	3	4
1.	Madhya Pradesh	13	—
2.	Assam	10	—
3.	Maharashtra	4	Includes seizure of 1 skin
4.	Uttarakhand	7	Includes seizure of 1 skin
5.	Karnataka	9	—
6.	Rajasthan	3	—
7.	West Bengal	2	—

1	2	3	4
8.	Uttar Pradesh	3	—
9.	Tamil Nadu	1	Includes seizure of 1 skin
10.	Andhra Pradesh	2	Includes seizure of 2 skins
11.	Goa	1	—
12.	Orissa	1	—
13.	Delhi	2	Includes seizure of 2 skins
14.	Kerala	1	—
TOTAL		59	Includes seizure of 7 skins

#### River pollution

†1877. SHRI PRAKASH JAVADEKAR: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that crores of rupees have been spent by Government to make the rivers pollution free;

(b) if so, the details thereof;

(c) whether Government have been successful in making the rivers pollution free despite spending crores of rupees;

(d) if so, the details thereof;

(e) if not, the reasons therefor; and

(f) the details of work-plan chalked out by Government to make the rivers pollution free in the near future?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (f) The efforts towards conservation of rivers started with the launching of the Ganga Action Plan (GAP) Phase-I in the year 1985. Subsequently, GAP Phase-II (GAP-II) was initiated which included the tributaries of the river Ganga, namely, Yamuna, Gomti and Damodar. The Plan was expanded to cover other rivers under National River Conservation Plan (NRCP) in the year 1995. This Plan presently covers 38 rivers in 167 towns spread over 20 States. Pollution abatement schemes under NRCP include interception, diversion and treatment of sewage; low cost sanitation works on river banks; electric/improved wood crematoria etc. An expenditure of Rs.3955 crore has been incurred and sewage treatment capacity of nearly 4000 million litres per day (mld) has been created so far. The schemes are implemented on a cost sharing basis between the Centre and State Governments through implementing agencies of the States.

The pollution load on rivers has increased over the years due to rapid urbanization and industrialization. Abstraction of water for irrigation, drinking, industrial use, power etc.

†Original notice of the question was received in Hindi.

compounds the challenge. Based on independent monitoring undertaken by reputed institutions on some of the major rivers under NRCP, the water quality in terms of BOD (Bio-chemical Oxygen Demand) values has improved at most locations as compared to water quality before taking up of pollution abatement schemes.

Conservation of rivers is an ongoing and collective effort of the Central and State Governments. The Central Government supplements the efforts of the State Governments in river conservation through the central plans. River conservation activities such as creation of civic infrastructure for sewage management and disposal are also being implemented under other central schemes, such as Jawaharlal Nehru National Urban Renewal Mission, Urban Infrastructure Development Scheme for Small and Medium Towns, as well as under State schemes.

The Government has initiated an exercise for revamping the river conservation strategy to promote a holistic and integrated river basin approach. The Central Government has set up the 'National Ganga River Basin Authority' (NGRBA) on 20.2.2009 as an empowered planning, financing, monitoring and coordinating authority to ensure effective abatement of pollution and conservation of the river Ganga by adopting a holistic approach with the river basin as the unit of planning.

#### **Conservation of ponds in Madhya Pradesh**

†1878. SHRI RAGHUNANDAN SHARMA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether any proposal, worth Rs. 256 crore for development and conservation of 10 ponds, has been received from Government of Madhya Pradesh; and

(b) if so, the action taken in this regard, so far and by when the proposed sanctioned amount will be released?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) Yes, Sir. A proposal entitled 'Conservation and Management of Lakes in Bhopal' at total cost of Rs.256 crores was received from the Government of Madhya Pradesh for financial assistance from Japan International Cooperation Agency (JICA). The proposal has been included in the reprioritized list of projects of Ministry of Environment and Forests for JICA assistance and forwarded to the Ministry of Finance for posing to Government of Japan under ODA Loan Package during FY 2009.

#### **Forest cover**

†1879. SHRI RAJ MOHINDER SINGH MAJITHA:  
SHRI RAVI SHANKAR PRASAD:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that for pollution free environment 33 per cent forest cover out of total geographic area is essential;

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†Original notice of the question was received in Hindi.

- (b) if so, Government's assessment about the norms for the required forest cover;
- (c) whether it is also a fact that there are many States with lesser forest cover than the required norms;
- (d) if so, the details of such States indicating their forest cover; and
- (e) the target oriented plans for extension of forest cover?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) As per the National Forest Policy, 1988 the national goal is to have a minimum of one-third of the total land area of the country under forest of tree cover. In the hills and in mountainous regions, the aim is to maintain two-third of the area under such cover in order to prevent erosion and land degradation and to ensure the stability of the fragile eco-system.

(c) and (d) Yes, Sir. The details are given in the statement (*See below*).

(e) Various schemes have been initiated for expansion of forest cover under the Centre and State Governments including Central Plan Schemes like National Afforestation Programme, Integrated Development of Wildlife Habitats Intensification of forest management scheme, etc.

#### **Statement**

*Forest and Tree cover in States/UTs as per India State of Forest Report, 2009*

(area in km <sup>2</sup> )						
State/UT	Geographical Area	Very Dense Forest	Mod. Dense Forest	Open Forest	Total	% of GA
1	2	3	4	5	6	7
Andhra Pradesh	275,069	820	24,757	19,525	45,102	16.40
Arunachal Pradesh	83,743	20,858	31,556	14,939	67,353	80.43
Assam	78,438	1,461	11,558	14,673	27,692	35.30
Bihar	94,163	231	3,248	3,325	6,804	7.23
Chhattisgarh	135,191	4,162	35,038	16,670	55,870	41.33
Delhi	1,483	7	50	120	177	11.94
Goa	3,702	511	624	1,016	2,151	58.10
Gujarat	196,022	376	5,249	8,995	14,620	7.46
Haryana	44,212	27	463	1,104	1,594	3.61

1	2	3	4	5	6	7
Himachal Pradesh	55,673	3,224	6,383	5,061	14,668	26.35
Jammu and Kashmir	222,236	4,298	8,977	9,411	22,686	10.21
Jharkhand	79,714	2,590	9,899	10,405	22,894	28.72
Karnataka	191,791	1,777	20,181	14,232	36,190	18.87
Kerala	38,863	1,443	9,410	6,471	17,324	44.58
Madhya Pradesh	308,245	6,647	35,007	36,046	77,700	25.21
Maharashtra	307,713	8,739	20,834	21,077	50,650	16.46
Manipur	22,327	701	5,474	11,105	17,280	77.40
Meghalaya	22,429	410	9,501	7,410	17,321	77.23
Mizoram	21,081	134	6,251	12,855	19,240	91.27
Nagaland	16,579	1,274	4,897	7,293	13,464	81.21
Orissa	155,707	7,073	21,394	20,388	48,855	31.38
Punjab	50,362	0	733	931	1,664	3.30
Rajasthan	342,239	72	4,450	11,514	16,036	4.69
Sikkim	7,096	500	2,161	696	3,357	47.31
Tamil Nadu	130,058	2,926	10,216	10,196	23,338	17.94
Tripura	10,486	111	4,770	3,192	8,073	76.99
Uttar Pradesh	240,928	1,626	4,563	8,152	14,341	5.95
Uttarakhand	53,483	4,762	14,165	5,568	24,495	45.80
West Bengal	88,752	2,987	4,644	5,363	12,994	14.64
Andaman and Nicobar Islands	8,249	3,762	2,405	495	6,662	80.76
Chandigarh	114	1	10	6	17	14.91
Dadra and Nagar Haveli	491	0	114	97	211	42.97
Daman and Diu	112	0	1	5	6	5.04
Lakshadweep	32	0	16	10	26	82.75
Puducherry	480	0	13	31	44	9.14
GRAND TOTAL	3,287,263	83,510	319,012	288,377	690,899	21.02



### **Air pollution norms**

1880. SHRI NARESH GUJRAL:

SHRI N.K. SINGH:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government has recently revised air pollution norms putting in place uniform air quality standards for residential and industrial areas;

(b) if so, the details thereof;

(c) whether Government has decided to set up the National Environment Protection Authority and the National Green Tribunal to ensure effective enforcement of the standards; and

(d) if so, what role would be played by the Central Pollution Control Board in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) Yes, Sir. The Central Government has published a Gazette Notification *vide* G.S.R. 826 (E) on 16th November, 2009 (*See below*) in respect of National Ambient Air Quality Standards. Area classification based on land-use has been done away with so that there are uniform ambient air quality norms for residential and industrial areas. Five new parameters have been included for ambient air quality assessment which include Ozone, Benzene, Benzo(a) Pyrene, Arsenic and Nickel. In addition, PM<sub>2.5</sub> (particulate matter having size less than 2.5 micron) has replaced the parameter for suspended particulate matter (SPM).

(c) and (d) The Government has undertaken the task of conceptualizing the framework of the National Environment Protection Authority. As far as the National Green Tribunal is concerned, the National Green Tribunal Bill, 2009 has been introduced in Lok Sabha on 31st July, 2009. The Central Pollution Control Board would be able to approach the said tribunal on behalf of affected persons for grant of relief or compensation or settlement of disputes.

### **MINISTRY OF ENVIRONMENT AND FORESTS**

#### **NOTIFICATION**

New Delhi, the 16th November, 2009

**G.S.R. 826(E).** — In exercise of the powers conferred by section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:-

1. (1) These rules may be called the Environment (Protection) Seventh Amendment Rules, 2009.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986 (hereinafter referred to as the said rules), in rule 3, in sub-rule (3B), for the words, brackets, figures and letters, “in columns (3) to (5) of Schedule VII”, the words, brackets, figures and letters “in columns (4) and (5) of Schedule VII” shall be substituted.
3. For Schedule VII to the said rules and entries relating thereto, the following Schedule and entries shall be substituted, namely:-

**“[SCHEDULE VII]**

[See rule 3(3B)]

**NATIONAL AMBIENT AIR QUALITY STANDARDS**

Sl. No.	Pollutant	Time Weighted Average	Concentration in Ambient Air		
			Industrial, Residential, Rural and Other Area	Ecologically Sensitive Area (Notified by Central Government)	Methods of Measurement
1	2	3	4	5	6
1.	Sulphur Dioxide (SO <sub>2</sub> ), µg/m <sup>3</sup>	Annual*	50	20	— Improved West and Gaeke
		24 hours**	80	80	— Ultraviolet fluorescence
2.	Nitrogen Dioxide (NO <sub>2</sub> ), µg/m <sup>3</sup>	Annual*	40	30	— Modified Jacob and Hochheiser (Na-Arsenite)
		24 hours**	80	80	— Chemiluminescence
3.	Particulate Matter (size less than 10µm) or PM <sub>10</sub>	Annual*	60	60	— Gravimetric
		24 hours**	100	100	— TOEM
	µg/m <sup>3</sup>				— Beta attenuation
4.	Particulate Matter (size less than 2.5µm) or PM <sub>2.5</sub>	Annual*	40	40	— Gravimetric
		24 hours**	60	60	— TOM
	µg/m <sup>3</sup>				— Beta attenuation
5.	Ozone (O <sub>3</sub> ), µg/m <sup>3</sup>	8 hours**	100	100	— UV photometric
		1 hour**	180	180	— Chemiluminescence
					— Chemical Method

1	2	3	4	5	6
6.	Lead (Pb) µg/m <sup>3</sup>	Annual*	0.50	0.50	— AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
		24 hours**	1.0	1.0	— ED-XRF using Teflon filter
7.	Carbon Monoxide (CO) mg/m <sup>3</sup>	8 hours**	02	02	— Non Dispersive Infra Red (NDIR) Spectroscopy
		1 hour**	04	04	
8.	Ammonia (NH <sub>3</sub> ) µg/m <sup>3</sup>	Annual*	100	100	— Chemiluminescence
		24 hours**	400	400	— Indophenol blue method
9.	Benzene (C <sub>6</sub> H <sub>6</sub> ) µg/m <sup>3</sup>	Annual*	05	05	— Gas chromatography based continuous analyzer — Adsorption and Desorption followed by GC analysis
10.	Benzo(a) Pyrene (BaP) — particulate phase only, ng/m <sup>3</sup>	Annual*	01	01	— Solvent extraction followed by HPLC/GC analysis
11.	Arsenic (As) ng/m <sup>3</sup>	Annual*	06	06	— AAS/ICP method after sampling on EPM 2000 or equivalent filter paper
12.	Nickel (Ni), ng/m <sup>3</sup>	Annual*	20	20	— AAS/ICP method after sampling on EPM 2000 or equivalent filter paper

\* Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

\*\* 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year. 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

Note — Whenever and wherever monitoring results on two consecutive days of monitoring exceed the limits specified above for the respective category, it shall be considered adequate reason to institute regular or continuous monitoring and further investigation.”

[F. No. Q-15017/43/2007-CPW]

RAJNEESH DUBE, Jt. Secy.

Note :- The principal rules were published in the Gazette of India, Extraordinary *vide* number S.O.844(E), dated the 19th November, 1986; and subsequently amended *vide* numbers S.O.433(E), dated the 18th April, 1987; GSR. 176 (E), dated the 2nd April 1996; and were recently amended *vide* numbers G.S.R.97(E), dated the 18th February, 2009; G.S.R.149(E), dated the 4th March, 2009; G.S.R.512(E), dated the 9th July, 2009; G.S.R.543(E), dated the 22nd July, 2009; G.S.R.595(E), dated the 21st August, 2009; and G.S.R.794(E), dated the 4th November, 2009.

#### **Vulture deaths**

1881. SHRIMATI T. RATNA BAI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether malaria is a major cause for vulture deaths in the country;
- (b) if so, the details thereof, State-wise;
- (c) the projects taken up, so far, to stop such vulture deaths; and
- (d) the funds allocated and spent during the last five years especially for Andhra Pradesh forest areas?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) As per information available, malaria is not the cause of mass mortality of vultures in India. The main cause of mortality of Gyps species of vultures in India and south Asia is the veterinary drug called diclofenac sodium, a non-steroidal pain-killer given to cattle. If cattle die after being injected with this drug due to disease or old age and vultures feed on such a carcass, they die of kidney failure.

There has been mass decline in the Gyps vulture population all over the country in nineties. However, State-wise details of vulture mortality have not been collated at Central level.

(c) The Ministry has supported vulture conservation breeding centres at Pinjore (Haryana), Buxa (West Bengal) and Rani Reserve Forests (Assam) through the respective State Governments. Funds have also been provided to Bombay Natural History Society for advocacy work under the project "Monitoring and Use of Veterinary Non-Steroidal Anti-Inflammatory Drugs and Painkillers and their Distribution around Selected Vulture Sites".

(d) The details of funds released to different States including Andhra Pradesh for vulture conservation during the last five years are as follows:

Sl. No.	State	Amount (in lakhs)
1	2	3
1.	Andhra Pradesh	41.00
2.	Madhya Pradesh	41.00
3.	Orissa	41.00

1	2	3
4.	Gujarat	53.30
5.	Jharkhand	41.00
6.	Haryana	38.00
7.	Punjab	16.00

**Emission reduction commitment**

1882. SHRI M.V. MYSURA REDDY:  
 SHRI NANDAMURI HARIKRISHNA:  
 SHRI PENUMALLI MADHU:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) how his Ministry justifies its offer for submitting an annual report to the United Nations Framework Convention on Climate Change giving details of the country's greenhouse gas emissions and the steps taken to reduce it;
- (b) whether this would not be a deviation from India's stand that domestic measures to counter climatic change will not be subject to international verification;
- (c) if so, the reasons for such a shift in Government's policy; and
- (d) the countries that are now submitting their annual report to UNFCCC?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) India is a party to the United Nations Framework Convention on Climate Change (UNFCCC). As per Article 12 of the UNFCCC, all Parties of UNFCCC are expected to communicate elements of information relating to national inventory of GHG emissions and general description of steps taken or envisaged by the Parties to implement the convention in accordance with the relevant decisions of the Conference of Parties (COP). India has submitted its initial National Communication (NATCOM) to the UNFCCC in the year 2004 and is currently engaged in the preparation of second NATCOM to UNFCCC.

(b) and (c) India has taken a consistent stand in the international negotiations that mitigation actions of developing countries will be subject to international verification only to the extent that these are supported by international finance and technology.

(d) National Communications are submitted by Parties according to periodicity prescribed by the Conference of Parties through relevant COP Decisions. Annex I Parties submit NATCOM every 4 years and national inventories of GHG emission every 2 years. The non Annex I Parties submit NATCOM in accordance with the decisions of COP and there is no defined periodicity for submission of NATCOM.

#### **Periodical check up of elephants**

1883. SHRI RAJKUMAR DHOT: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that many elephants engaged for joy rides for tourists had gone mad and had to be killed by forest officials;
- (b) if so, the details of such cases during the last two years and the causes for their going mad;
- (c) whether there is no system of periodical check up of elephants and there is no cure to treat madness in elephants instead of killing them; and
- (d) how mortal remains of killed elephants are disposed of?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) There are few instances of elephants, engaged for joy ride for tourists, going out of the Mahout's control temporarily. However, no incidence of such elephants going out of the control to the extent that they had to be killed by forest officials has been reported by any State/UT in last two years. The common reasons of elephants getting out of control are:— (i) being in musth (ii) being over used (iii) being disturbed by other wild animals.

(c) The State/UT Forest Departments do have a system of periodical check up of elephants kept in Zoos, Tiger Reserves, National Parks and Sanctuaries for joy-ride purposes. Normally, the male elephants become aggressive during and just after the 'Masth' period and there is no cure except not to use them during this period.

(d) Most of the States follow the practice of burying the mortal remains of the dead elephants, however, in some States they are burnt also.

#### **Forest investment programme**

†1884. SHRI RAVI SHANKAR PRASAD:  
SHRI SHIVANAND TIWARI:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that India has recently become a part of the Forest Investment Programme, an organization of the countries of the world involved in forest development programmes at international level;
- (b) if so, the details in this regard and the contribution made by India to this organization;
- (c) whether it is also a fact that in India forest cover is much less as compared to physical area and it has started affecting our agriculture and economy;
- (d) if so, whether Government has formulated a plan for extension and development of forests in the country and has submitted it to that organization; and
- (e) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) No, Sir.

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†Original notice of the question was received in Hindi.

(b) Question does not arise.

(c) No, Sir. The National Forest Policy, 1988 envisages the National goal of having minimum of one-third of the total land area of the country under forest or tree cover. As against this, as per India State of Forest Report, 2009, the forest and tree cover of the country is 23.8% of the geographical area. The forest and tree cover is gradually improving.

(d) and (e) Question does not arise, in view of the position stated in reply to part (a) and (b) above.

#### **Environmental clearance to Srinagar power project**

1885. SHRI R.C. SINGH: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that Srinagar project submitted by Alaknanda Hydropower Ltd. was granted environmental clearance on 3 May, 1985 for a 200 MW project having a 63 metres high dam and a maximum pond level of 603 metres;

(b) whether it is also a fact that environment clearance lapsed after five years but was illegally revalidated on 27 July, 1999 and again in 2006;

(c) whether the project now being set up with 330 MW capacity and 90 metre high dam is violating the environmental clearance; and

(d) if so, the details thereof and the action proposed to be taken against the concerned officials and the promoters of the company for illegal increase in capacity and dam height?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) Srinagar Hydro Electric Project was accorded environmental clearance on 3rd May, 1985 to U.P. State Electricity Board for generation of 200 MW. The environmental clearance was later transferred to M/s Duncan North Hydro Power Co. Ltd. and subsequently to M/s Alaknanda Hydropower Ltd.

(b) As major construction work was not started, the Ministry informed the project proponent that the environmental clearance should be treated as lapsed and fresh appraisal of project is required. Based on the information and clarifications received from the State Government and project proponent, the environmental clearance was revalidated for enhanced capacity of 330 MW.

(c) No, Sir.

(d) Does not arise.

#### **Quality of Ganga water**

†1886. SHRI SHIVANAND TIWARI:

SHRI RAVI SHANKAR PRASAD:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

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†Original notice of the question was received in Hindi.

(a) whether it is a fact that the Planning Commission has published a study report on the quality of Ganga water during 2008-09;

(b) if so, whether it is also a fact that according to the report, the Ganga water is not suitable even for general bath;

(c) if so, the details thereof and the factors responsible for the degradation of the quality of Ganga water; and

(d) the contribution of each factor to the degradation of Ganga water?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (d) Planning Commission prepared a report in May, 2009 on utilisation of funds and assets created through Ganga Action Plan (GAP) in States. According to the report, the water quality of the river indicates some improvement over the pre-GAP period as per the water quality monitoring done by reputed independent institutions. The analysis of water quality at 16 monitoring stations on the river during 1986-2008 showed reduction in Biochemical Oxygen Demand (BOD) in all the stations, except two, indicating improvement in water quality. However, at 7 of these 16 locations, BOD levels do not meet the standards for bathing water. Dissolved Oxygen (DO) levels have shown improvement at 4 locations. In terms of total coliform count, the permissible limits for bathing water were exceeded at a number of monitoring stations. The situation would have been worse without the sewage treatment infrastructure created under GAP. The coliform count has increased particularly at pilgrimage places due to bathing to pilgrims. According to the report, the major factors affecting the water quality are; wide gap between domestic sewage generation and sewage treatment capacity created, discharge of untreated industrial effluents in the industrial pockets along the rivers, under utilization of Sewage Treatment Plants (STPs) due to reasons like irregular power supply, absence of connections between domestic sewage drains and STPs, failure of States to provide for maintenance cost of the STPs, etc.

#### **Disposal of e-waste**

1887. SHRI ISHWAR SINGH:

PROF. ALKA BALRAM KSHATRIYA:

SHRI MAHENDRA MOHAN:

DR. JANARDHAN WAGHMARE:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Central Pollution Control Board has admitted that e-waste generation is likely to increase in the next few years;

(b) if so, the details thereof;

(c) whether the big cities are generating more e-waste and no systematic methods exist to make proper disposal of e-waste; and

(d) if so, the steps Government proposes to take to ensure proper disposal of e-waste without having any pollution effects?



THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) to (c) Based on a survey carried out by the Central Pollution Control Board (CPCB), it is estimated that 1,46,800 tonnes of e-waste was generated in the country in the year 2005, which is expected to increase to 8,00,000 by 2012. The top ten cities generating e-waste are Mumbai, Delhi, Bangalore, Kolkata Chennai, Ahmedabad, Hyderabad, Pune, Surat and Nagpur.

(d) The Ministry of Environment and Forests has notified the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 for proper management and handling of hazardous wastes which include e-waste. As per the Rules, units handling e-waste need to register with CPCB. The hazardous wastes generated shall be sent or sold to a registered or authorized recycler or re-processor or re-user.

Further, the Guidelines for Environmentally Sound Management of e-waste published by CPCB provide the approach and methodology for environmentally sound management of e-waste, which include details such as e-waste composition and recycle potential of items of economic value, identification of possible hazardous contents in e-waste, the recycle, re-use and recovery options, treatment and disposal options and the environmentally sound e-waste treatment technologies. The Guidelines emphasize the concept of Extended Producer Responsibility.

#### **Conservation of carbon-storing forests**

1888. SHRI VIJAY JAWAHARLAL DARDA:  
SHRIMATI SYEDA ANWARA TAIMUR:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government is aware of the remarks made by DG World Agroforestry Centre in Nairobi, during August, 2009, that farmers are protecting and planting trees spontaneously thereby strengthening Government's efforts to conserve carbon-storing forests; and

(b) if so, whether a sustained programme can be launched to motivate farmers to plant and nurture maximum number of fruit bearing trees, which apart from giving them additional income, would also be a positive step towards combating global warming?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) The Ministry of Environment and Forests is aware of the declaration made in the World Congress of Agro-forestry in August, 2009. The Government's initiatives on the Subject are:

(i) A Centrally Sponsored Scheme "National Afforestation Programme" being implemented by the Ministry of Environment and Forests for regeneration of degraded of forests and adjoining areas in the country encourages production of non timber products such as wax, honey, fruits and nuts from the regenerated areas;

- (ii) Tree Planting including that of fruit bearing is a permissible activity under NREGS on lands of Scheduled Castes/Scheduled Tribes/Small and Marginal Farmers; and
- (iii) A new scheme 'Gram/Panchayat Van Yojana for afforestation on non forest lands involving Panchayati Raj Institutions' has been mooted by this Ministry includes agro-forestry/farm forestry as a component.

#### **Tree plantation**

1889. SHRI TARIQ ANWAR: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that plants are being cut at a very brisk rate during the last decade;
- (b) if so, the details thereof; State-wise;
- (c) whether Government is taking steps to plant more trees under PPP scheme; and
- (d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) There is no such report of large scale illegal tree cutting in the past decade from any State/UT Governments. But for the developmental activities etc. forest areas have been diverted involving felling of trees in the diverted area. The details of the forest area diverted in the last decade from 1st January, 2000 are given in the Statement (*See below*).

(c) and (d) No "PPP Scheme" has been formulated for tree plantation.

#### **Statement**

*Summary of forest land diverted State-wise under the forest conservation Act, 1980*

(During the period from : 01.01.2000 to 03.12.2009)

Case Status : Approved (forest area more than 01 ha)

All Categories		As On: 03.12.2009
Sl. No.	State/UT	Approved Area diverted (in ha)
1	2	3
1.	Andaman and Nicobar Island	184.84
2.	Andhra Pradesh	13435.28
3.	Arunachal Pradesh	7831.16

1	2	3
4.	Assam	374.25
5.	Bihar	974.86
6.	Chandigarh	45.11
7.	Chhattisgarh	12871.39
8.	Dadra and Nagar Haveli	8.70
9.	Daman and Diu	0
10.	Delhi	22.82
11.	Goa	1229.88
12.	Gujarat	9702.16
13.	Haryana	6917.75
14.	Himachal Pradesh	4578.48
15.	Jammu and Kashmir	0
16.	Jharkhand	7524.32
17.	Karnataka	12729.34
18.	Kerala	10290.07
19.	Lakshadweep	0
20.	Madhya Pradesh	15239.88
21.	Maharashtra	14863.46
22.	Manipur	90.22
23.	Meghalaya	125.07
24.	Mizoram	5601.64
25.	Nagaland	0
26.	Orissa	13557.02
27.	Puducherry	0
28.	Punjab	61197.05
29.	Rajasthan	9505.07
30.	Sikkim	1123.17
31.	Tamil Nadu	685.77

1	2	3
32.	Tripura	6424.43
33.	Uttar Pradesh	30858.58
34.	Uttaranchal	30642.50
35.	West Bengal	1078.65
TOTAL		279712.92

#### Glaciers of major rivers

1890. SHRI TARIQ ANWAR: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that glaciers of major rivers like Ganga and Yamuna is melting very fast leading to unavailability of drinking water;

(b) if so, the details thereof; and

(c) the steps Government is taking in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) The various scientific studies indicate that the glaciers of Himalaya including glaciers of major rivers like Ganga and Yamuna are receding at varying rates in different regions. Accordingly, due to melting of ice, consequent upon faster recession, the runoff of the Himalayan rivers may initially increase marginally. Thereafter, there may be decrease in water availability.

(c) A National Action Plan on Climate Change was launched in June 2008 which envisages the National Mission for Sustaining the Himalayan Eco-system amongst its 8 national missions. This Mission would seek to understand weather and the extent to which the Himalayan glaciers are in recession and how the problem could be addressed.

A new research centre on Himalayan Glaciology has been established at Wadia Institute of Himalayan Geology, Dehradun. Guidelines and best practices for the governance for sustaining Himalayan Eco-system has been developed and shared with all State Governments in the Himalayan Region.

#### Protection of environment and forest

1891. SHRI D. RAJA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government is aware of the news-items published in The Hindu dated 15 November, 2009 captioned "Discrepancies in information on mining leases to Karnataka Minister";

(b) whether Government is aware that the empowered committee on environment of the Supreme Court has found *Prima Facie* discrepancies with regard to violation of forest and environment policies;

(c) if so, what are the reasons for inaction on part of Government in this regard; and

(d) what steps Government would take to protect forests and environment in the areas being surveyed by the empowered committee of Supreme Court?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) Yes, Sir.

(b) to (d) The Central Empowered Committee (CEC) of the Supreme Court, *prime facie*, is of view that violation of the Forest (Conservation) Act, 1980 has been caused by the Obulapuram Mining Company. The Government of India has, therefore, directed the State Government of Andhra Pradesh that no mining should be permitted till the demarcation is completed in respect of 6 mines, namely, M/s Bellary Iron Ore (P) Ltd. (27.12 ha), M/s Y. Mahabaleswarappa and sons (20.24), M/s Obulapuram Mining company (25.98 ha), M/s Obulapuram Mining company (39.50 ha), M/s Obulapuram Mining company (68.5 ha) and M/s Ananthpur Mining Corporation (6.5 ha). The approvals granted in their favour under the Forest (Conservation) Act, 1980 have been suspended on 30.11.2009 with immediate effect. Further the State Government has been requested to complete survey/demarcation by the Survey of India in a time bound manner. The mining including transportation of excavated Iron Ore has also been stopped till completion of survey/demarcation is done by the Survey of India. After completion of the demarcation of the area by the Survey of India, the protection of forest and environment in the form of afforestation, reforestation, creation of safety zone, phased reclamation of the mined over area in accordance with an approved reclamation plan, soil and water conservation measures in case of erosion prone areas and all possible measures to prevent pollution of rives, nallas, water bodies, etc. be taken up by the mine owners.

#### **Mining operations of Obalapuram Mining Corporation**

1892. SHRI D. RAJA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government has given any environment and forest clearance for diverse mining operations of Obalapuram Mining Corporation in Anantapur district of Andhra Pradesh;

(b) if so, when these approvals and clearances were given;

(c) whether any Central team has been sent to inspect and study the devastation caused on forest lands at this specific mine;

(d) if so, the findings thereof; and

(e) the steps proposed to stop the damage to environment and forest land due to illegal mining activities?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) and (b) Yes, Sir. Environmental clearances under the provisions of the Environment (Protection) Act, 1986 and forestry clearances under the provisions of the

Forest (Conservation) Act, 1980 have been accorded to three mining leases of Obulapuram Mining Company in Anantpur district of Andhra Pradesh. The details are given in the Statement (See below).

(c) to (e) The officials of the Regional Office (Southern Region), Bangalore had inspected the site on 23rd January, 2009 and it was reported that the mining lease areas were not found to be demarcated properly on the ground, there were no safety zones provided and planted by the mine owners. Hence, the inspecting officers could not ascertain whether the mining was restricted to the approved leased forest area or not. In view of the above mentioned site inspection report, the Central Empowered Committee (CEC) had also advised the Central Government that it would be appropriate that, in the present case, the demarcation be got done through the Survey of India and in the meanwhile, no mining be permitted to be undertaken. These reports were considered by the Forest Advisory Committee constituted under Section-3 of the Forest (Conservation) Act, 1980 and accordingly permission given for these 5 mines mentioned in the inspection report viz. M/s Bellary Iron Ore (P) Ltd. (27.12 ha), M/s Y. Mahabaleswarappa and sons (20.24), M/s Obulapuram Mining company (25.98 ha), M/s Obulapuram Mining company (39.50 ha) and M/s Anathpur Mining Corporation (6.5 ha), under the Forest (Conservation) Act, 1980 was kept in suspension till demarcation is completed by the Survey of India and proper boundaries and Safety Zones are provided to these mines on ground. Later on, a revised order was issued on the strength of the State Government's submission *vide* their letter dated 28th April, 2009 wherein suspension orders issued by the Ministry was kept in abeyance with immediate effect and the Regional Chief Conservator of Forests (Southern Region), Bangalore was requested to examine the report of the State Government within 30 days for taking a final view.

In view of the Supreme Court's order dated 01.05.2009 in the Civil Petition filed by one of the affected mine owners, the State Government was again requested to complete the survey within the six weeks through the Survey of India.

The State Government of Andhra Pradesh has repeatedly been requested to complete the survey work in time. However, the State Government conveyed that there is no need of carrying out of survey by the Survey of India in view of survey already done by the State Forest Department. The Survey of India has informed that due to lack of cooperation from the State Government, the survey work could not be completed. The Director, Andhra Pradesh Geo-Spatial Data Centre (APGDC), Survey of India, Hyderabad requested for security of staff and equipment during survey work. It was reiterated by them again on 23rd June 2009. Accordingly, the State Government was requested by Ministry of Environment and Forests (MoEF) *vide* letter dated 24.06.2009 to provide the security to the staff and equipment during survey work.

The area was again inspected by the officials of the Regional Office (Southern Region), Bangalore to ascertain the report submitted by the State Government dated 28th April, 2009

regarding completion of demarcation on the ground. The inspecting officials reported that there are certain variations in the position of the reference line *i.e.* village line (Obulapuram to H. Siddhapuram of Andhra Pradesh and Halahandi to Honahalli, Karnataka State). It was suggested that the revised sketch has to be issued for M/s Y. Mahabaleshwarappa and sons and Bellary Iron Ore (P) Ltd. and the bearing shown on the sketch of Obulapuram Mines lease has also to be revised to match the sketch provided.

The Survey of India has been again requested to survey the area demarcating the mining lease and safety zones on 30.11.2009. After completion of the demarcation of the area by the Survey of India, the protection of forest and environment in the form of afforestation, reforestation, creation of safety zone, phased reclamation of the mined over area in accordance with an approved reclamation plan, over burden management, soil and water conservation measures in case of erosion prone areas and all possible measures to prevent pollution of rives, nallas, water bodies, etc. be taken up by the mine owners.

#### ***Statement***

*Details showing Environmental Clearances and Forest Clearances for mining operations of  
Obalapuram Mining Company in Anantpur district of  
Andhra Pradesh*

Sl. No.	Name of Proposal	Area diverted (in) ha	Date of Environmental Clearance	Date of Forestry Clearance
1	2	3	4	5
1.	Diversion of forest land in Bellary RF of Kalyanadurg Range for mining of Iron Ore in favour of M/s Obulapuram Mining, Ananthapur district	39.5	30.04.2007	05.10.2006
2.	Renewal of Mining Lease over an area of 25.98 ha of forest land for the extraction of Iron Ore in S. No. 1/P in favour of M/s Obulapuram Mining (Pvt.) Ltd., D. Hirechal Mandal, Ananthapur district	25.98	06.02.2006 30.04.2007 10.12.2008	27.07.2007

1	2	3	4	5
3.	Mining of Iron Ore in Bellary Reserve Forest of Kal- yanadurg Range in Anantapur Division in favour of M/s Obulapuram Mining.	68.5	16.05.2007	08.01.2007

#### Use of Bt. seeds

†1893. SHRI LALIT KISHORE CHATURVEDI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) names of the agri products for which Government is planning to introduce the use of Bt. seeds after the crisis created by Bt. seed of cotton;

(b) the name of the institute and country by which this Bt. seed is proposed to be provided;

(c) whether all tests on these Bt. seeds and the study of their toxic effects have been conducted;

(d) whether former Minister of Health and Family Welfare has written a letter to the Prime Minister in this regard; and

(e) whether Government would ban Bt. seeds?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): (a) The Genetic Engineering Approval Committee (GEAC) in its meeting held on 14.10.2009 has recommended to the Government that Bt brinjal is safe for environmental release, based on the scientific facts/data generated during 2002-2009 and findings of two Expert Committees. However, the Ministry has received strong views both in favour and against commercialization of Bt brinjal in India from the various stakeholders including the State Governments, farmers, civil societies, NGOs and scientists. The Ministry has invited Comments from all stakeholders on the report of the Expert Committee for holding national consultations before taking a final view on commercialization of Bt brinjal.

(b) If approved, Bt brinjal seeds would be provided by M/s Maharashtra Hybrid Seeds Company Limited, Mumbai, Maharashtra, India; University of Agricultural Sciences, Dharwad, Karnataka, India; and Tamil Nadu Agricultural University, Coimbatore, Tamil Nadu, India.

(c) Yes, Bt brinjal event EE-1 has been developed in compliance with the prevailing regulatory procedures and biosafety guidelines which conform to the international norms. The

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†Original notice of the question was received in Hindi.



food and feed safety assessment studies carried out include composition analysis, allergenicity and toxicological studies, and feeding studies on fish, chicken, cows and buffaloes. The environmental safety assessment studies have been carried out on pollen escape out — crossing, aggressiveness and weediness, effect of the gene on non-target organisms, presence of the protein in soil and its effect on soil micro-flora, confirmation of the absence of Terminator Gene and baseline susceptibility studies.

(d) and (e) The Ministry has received a copy of the letter of Dr. Anbumani Ramadoss, former Union Minister of Health and Family Welfare addressed to the Prime Minister concerning impact of Genetically Modified (GM) food crops on human health. The Government of India is following a policy of case by case approval of GM crops. In case, the transgenic crop is not found suitable for release in the environment or human consumption, the product is rejected during the trial stage itself. A final view on the commercialization of GM plants is taken only where there is a clear economic and technical justification for release of the product. The Government is of the view that scientific assessment and not moratorium is the answer to development. Therefore, there is no proposal to ban Bt seeds.

#### **Setting up of cold storage in Tamil Nadu**

1894. SHRI S. ANBALAGAN: Will the Minister of FOOD PROCESSING INDUSTRIES be pleased to state:

(a) whether any steps were taken by Government to set up cold storages in Tamil Nadu to store vegetables and fruits during the last three years; and

(b) if so, the details thereof and the achievements made thereon?

THE MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI SUBODH KANT SAHAY): (a) and (b) To encourage setting up of cold chain facilities and backward linkages in the country, Ministry of Food Processing Industries (MFPI) has a Plan Scheme for Cold Chain, Value Addition and Preservation Infrastructure during the Eleventh Plan to provide financial assistance to project proposals received from public/private organizations for cold chain infrastructure development. The scheme envisages financial assistance in the form of grant-in-aid @ 50% of the total cost of plant and machinery and technical civil works in general areas and 75% for North Eastern Region and difficult areas subject to a maximum of Rs.10.00 crore. The initiatives are aimed at filling the gaps in the supply chain, strengthening of cold chain infrastructure, establishing value addition with infrastructural facilities like sorting, grading, packaging and processing for horticulture including organic produce, marine, dairy poultry, etc. Under this scheme, MFPI has approved 10 cold chain project during 2008-09 in the country out of that one cold chain project has been approved in Tamil Nadu.

Other agencies of the Government like National Horticulture Board (NHB), Agricultural and Processed Food Products Export Development Authority (APEDA), National Cooperative Development Corporation (NCDC) and State Government also provide financial assistance for

cold storages under their respective schemes. As per the information available with Directorate of Marketing and Inspection (DMI), Ministry of Agriculture, total number of cold storages in the country as on 31.12.2008 was 5386 having total capacity of 23.66 million MT. In Tamil Nadu, 139 cold storages having total capacity of 0.23 million MT were present as on 31.12.08. State-wise and capacity-wise details are given in the Statement.

**Statement**

*Sector-wise Distribution of cold Storages as on 31/12/2008*

Sl. No.	State/UT	Private Sector		Cooperative Sector		Public Sector		Total	Total Capacity in MTs.
		No.	Capacity	No.	Capacity	No.	Capacity	No.	Capacity
1	2	3	4	5	6	7	8	9	10
1.	Andaman and Nicobar Island (UT)	01	170	00	00	01	40	02	210
2.	Andhra Pradesh	265	860907	11	11598	10	3451	286	875956
3.	Arunachal Pradesh	01	5000	00	00	00	00	01	5000
4.	Assam	19	85948	01	1000	04	1120	24	88068
5.	Bihar	242	1362429	18	77200	00	00	260	1439629
6.	Chandigarh (UT)	05	11216	01	1000	00	00	06	12216
7.	Chhattisgarh	63	286136	01	29	01	41	65	286206
8.	Delhi	76	103250	02	5201	16	17680	94	126131
9.	Gujarat	351	1075148	21	30669	05	6437	377	1112254
10.	Goa	29	7705	00	00	00	00	29	7705
11.	Haryana	233	377319	04	3403	06	11399	243	392121
12.	Himachal Pradesh	09	12896	02	767	07	6195	18	19858
13.	Jammu and Kashmir	15	40689	03	2134	01	46	19	42869
14.	Jharkhand	37	142733	08	27415	00	00	45	170148
15.	Kerala	170	54360	06	1080	11	1690	187	57130
16.	Karnataka	126	405393	18	6689	17	9594	161	421676
17.	Lakshadweep (UT)	00	00	00	00	01	15	01	15
18.	Maharashtra	373	525126	55	25346	32	13724	460	564196

1	2	3	4	5	6	7	8	9	10
19.	Madhya Pradesh	167	692724	20	101348	05	2434	192	796506
20.	Manipur	00	00	00	00	00	00	00	00
21.	Meghalaya	01	1200	00	00	02	2000	03	3200
22.	Mizoram	00	00	00	00	00	00	00	00
23.	Nagaland	01	5000	01	1150	00	00	02	6150
24.	Orissa	83	252097	26	55550	00	00	109	307647
25.	Puducherry	02	35	01	50	00	00	03	85
26.	Punjab	402	1298425	18	39092	00	00	420	1337517
27.	Rajasthan	97	310901	09	3832	01	14	107	314747
28.	Sikkim	00	00	00	00	00	00	00	00
29.	Tamil Nadu	122	224129	13	7562	04	5162	139	236853
30.	Tripura	03	12750	01	5000	07	11700	11	29450
31.	Uttar Pradesh and Uttaranchal	1501	8770530	87	281480	03	8000	1591	9060010
32.	West Bengal	481	5647259	50	302000	00	00	531	5949259
TOTAL		4875	22571475	377	990595	134	100742	5386	23662812

\* DMI, M/o Agriculture

#### Setting up of food processing units in Punjab

1895. SHRI VARINDER SINGH BAJWA: Will the Minister of FOOD PROCESSING INDUSTRIES be pleased to state:

(a) the number of applications received for setting up new food processing units and for the enlargement/improvement of the existing ones in Punjab as on 1 December, 2009, category-wise;

(b) the number out of them which are pending for over one year but less than two years and for over two years, separately, category-wise; and

(c) by when these are likely to be cleared, category-wise?

THE MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI SUBODH KANT SAHAY):  
(a) to (c) Ministry of Food Processing Industries extends financial assistance in the form of grant-in-aid @ 25% of the cost of plant and machinery and technical civil works subject to a maximum of Rs.50 lakhs in general areas or 33.33% subject to a maximum of Rs. 75 lakhs in

difficult areas under the Scheme of Setting up/Modernization/Expansion of food processing industries. The Ministry release the funds in the form of grants-in-aid to the agencies/entrepreneurs through Banks/Financial Institutions depending upon the availability of funds within the budget provision on year to year basis. The details of applications received and number of applications pending for over one year but less than two years in the State of Punjab are as below:

Sector	No. of applications received as on 01.12.2009	No. of applications received for setting up of new units	No. of applications for expansion	Application pending over one year but less than two years		Application pending two years over	
				Setting up	Expansion	Setting up	Expansion
Consumer	5	5	0	0	0	0	0
Fruit and Vegetable	10	9	1	2	0	0	0
Oil Milling	20	11	9	7	3	0	0
Rice Milling	151	119	32	130	16	4	1
Flour Milling	14	13	1	13	1	0	0
Dairy	7	4	3	3	1	3	1
Meat and poultry	1	1	0	1	0	0	0
<b>TOTAL</b>	<b>208</b>	<b>162</b>	<b>46</b>	<b>156</b>	<b>21</b>	<b>7</b>	<b>2</b>

#### Obscenity and vulgarity on reality show

†1896. SHRI KAPTAN SINGH SOLANKI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government has made any proposal to curb increasing obscenity and vulgarity on 'reality show';

(b) if so, the details thereof;

(c) whether her Ministry is also considering to change the concept of 'reality show';

(d) if so, the details thereof;

(e) whether Government has decided to constitute any independent panel to have a check on such programmes; and

(f) the details thereof?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) All the Private TV channels are required to adhere to the Programme and Advertising Codes prescribed under the Cable Television (Regulation) Act, 1995 and Rules framed thereunder. This Ministry has constituted an Inter Ministerial Committee (IMC) to look into specific complaints or take *suo motu* cognizance of the violation of the Programme and Advertising Codes. Action is taken as per rules whenever violation of Codes is brought to the notice of the Government.

(c) and (d) No, Sir. However, the Government had constituted a Committee for reviewing the Programme and Advertising Code (Content Code) prescribed under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder, which has submitted its report and made recommendations in the form of draft 'Self-regulation Guidelines for the broadcasting sector (2008)' which is available on the Ministry's website <http://mib.gov.in> under the heading "Code and Guidelines". The Government is in the process of holding consultations with all concerned stakeholders to arrive at broad consensus on the recommendations of the Committee.

(e) No, Sir.

(f) Does not arise.

#### **Concessional loan to UNI**

†1897. SHRI ALI ANWAR ANSARI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government is aware of the fact that, due to recession, increase in operational expenses and other reasons, 50 years old news agency, United News of India (UNI) is running in heavy loss and the salaries of its staff are due for the last several months;

(b) whether Government had given loan to Press Trust of India (PTI) on the concessional rate in 1992;

(c) whether UNI has requested Government to provide loan at the concessional rate to come out from its existing situation and to expand its network; and

(d) if so, the steps Government is taking in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) Ministry of Information and Broadcasting exercises no control over the internal affairs of the news agencies. United News of India (UNI) is a media company registered under the Companies Act, 1956 and its affairs are governed by the shareholders through their representatives on the Board of Directors.

(b) Interest free loan of Rs. 1.75 crores (Rupees One Crore and Seventy Five Lakhs) was given to PTI in the year 1996 for making initial contribution towards establishment of Asia-Pacific Consortium of News Agencies.

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†Original notice of the question was received in Hindi.

(c) and (d) UNI had requested the Government for interest free loan of Rs. 20.00 crores. The request was examined and it was found that proper justification was not there. Besides details like financial status of the company, reasons for present financial crisis, concrete plans to revive the agency, repayment plan, issue of security of Government funds were not provided. The company was asked to provide a concrete proposal.

#### **Registration of complaints on contents of electronic media**

†1898. SHRI PRABHAT JHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any regulatory institution or centre for monitoring the contents being broadcast by electronic media where complaints may be registered in case of any objection to the content broadcasted;

(b) if so, the details thereof and the extent to which this regulatory institution has been effective in addressing the complaints;

(c) if not, whether Government is considering establishing any such regulatory institution or centre; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) There is no independent regulator for monitoring the content telecast on television channel. However, all programmes and advertisements telecast on TV channels transmitted/ retransmitted through the Cable TV network, are required to adhere to the Programme and Advertising Codes prescribed under the Cable TV Networks (Regulation) Act, 1995 and rules framed thereunder. This Ministry has constituted an Inter Ministerial Committee (IMC) to look into specific complaints or take *suo motu* cognizance of the violation of the Programme and Advertising Codes. Action is taken as per rules whenever violation of Codes is brought to the notice of the Government.

Further, this Ministry has set up an Electronic Media Monitoring Centre to monitor the content telecast on Private television channels which sends reports of violation of Programme and Advertising Codes to this Ministry and action is taken as per the provision of the Cable Act whenever specific violation is found.

(c) and (d) The Government had constituted a committee for reviewing the Programme and Advertising Code (Content Code) prescribed under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder, which has submitted its report and made recommendations in the form of draft 'Self-regulation Guidelines for the broadcasting sector (2008)' which is available on the Ministry's website <http://mib.gov.in> under the heading "Code and Guidelines". The Government is in the process of holding consultations with all concerned stakeholders to arrive at broad consensus on the recommendations of the Committee.

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†Original notice of the question was received in Hindi.

### **Contract of Prasar Bharati with UNI and PTI**

†1899. SHRI ALI ANWAR ANSARI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that renewal of the contract and revision in rates between Prasar Bharati, United News of India (UNI) and Press Trust of India (PTI) is pending over several years; and

(b) if so, the steps being taken by the Prasar Bharati in this direction?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) Yes, Sir. Prasar Bharati has informed that News Services Division (NSD) was making payment to United News of India (UNI) and Press Trust of India (PTI) as per the rates earlier decided by Ministry of Information and Broadcasting up to 31.03.2000. Thereafter, an agreement for the rates was made by Prasar Bharati with the approval of Prasar Bharati Board for a period up to 31.03.2006. After that NSD is making payments to UNI/PTI on *ad-hoc* and pro-rata basis. The Price Negotiation Committee (PNC) was set up by Prasar Bharati on 11.05.2006 for this purpose.

### **Unauthorised TV channels by cable operators**

1900. SHRI JAI PRAKASH NARAYAN SINGH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government is aware that several unauthorized channels are being shown by cable operators;

(b) if so, the details thereof;

(c) whether it is a fact that Q TV, Peace TV and Saudi TV are beaming programmes for preaching religious matters; and

(d) if so, the details thereof and the steps being taken for checking illegal downloading of these TV channels?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) Yes, Sir. The Government is in receipt of inputs regarding downlinking and retransmission of unregistered satellite TV channels by Cable operators in their network in certain parts of the country.

(c) and (d) The Government is in receipt of inputs of some channels which have neither been permitted to uplink from India nor permitted/ registered to downlink in India as per the uplinking and downlinking guidelines are being shown illegally. The content shown on TV channels including religious content is regulated as per the provision of Programme Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and Rules made thereunder. However the Programme Code permits cable operators to carry only such satellite

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†Original notice of the question was received in Hindi.

TV channels as are registered with the Ministry of Information and Broadcasting. The Authorized Officers under the Cable Act which include District Magistrates, Sub-Divisional Magistrates and Commissioners of Police are empowered to take action against the cable operators in case of carriage of unregistered channels. The Ministry has been communicating with the State Governments for setting up of State and District level Monitoring Committees to ensure compliance of the provisions of the Cable Act and the Rules thereunder. The Government on 7.10.2009 has issued an advisory to all authorized Multi System Operators and Cable Operators Associations to discontinue with immediate effect transmission/re-transmission of illegal channels failing which penal action would be taken. The Ministry is also in touch with the Ministry of Home Affairs to curb the carriage of unauthorized TV channels by cable operators.

#### **Functioning of Prasar Bharati**

†1901. SHRI PRABHAT JHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that Prasar Bharati is not functioning smoothly as an autonomous institution;

(b) if so, the details thereof and whether Government is considering establishment of a regulatory authority for smooth functioning of Prasar Bharati;

(c) whether Government is considering to dissolve the Board of Prasar Bharati by bringing in an ordinance; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) The Government has received copies of representations and correspondences from members of the Prasar Bharati Board to the CEO and also the Chairman, Prasar Bharati Board regarding issues pertaining to the functioning of the Prasar Bharati Board. Government has ordered a special audit of Prasar Bharati on General Accounting Issues including the issue of functioning of Prasar Bharati and its Board and Specific Financial Issues as per the complaints of Member (Finance) Prasar Bharati.

The letters are in the nature of allegations regarding irresponsible behaviour of the Chairman, CEO and members of the Board, manner of fixing dates for the Board meetings, finalization and issue of minutes in departure from the past practices, financial irregularities, systemic problems etc. indicating disharmony among the Board members.

A Public Interest Litigation was filed by Center for Public Interest Litigation in the High Court of Delhi which included certain issues pertaining to functioning of the Board. The High Court *vide* its interim order dated 27/07/2009, has given directions on certain issues pertaining to the

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†Original notice of the question was received in Hindi.



functioning of the Board such as the minutes of meetings of the Board such as the minutes of meetings of the Board dated 21.01.2009, 16.02.2009, 23.03.2009, 18.05.2009 and 25.06.2009 as authenticated by the Chairman has to be implemented, submissions of compliance report of the implementation of the Resolutions and the minutes book to the High Court and fixing the date of the Board meeting. It has also directed that the allegation regarding financial and administrative irregularities etc. are referred to the Central Vigilance Commission for appropriate investigation. The same has been referred to Central Vigilance Commission by Prasar Bharati. In its final orders dated 13/11/2009, the High Court dismissed the PIL while upholding the interim directions to refer allegations regarding financial and administrative irregularities to Central Vigilance Commission. In the meanwhile, an SLP has been filed in the Supreme Court by the CEO, Prasar Bharati against the interim order of the High Court. The matter is *sub-judice*.

There is no proposal for establishment of Regulatory authority for smooth functioning of Prasar Bharati.

(c) No Sir.

(d) Does not arise.

#### **Unlicensed TV channels**

1902. SHRI KALRAJ MISHRA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government has taken note of the fact that a number of cable operators in league with unscrupulous broadcasters have been beaming several unlicensed TV channels in the country;

(b) if so, the details of the cable operators brought to book during the current year, so far; and

(c) the steps taken and being taken to prevent such violation of the laws?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) The Government is in receipt of inputs regarding downlinking and re-transmission of unregistered satellite TV channels by cable operators in their network in certain parts of the country. The Authorized Officers under the Cable Television Networks (Regulation) Act, 1995 which include District Magistrates, Sub-Divisional Magistrates, and Commissioners of Police are empowered to take action against the cable operators in case of carriage of unregistered channels. Since authorized officers who are district level officers enforces the provisions of Cable Television Networks (Regulation) Act, 1995 and rules made thereunder, no data on the action taken against cable operators is maintained by the Central Government.

(c) The Programme Code as prescribed under the Cable Act and Rules made thereunder permits cable operators to carry only such satellite TV channels as are registered with

the Ministry of Information and Broadcasting. The Ministry accordingly has been communicating with the State Governments for setting up of State and District level Monitoring Committees to ensure compliance of the provisions of the Cable Act and the Rules thereunder. Recently, the Government on 7.10.2009 has issued an advisory to all authorized Multi System Operators and Cable Operators Associations to discontinue with immediate effect the transmission/re-transmission of illegal channels failing which penal action would be taken. The Ministry is also in touch with the Ministry of Home Affairs in this regard.

#### **Depiction of violence, obscurities and vulgarity on TV**

1903. SHRI A. ELAVARASAN: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether depiction of violence, obscurities and vulgarity on various television channels is increasing;

(b) if so, the details thereof;

(c) whether Government has received any complaints in this regard;

(d) if so, the number of such complaints reported during the last two years, and the current year alongwith the action taken by Government on those channels;

(e) whether there is any clear and accurate guidelines fixed for these TV channels so that incidents of violence and the incidents of distorting the culture, civilization and tradition can be checked; and

(f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) No such specific study has been brought to the notice of the Government. However, some instances of violence, obscenity and vulgarity shown on television have been brought to the notice of the Government.

(c) and (d) A statement showing the details of Show Cause Notices issued to various TV channels for showing violence, obscenity and vulgarity on Television during the last two years and current year and final action taken thereon is enclosed (*See below*).

(e) and (f) There is no provision of pre-censorship of the programmes telecast by Private TV channels. However, all the Private TV channels are required to adhere to the Programme and Advertising Codes prescribed under the Cable Television (Regulation) Act, 1995 and Rules framed thereunder. This Ministry has constituted an Inter Ministerial Committee to look into specific complaints or to take *sou motu* cognizance against the violation of the Programme and Advertising Codes. Action is taken as per the provisions of the Cable Act whenever any specific violation is found.

**Statement**

*Statement Showing the number and names of TV channels against which complaint of violence, obscenity and vulgarity have been received during last two years i.e. 2007 and 2008 and current year 2009. (As on 30.11.2009)*

Sl. No.	Name of the Channel	Reasons for issue of SCN	Date of SCN issued	Action Taken
1	2	3	4	5
<b>YEAR 2007</b>				
1.	IBN 7	Telecast of an obscene Programme 'Kiss Par Rok Nahi'	28.03.2007	IBN 7 Channel directed <i>vide</i> Order dated 14.11.2007 to run an apology scroll for three days. The Channel complied with. MATTER CLOSED.
2.	Zee News	Telecast of an obscene programme 'Jumma Chumma De De'	28.03.2007	Zee News Channel directed <i>vide</i> Order dated 14.11.2007 to run an apology scroll for three days. The Channel complied with. MATTER CLOSED.
3.	Star News	Telecast of obscene programmes 'Sex Me Twist' and 'Kiss Karo'	28.03.2007	Advisory dated 25.06.2006 issued to the Channel. MATTER CLOSED.
4.	India TV	Telecast of an objectionable programme on Ms. Jhanvi \Kapur	02.07.2007	Ms. Jhanvi has also filed a W.P. before Hon'ble Delhi High Court which is pending. Opinion of M/o Law and Justice has been sought.

				Warning dated 03.07.2009 issued to the channel for running apology scroll for three days as the telecast was based on distorted facts.
5.	IBN 7	Telecast of an obscene programme 'Kissa Kiss Ka'	06.07.2007	A Warning dated 06.12.2007 issued to the Channel. MATTER CLOSED
6.	India TV	Telecast of programme 'India Bol' containing adult language.	31.10.2007	Advisory dated 19.12.2007 issued to the Channel. MATTER CLOSED
7.	NDTV	Telecast of News item on mob violence in Guwahati and adivasi women being beaten up by men.	19.12.2007	Warning dated 05.09.2008 issued to the Channel. MATTER CLOSED.
8.	IBN 7	Telecast of News item on mob violence in Guwahati and adivasi women being beaten up by men.	19.12.2007	Warning dated 05.09.2008 issued to the Channel. MATTER CLOSED.
9.	NETV	Telecast of News item on mob violence in Guwahati and adivasi women being beaten up by men.	19.12.2007	Warning dated 05.09.2008 issued to the Channel. MATTER CLOSED.

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1	2	3	4	5
<b>YEAR 2008</b>				
1.	MTV	Telecast of obscene advt. of 'New Axe Deodorant'.	22.02.2008	MTV Channel was directed vide Order dated 02.05.2008 to run an apology scroll for three days The Channel complied with the direction. MATTER CLOSED.
2.	Star News	Telecast of obscene advt. of 'New Axe Deodorant'.	22.02.2008	Star News Channel was directed vide Order dated 02.05.2008 to run an apology scroll three days The Channel complied with the direction. MATTER CLOSED.
3.	India News	Telecast of News item based on MMS depicting sexual activities of Arushi and Hemraj.	09.06.2008	Warning dated 05.09.2008 issued to the Channel. MATTER CLOSED.
4..	Headlines Today	Telecast of an obscene News item titled 'Birth Day Suit' based on completion of 62 years of bikini.	11.08.2008	An Advisory dated 23.03.2009 issued to the Channel. MATTER CLOSED.
5.	MTV	Telecast of obscene Reality Show titled 'Splitsvilla'	11.08.2008	No violation observed. MATTER CLOSED.
6.	ETV Bangla	Telecast of vulgar and obscene advt. of AXE Dark Temptation Deodorant.	22.08.2008	Advertisements has been modified.

7.	Aaj Tak	Telecast of vulgar and obscene advt. AXE Dark Temptation Deodorant.	22.08.2008	Advertisements has been modified.
8.	Discovery	Telecast of vulgar and obscene advt. AXE Dark Temptation Deodorant.	22.08.2008	Advertisements has been modified.
9.	Bindass	Telecast of vulgar Programme titled 'Dadagiri'	11.09.2008	Warning dated 25.11.2008. MATTER CLOSED
10.	Star Movies	Telecast of an obscene advertisement of 'Virgin Mobile'	19.09.2008	Advertisement has been withdrawn. MATTER CLOSED.
11.	Discovery	Telecast of an obscene advertisement of 'Virgin Mobile'	19.09.2008	Advertisement has been withdrawn. MATTER CLOSED.
12.	Hungama	Telecast of a cartoon show namely 'Shin-Chan' containing obscene visuals and it denigrates children.	23.09.2008	No action taken as the programme has already been stopped. MATTER CLOSED.
13.	Channel [V]	Telecast of an obscene reality beauty show titled 'Get Gorgeous 5'	08.10.2008	Warning dated 03.07.2009 issued to the Channel. MATTER CLOSED
14.	News 24	Telecast of a reality show 'Big Boss Season-2'	28.11.2008	Warning dated 03.06.2009 issued to the Channel. MATTER CLOSED.

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1	2	3	4	5
15.	Colors	Telecast of a reality show 'Big Boss Season-2'	28.11.2008	Advisory dated 03.06.2009 issued to the Channel. MATTER CLOSED.
16.	India TV	Telecast of a news item titled 'Ye Bachchon Ka Khel Nahi' denigrating children.	12.12.2008	India TV Channel represented to NCPCR and they being satisfied with the Channel requested this Ministry not to proceed the matter further. As such, the matter was not processed further. MATTER CLOSED.
<b>Year 2009</b>				
1.	MTV	Telecast of obscene, indecent and vulgar programme titled 'MTV Rodies'.	31.03.2009	Order dated 01.07.2009 issued to the Channel directing it to run apology scroll for three days. MATTER CLOSED.
2.	MTV Channel	Telecast of the programme titled 'Vodafone MTV Splitsvilla-2' uttering unfair remark to another participant.	02.06.2009	IMC's recommendation obtained. Final Orders under issue.
3.	Real TV	Telecast of indecent Reality Show titled 'Sarkar Ki Duniya'	30.06.2009	IMC's recommendation obtained. Final Orders under issue.
4.	NDTV India	Telecast of a news item based on indecent Reality Show titled 'Sarkar Ki Duniya'	30.06.2009	IMC's recommendation obtained. Final Orders under issue.
5.	Star Plus	Telecast of a obscene, vulgar and indecent Reality Game Show titled 'Such Ka Samna'	22.07.2009	A Warning dated 27.11.2009 issued to the channel. MATTER CLOSED.

6.	9X TV	Telecast of a tele-serial titled 'Black' telecasting horrifying visuals	27.07.2009	IMC's recommendation obtained. Final Orders under issue.
7.	NDTV Imagine	Telecast of tele-serial titled 'Bandini' showing indecent visuals	28.07.2009	IMC's recommendation obtained. Final Orders under issue.
8.	Bindass	Telecast of an indecent serial 'Sun Yaar Chill Maar'	29.07.2009	IMC's recommendation obtained. Final Orders under issue.
9.	Channel [V]	Telecast of an indecent programme titled 'Launch Pad'	29.07.2009	IMC's recommendation obtained. Final Orders under issue.
10.	VH-1	Telecast of the programme 'Saturday Night Live' showing indecent visuals	19.08.2009	IMC's recommendation obtained. Final Orders under issue.
11.	Bindass	Telecast of the Reality Show 'Dadagiri'	26.08.2009	Reply under examination
12.	Sony	Telecast of the Reality Show 'Iss Jungle Se Mujhe Bachao'	26.08.2009	IMC's recommendation obtained. Final Orders under issue.
13.	FTV.com India	Telecast of obscene visuals	11.09.2009	Reply under examination
14.	Colors Channel	Telecast of the reality show 'BIG BOSS Season-3'	26.10.2009	Reply under consideration



### Implementation of Prasar Bharati Act

1904. SHRI O.T. LEPCHA:

SHRI KALRAJ MISHRA:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that the Prasar Bharati (Broadcasting Corporation of India) Act, 1990 has not been fully implemented till date;

(b) if so, the reasons therefor;

(c) whether there is a question mark on the so-called autonomy given to Prasar Bharati under the Act;

(d) if so, the extent to which the Prasar Bharati is autonomous; and

(e) whether there is a case for giving further or complete autonomy to Prasar Bharati?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) Implementation of the Act is an ongoing process. A few sections in the Act have not yet been fully implemented. Section 10 on the establishment of Recruitment Boards and Section 11 regarding transfer of service of existing employees to the Corporation could not be implemented as there was strong opposition from the employees against absorption in Prasar Bharati. Sections 13 on Parliamentary Committee, Section. 14 and 15 on the Broadcasting Council have not been implemented and the need for these provisions is under review.

(c) While Prasar Bharati enjoys autonomy in accordance with the Prasar Bharati Act, 1990, the Standing Committee on Information Technology in its Forty-Seventh Report, June 2007 has gone into the issue of autonomy of Prasar Bharati. The Committee in its observations mentioned that Section 32 of the Prasar Bharati Act vests a whole lot of powers on the Government for making rules with regard to service conditions, salary and allowances etc. and taking decisions with regard to investing of its funds, preparation of annual statement of accounts, preparation of annual reports etc. It was also observed that whatever might have been the compulsions for retaining these powers with the Government, the provisions are serious impediments coming in the way of autonomy of Prasar Bharati and fulfilling the avowed objectives of the Corporation.

(d) and (e) Prasar Bharati has been conceived as an autonomous Corporation governed by the provisions contained in Prasar Bharati (Broadcasting Corporation of India) Act, 1990. It is only with respect to items mentioned under Section 32 and certain items mentioned in Section 33 which mainly relate to salary and allowances that Central Government has been assigned some very restricted role.

#### **Payment to casual news readers**

†1905. SHRI DHARAM PAL SABHARWAL: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether it is a fact that, in order to assist in the work of broadcasting of Hindi news bulletins on All India Radio, a panel of casual news-readers has been prepared;
- (b) if so, whether all of them are called, in view of exigency of work; and
- (c) whether they are paid timely for the services rendered by them, and if not, the reasons therefor and by when their dues would be paid?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) to (c) Yes, Sir. Prasar Bharati has informed that Hindi News Readers (casual) are called on rotational basis from the panel prepared by them keeping in view the exigency of work. Prasar Bharati have further informed that all efforts are being made by them to make the payment on time. All the News Readers (casual) who have submitted their contracts have been paid upto July, 2009. Prasar Bharati has also informed that the due payments in respect of casual News Readers (Hindi) booked during the current financial year will be cleared with in this financial year, *i.e.*, 2009-10.

#### **FDI in DTH television services**

1906. SHRI N.K. SINGH:

SHRIMATI JAYANTHI NATARAJAN:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether Government has been actively considering to increase FDI in DTH television services;
- (b) if so, the details thereof;
- (c) whether the increase in FDI in DTH television services could lead to a security threat to the nation;
- (d) if so, whether Government has received any representations in this regard; and
- (e) if so, the present status of the proposal to increase FDI in DTH television services?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) On a reference made by the Government on 11.12.2007, the Telecom Regulatory Authority of India (TRAI) on 26.04.2008 submitted the recommendations on foreign investment limits for broadcasting sector. TRAI has recommended that the total foreign investment including FDI for DTH should be 74%. The details of the recommendations of TRAI are available at the website (*www.trai-gov-in*) of TRAI.

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†Original notice of the question was received in Hindi.

(c) and (d) Representations from M/s. Dish TV India Ltd., a licensee of DTH service, were received alleging a possible security threat by way of select messaging and the like and opposing the increase in FDI in DTH service. The concerns expressed in relation to national security will also be kept in view as and when a final view is taken.

(e) In view of the Press Note No.2 and 4 (2009 Series) issued by Department of Industrial Policy and Promotions (DIPP) in February 2009 rationalizing calculation of indirect foreign investment in sectors attracting FDI caps including the broadcasting sector, the Ministry has on 30.9.2009 requested the TRAI to revisit the recommendations in the light of these press notes.

#### **Carrying advertisement during serials**

†1907. SHRI RAVI SHANKAR PRASAD:

SHRI RAJ MOHINDER SINGH MAJITHA:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether it is a fact that viewers are charged for viewing television channels;
- (b) if so, the details in this regard;
- (c) whether consent of viewers has also been taken for carrying advertisements during these telecasts;
- (d) if so, the details in this regard;
- (e) whether there is a time-limit fixed for carrying advertisements during the telecast of serials; and
- (f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) and (b) Most Television channels in India are viewed through satellite by the consumers on cable network, Direct to Home (DTH), and Internet Protocol Television (IPTV). Doordarshan channels can also be viewed directly through terrestrial mode. For viewing Doordarshan terrestrial channels a consumer is not required to pay. However, for viewing the satellite channels through DTH or IPTV or Cable, consumers are required to pay to the DTH operator or IPTV operator or cable operator. Further television channels may be free to air or pay channels. In case of free to air channels, the operators of different distribution platforms/networks are not required to pay to the broadcasters while in case of pay channels operators/service provider pay a mutually agreed amount of charges to the broadcaster of such channel.

(c) and (d) Consent of viewers is not required for carriage of advertisements by television channels as per the Advertisement Code prescribed under the Cable Television Networks (regulation) Act, 1995 and the rules made thereunder.

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†Original notice of the question was received in Hindi.

(e) and (f) Sub-rule (11) of Rule (7) of the Cable Television Networks Rules, 1994 has provided that “no programme shall carry advertisements exceeding 12 minutes per hour, which may include upto 10 minutes per hour of the commercial advertisement and upto 2 minutes per hour of a channels’ self promotional programmes”.

#### **Parameters for setting up of channels**

1908. PROF. ALKA BALRAM KSHATRIYA:  
SHRIMATI SHOBHANA BHARTIA:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government has asked the Telecom Regulatory Authority of India (TRAI) to recommend parameters or eligibility criteria and financial viability related criteria for setting up of channels;

(b) if so, the details of the recommendations made by TRAI in this regard;

(c) whether Government has since taken a serious view of a number of illegal channels being beamed out by cable operators in some parts of the country; and

(d) if so, the manner in which operation of such illegal channels would be checked?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) A reference has been made by this Ministry to Telecom Regulatory Authority of India (TRAI) in October 2009. Among other things, TRAI has been requested to examine the maximum number of channels which can be permitted in the country keeping in view the available spectrum and transponder capacities as well as technological developments and general practice internationally and to examine the eligibility criteria with regard to financial viability and experience of the organization seeking permission.

(b) Reply from TRAI is awaited.

(c) and (d) Only the channels which are permitted by the Ministry under Uplinking and Downlinking Guidelines can be distributed by cable operators. Unauthorized Channels would attract the provisions of Cable Television Networks (Regulation) Act, 1995 and Rules framed thereunder whereby action can be taken by authorized officers against the offending cable operators.

#### **Curtailling powers of Prasar Bharati Board**

1909. SHRI MAHENDRA MOHAN:  
SHRIMATI SHOBHANA BHARTIA:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government has recently decided to take away the powers of the Prasar Bharati Board;

(b) if so, the reasons therefor;

(c) whether Government has received a spate of complaints about the functioning of the Prasar Bharati Board; and

(d) if so, the details and nature of the complaints and the action contemplated by Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI CHOUDHURY MOHAN JATUA): (a) No, Sir.

(b) Does not arise.

(c) and (d) The Government has received copies of representations and correspondences from members of the Prasar Bharati Board to the CEO and also the Chairman, Prasar Bharati Board regarding issues pertaining to the functioning of the Prasar Bharati Board. Government has ordered a special audit of Prasar Bharati on General Accounting Issues including the issue of functioning of Prasar Bharati and its Board and Specific Financial Issues as per the complaints of Member (Finance) Prasar Bharati.

The letters are in the nature of allegations regarding irresponsible behaviour of the Chairman, ECO and members of the Board, manner of fixing dates for the Board meetings, finalization and issue of minutes in departure from the past practices, financial irregularities, systemic problems etc. indicating disharmony among the Board members.

A Public Interest Litigation was filed by Center for Public Interest Litigation in the High Court of Delhi which included certain issues pertaining to functioning of the Board. The High Court vide its interim order dated 27/07/2009, has given directions on certain issues pertaining to the functioning of the Board such as the minutes of meetings of the Board dated 21.01.2009, 16.02.2009, 23.03.2009, 18.05.2009 and 25.06.2009 as authenticated by the Chairman has to be implemented, submissions of compliance report of the implementation of the Resolutions and the minutes book to the High Court and fixing the date of the Board meeting. It has also directed that the allegation regarding financial and administrative irregularities etc. are referred to the Central Vigilance Commission for appropriate investigation. The same has been referred to Central Vigilance Commission by Prasar Bharati. In its final orders dated 13/11/2009, the High Court dismissed the PIL while upholding the interim directions to refer allegations regarding financial and administrative irregularities to Central Vigilance Commission. In the meanwhile, an SLP has been filed in the Supreme Court by the CEO, Prasar Bharati against the interim order of the High Court. The matter is *sub-judice*.

#### **Changes in Court Fee Act and Indian Stamp Act**

1910. SHRI B.S. GNANADESIKAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Law Commission has recommended drastic changes in the archaic Court Fee Act and Indian Stamp Act to check the loss of Government's revenue by using alternative modes of payments like demand draft, pay order, banker's cheque, postal order, challan for court fee and stamp duty etc.;

(b) if so, the details thereof;

(c) whether Government has accepted these recommendations of the Law Commission to save Government's huge cost of printing judicial and non-judicial stamps and commission of stamp vendors etc.; and

(d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (d) The information is being collected and will be laid on the Table of the House.

#### **Appointment of Judges in Supreme Court**

1911. SHRI AMAR SINGH: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that names of some High Court Judges have been cleared by the Supreme Court collegium early in September, 2009 for appointment as a Supreme Court Judge;

(b) if so, the details thereof;

(c) whether Government has received complaints from eminent jurists and Lawyers' Association in Chennai levelling serious charges of corruption and disproportionate assets against a particular Chief Justice; and

(d) if so, the details thereof and Government's reaction thereto?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) Yes, Sir. The Chief Justice of India had recommended names of five Chief Justices of the High Courts for appointment as Judges of the Supreme Court.

(c) and (d) Yes, Sir. A view on the allegations made against one of the Chief Justices is to be taken by the Chief Justice of India as per the existing procedure.

#### **Vacant posts of Judges**

1912. SHRI M.P. ACHUTHAN:

SHRI D. RAJA:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the delay in filling up the vacancies of Judges in subordinate judiciary, High Courts and Supreme Court is the main reason for the accumulation of pending cases in the various court, in the country;

(b) if so, the details of the vacant posts of Judges in subordinate courts, High Courts and Supreme Court, at present; and

(c) the steps being taken to fill up these vacancies within a time-frame?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) It is a fact that delay in filling up the vacancies of Judges is one of the main reasons for accumulation of pending cases in courts.

(b) and (c) A statement showing the number of vacant posts of Judges in the Supreme Court and High Courts as on 1.12.2009 enclosed (*See below*).

Under Article 235 of the Constitution of India, the administrative control over the members of the subordinate judiciary in the States vests with the concerned High Court and the State Government. Filling up of the vacant posts of Judges/Magistrates in Subordinate Courts is the concern of the respective High Courts and the State Governments.

Pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of the Supreme Court lies with the Chief Justice of India and for the appointment of a Judge of a High Court with the Chief Justice of the concerned High Court. The Government is periodically reminding the Chief Justices of the High Courts to initiate proposals in time for filling up the existing vacancies as well as the vacancies anticipated in next six months in the High Courts.

***Statement***

*Vacancies of Judges*

Sl. No.	Name of the Court	Vacancies of Judges as on 01.12.2009
1	2	3
<b>A.</b>	<b>Supreme Court of India</b>	<b>5</b>
<b>B.</b>	<b>High Court</b>	
1.	Allahabad	79
2.	Andhra Pradesh	18
3.	Bombay	12
4.	Calcutta *	19
5.	Chhattisgarh	9
6.	Delhi	5
7.	Guwahati	3
8.	Gujarat *	16
9.	Himachal Pradesh *	2
10.	Jammu and Kashmir	4
11.	Jharkhand	6
12.	Karnataka	13
13.	Kerala	6

1	2	3
14.	Madhya Pradesh*	8
15.	Madras	6
16.	Orissa*	5
17.	Patna*	21
18.	Punjab and Haryana*	22
19.	Rajasthan	10
20.	Sikkim	—
21.	Uttarakhand	—
TOTAL		264

#### **Appointment of Judges through competitive examination**

1913. SHRI B.S. GNANADESIKAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is a proposal for the introduction of a selection procedure on the lines of Indian Administrative Service (IAS) for appointment of Judges in High Courts and District Courts;

(b) whether the proposal was based on the recommendations of the Law Commission;

(c) if so, the details thereof;

(d) whether the majority of High Courts have strongly opposed the proposal and want the present selection procedure by a committee of senior most Judges to continue; and

(e) if so, the details thereof and Government's reaction thereto?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (e) The various Law Commissions including the 1st, 8th and 11th Law Commissions had, *inter alia*, recommended the formation of All India Judicial Service. The 11th Law Commission in its 116th report felt that the formation of such a service, through competitive examination, would attract brilliant young men and women and thus the best talent all over the country would come to judiciary,, as in respect of All India Civil Services. Law Commission also suggested that the recruitment to All India Judicial Service could be done through a National Judicial Service Commission comprising of Judges, legal academicians and generalists.

As per the recommendations of the Law Commission of India, the directions of the Supreme Court of India in All India Judges Association case (Writ Petition No. 1022/89) and the guidelines recommended by the First National Judicial Pay Commission, the Union Government has taken



up the matter of formation of an All India Judicial Service for examination. As the All India Judicial Service would be common for the Union and the States and would require cooperation of the State Governments and High Courts, their views/comments have been sought. Views of 17 State Governments/UT Administrations and 14 High Courts have so far been received. The views of the High Courts are given in the Statement (*See below*).

In the Conference of the Chief Minister of States and the Chief Justices of the High Courts held on 16.08.2008, the State Governments, in principle, concurred with the proposal of formation of All India Judicial Service. Also, in the National Consultation for Strengthening the Judiciary towards reducing pendency and delays held on 24th-25th October, 2009 which was attended by the Chief Justice of India, Supreme Court Judges, Chief Justices of all High Courts, among others, it was, *inter alia*, resolved to establish an All India Judicial Service through an open competitive examination ensuring the best possible selection.

After receipt of views from all State Governments and High Courts, the matter will be examined by the Government on its merit.

#### ***Statement***

##### *Comments/views of the High Courts on the formation of All India Judicial Service (AIJS)*

Sl. No.	Name of the High Court	Comments
1	2	3
1.	Himachal Pradesh	The High Court of Himachal Pradesh has no comments to offer.
2.	Sikkim	The Full Court has resolved that the proposal to form an AIJS appears to be contrary to the federal character of the Constitution <i>vis-a-vis</i> State Judiciary particularly, the “Control” vested in the High Court for ensuring independence of the Subordinate Judiciary enshrined under Article 235 of the Constitution of India, and therefore, the same is not acceptable.
3.	Allahabad	The High Court of Allahabad has not favoured formation of All India Subordinate Judicial Service as the State and the State Judiciary controls and has always controlled the Subordinate Judiciary themselves.
4.	Delhi	The Court has expressed its reservation but offered no views due to the judgment of the Supreme Court given in the matter of All India Judges’ Association <i>vs.</i> UOI and Ors.

1	2	3
5.	Jharkhand	The Court is of the view that there is no requirement to establish AIJS in terms of recommendation of the First National Pay Commission.
6.	Rajasthan	AIJS may be constituted provided that it does not dilute the provisions of Article 235 of the Constitution of India.
7.	Gujarat	The High Court is not in favour of formation of AIJS
8.	Andhra Pradesh	The High Court has not expressed any view since the matter relating to establishment of AIJS has already been considered by the Hon'ble Supreme Court of India on judicial side
9.	Madhya Pradesh	The High Court is not in favour of formation of AIJS as the conditions in the Higher Judicial Service in Madhya Pradesh have improved substantially after the implementation of the recommendations of the Shetty Pay Commission with regard to pay, allowances and other service conditions and after amendment of the recruitment rules pursuant to the judgment of Supreme Court in All India Judges Case
10.	Madras	The Madras High Court is not in favour of AIJS.
11.	Patna	The High Court is in favour of constituting an AIJS in the light of judgment in W.P. No. 1022 of 1989 (All India Judges Association and others versus UOI).
12.	Kerala	The High Court of Kerala does not assent to the proposal for creation of AIJS since the creation of All India Judicial Service would cause practical difficulties,.
13.	Uttarakhand	High Court of Uttarakhand has informed that the present system of recruitment by the High Court in Higher Judicial Service be maintained.
14.	Bombay	The High Court has decided not to form All India Judicial Service

#### **Disclosure of assets**

1914. DR. JANARDHAN WAGHMARE: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government feels that it is necessary that like the Members of Parliament and State Assemblies, Judges, administrators and people's representatives at all levels including Panchayati Raj should declare their assets and liabilities; and

(b) if so, the steps proposed to be taken in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) The Government is considering to bring in a comprehensive legislation on the issue of accountability of Judges wherein it is also proposed to deal with the subject of declaration of assets and liabilities by Judges of the Supreme Court and High Courts.

As regards administrators and people's representatives; information is being collected and will be laid on the Table of the House.

#### **Setting up of family courts**

1915. SHRIMATI JAYANTHI NATARAJAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether all the States and Union Territory Administrations have set up family courts in all the districts under their territorial jurisdiction;

(b) if not, the States and UTs lagging behind in this regard alongwith the number of districts where family courts have not been established so far; and

(c) what remedial measures Government proposes to take in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) No, Sir.

(b) A Statement indicating the number of Family courts functioning State-wise is enclosed. No Family Courts are functional in other States/UTs. Information regarding the number of districts where Family Courts have not been established is being collected and will be laid on the Table of the House.

(c) All the State Governments have been requested from time to time to set up Family Courts in their State so as to cover all the Districts.

#### ***Statement***

*Number of family courts functional as reported by the concerned high Court/State Government*

Sl. No.	Name of the State	Number of Family Courts functional in the State
1	2	3
1.	Andhra Pradesh	27
2.	Jharkhand	8
3.	Maharashtra*	4
4.	Orissa	2
5.	Puducherry	1

1	2	3
6.	Sikkim	1
7.	Tripura	3
8.	Uttarakhand	7
9.	West Bengal	2
10.	Bihar	30
11.	Madhya Pradesh	15
12.	Kerala	16
13.	Manipur	1
14.	Karnataka	10
15.	Nagaland	2
16.	Gujarat	9
17.	Chhattisgarh	14
18.	Assam	2
19.	Rajasthan	6
20.	Uttar Pradesh	15
TOTAL		175

\*The Judge strength is 18 as reported by Government of Maharashtra.

#### **Divorce cases**

1916. SHRIMATI JAYANTHI NATARAJAN: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether it is a fact that the number of divorce cases has increased manifold;
- (b) if so, the details of such cases pending in the family and other civil courts as on date, State-wise; and
- (c) what remedial measures Government has taken or proposes to take in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (c) Data on the number and pendency of divorce cases is not maintained centrally. However, all the State Governments and UT Administrations have been requested to set-up at least one Family Court in each District with a view to reducing the pendency of such cases.

### **Creation of All India Judicial Service**

1917. SHRI RAJNITI PRASAD:

SHRI MOHD. ALI KHAN:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government proposes to create a new All India Service *i.e.* All India Judicial Services;
- (b) if so, the details thereof;
- (c) the structure of the proposed All India Judicial Services and whether Judicial Magistrate First Class/Civil Judge (Junior Division) would be part of the said service; and
- (d) by when the proposed service is likely to be created?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) As per the recommendations of the Law commission of India, the directions of the Supreme Court of India in All India Judges Association case (Writ Petition No. 1022/89) and the guidelines recommended by the first National Judicial Pay Commission, the Union Government has taken up the matter of formation of an All India Judicial Service for examination. As the All India Judicial Service would be common for the Union and the States and would require cooperation of the State Governments and the High Courts, their views/comments have been sought.

The views of 17 State Governments/UT Administration and 14 High Courts have so far been received.

In the Conference of the Chief Ministers of States and the Chief Justices of the High Courts held on 16.08.2009, the State Governments, in principle, concurred with the proposal of formation of an All India Judicial Service. Also, in the National Consultation for Strengthening the Judiciary towards reducing pendency and delays held on 24th-25th October, 2009 which was attended by the Chief Justice of India, Supreme Court Judges, Chief Justices of all High Courts among others, it was, *inter alia*, resolved to establish an All India Judicial Service through an open competitive examination ensuring the best possible selection.

After receipt of views from all the States and the High Courts, the matter will be examined by the Central Government on its merit.

(c) The Government has not taken any decision so far on the constitution or structure of the proposed All India Judicial Service.

(d) Though all possible efforts are being made to take a decision on the formation of All India Judicial Service, no definite time frame can be indicated.

### **Uniformity in voters' lists**

1918. SHRI KAMAL AKHTAR:

SHRI NAND KISHORE YADAV:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there is separate voters' lists for Lok Sabha and State Legislative Assemblies;

(b) if so, the reasons therefor;

(c) whether Government would bring any amendment/new legislation to bring uniformity in voters' lists for Lok Sabha, Assemblies, local bodies and Nagar Palikas to strengthen the democratic set up and remove irregularities in elections; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) No, Sir.

(b) Does not arise.

(c) and (d) Under article 243K of the Constitution, the Legislature of a State is empowered to make provisions with respect to all matters relating to, or in connection with, elections to the Panchayats. Similarly, under article 243ZA of the Constitution, the Legislature of a State is empowered to make provisions with respect to all matters relating to, or in connection with, elections to the Municipalities. These laws would *inter alia* include provisions relating to the preparation of electoral rolls for elections to the respective bodies.

Hence, it is, for the State Legislatures to make laws for adopting the electoral laws of the Assembly constituencies for the purpose of elections to Panchayats and Municipalities.

#### **Irregularities in voters' lists**

1919. SHRI NAND KISHORE YADAV:

SHRI KAMAL AKHTAR:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that names of a large number of legitimate voters are removed from the voters' lists and thus they are deprived of casting votes in Assembly elections in various States;

(b) the details of the complaints received regarding irregularities in voters' lists during the last three years, State-wise and year-wise; and

(c) the steps Government proposes in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (c) The information is being collected and will be laid on the Table of the House.

#### **Disclosure of wealth by Judges**

1920. SHRI NANDAMURI HARIKRISHNA:

SHRI M.V. MYSURA REDDY:

SHRI PENUMALLI MADHU:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that many countries in the world, including the US, have legislation which mandates Judges to make public disclosure of wealth; and

(b) if so, the reason for his Ministry shielding Judges and not making public disclosure of wealth by Judges mandatory?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) Yes, Sir. The Government is considering to bring in a comprehensive legislation on the issue of standard and accountability of Judges which will, *inter alia*, deal with the subject of declaration of assets and liability by Judges.

#### Functioning of NALSA

1921. SHRI PARIMAL NATHWANI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether a National Legal Services Authority (NALSA) is functioning in the country;

(b) if so, the number of persons benefited through legal aid services in the country, State-wise, during the last two years;

(c) the number of those belonging to SC, ST and women category; and

(d) the steps taken by Government to popularize NALSA among the people especially in the rural areas?.

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (c) Yes, Sir. National Legal Services Authority (NALSA) is having its headquarters at New Delhi. The Chief Justice of India is the Patron-in-Chief of NALSA, Senior Judge of the Supreme Court of India (Hon'ble Mr. Justice Tarun Chatterjee) is the Executive Chairman of NALSA. Under NALSA, 35 State Authorities are working in all States and Union Territories. The Chief Justice of the High Court is the Patron-in-Chief and senior most Judge of the High Court is the Executive Chairman of the State Legal Services Authorities. There are 596 District Legal Services Authorities (DLSA) all over India under the Chairmanship of the District Judge. There are 2010 Taluk Legal Services Committees functioning in Taluks where the senior most Judicial Officer of the Taluk is the Chairman. Members of these Authorities and Committees are nominated by the appropriate Government. These Authorities and Committees provide free legal services to the persons mentioned in Section 12 of the Legal Services Authorities Act, 1987 *i.e.* Scheduled Tribes/Scheduled Caste, women, children, victims of trafficking and beggars, victims of mass-disasters, victims of ethnic violence, industrial workmen, persons in custody in jails, juvenile homes and psychiatric hospitals. Besides, persons whose annual income is below Rs.50,000/- also are entitled to free legal services. Apart from legal services, NALSA, State Authorities and Taluk Committees implement various projects as per the directions of NALSA and as per its National Plan of Action for spreading legal awareness and also for preventive and strategic legal aid.

Apart from that, as per the guidelines issued by NALSA, the State and District Authorities and Taluk Committees organize Lok Adalats for settlement of cases pending before the Court and also those disputes which have not been brought before the Court (pre-litigation matters).

A statement showing the number of persons including number of persons belonging to the categories of Scheduled Caste/Scheduled Tribes and women, benefited through legal services in the country, State-wise during the last two years *i.e.* 2007 and 2008 is enclosed (*See below*).

(d) NALSA is implementing its legal services including legal awareness and is organizing Lok Adalats in the rural areas as a part of its objective of bringing justice to the door-steps of the people. In this connection, NALSA has envisaged a scheme for trained para-legal volunteers to act as intermediaries between the people living in remote villages and the various legal services institutions under NALSA.

#### ***Statement***

*Number of persons benefited including number of persons belonging to the categories of Scheduled Castes, Scheduled Tribes and Women the Legal Aid Services in the country, State wise, during the last two years viz. 2007 and 2008*

Sl.	Name of the State	Total	Number of persons belonging to		
No.		number of persons benefited	Scheduled Castes	Scheduled Tribe	Women
1	2	3	4	5	6
1.	Andhra Pradesh	5005	309	119	1283
2.	Arunachal Pradesh	114	94	Nil	Nil
3.	Assam	32704	5090	4528	3685
4.	Bihar	6426	689	57	1062
5.	Chhattisgarh	8808	99	1053	861
6.	Goa	918	2	Nil	253
7.	Gujarat	14559	1686	1073	4386
8.	Haryana	7930	135	3	641
9.	Himachal Pradesh	660	48	24	372
10.	Jammu and Kashmir	1555	12	6	1342
11.	Jharkhand	1123	82	149	146



1	2	3	4	5	6
12.	Karnataka	2402	315	104	997
13.	Kerala	13825	222	33	2542
14.	Madhya Pradesh	129801	25360	19837	4605
15.	Maharashtra	251268	3244	2771	7173
16.	Manipur	2304	Nil	Nil	Nil
17.	Meghalaya	148	48	86	Nil
18.	Mizoram	7888	69	5211	937
19.	Nagaland	143	67	68	7
20.	Orissa	5020	595	312	2578
21.	Punjab	7050	566	6	982
22.	Rajasthan	8858	1085	1440	1289
23.	Sikkim	841	13	35	200
24.	Tamil Nadu	239075	11668	1122	40803
25.	Tripura	1721	92	88	1060
26.	Uttar Pradesh	6749	1026	99	1531
27.	Uttarakhand	4389	898	670	398
28.	West Bengal	11625	1006	420	3743
29.	Andaman and Nicobar Islands	Nil	Nil	Nil	Nil
30.	U.T. Chandigarh	1176	7	3	235
31.	Dadra and Nagar Haveli	Nil	Nil	Nil	Nil
32.	Daman and Diu	Nil	Nil	Nil	Nil
33.	Delhi	21836	509	13	5442
34.	Lakshadweep	Nil	Nil	Nil	Nil
35.	Puducherry	9002	1945	Nil	4182

#### Representation of women in judiciary

1922. SHRI PARIMAL NATHWANI: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether empowering the SC, ST and women is high on Government's agenda;
- (b) whether the Prime Minister has received any representation emphasizing the need to increase representation of women in judiciary especially in the Supreme Court;

- (c) if so, Government's reaction thereto; and
- (d) how Government contemplates to enhance their representation both in High Courts and in the Supreme Court?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) Yes, Sir.

(b) No, Sir.

(c) and (d) Appointment of Judges of the Supreme Court and High Courts is made under Articles 124 and 217 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons. The Government has, however, addressed letters to the Chief Justices of the High Courts from time to time impressing upon them the need to locate persons from the Bar, belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and from amongst women, who may be suitable for appointment as High Court Judges.

#### **Changes in Muslim personal law**

1923. SHRI BALBIR PUNJ: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether it is a fact that Justice A.R. Lakshmanan Committee has criticized the trend of polygamy in muslim society and found it gravely faulty and in conflict with Islamic law in letter and spirit;
- (b) if so, whether Government is planning to effect changes in the muslim personal law; and
- (c) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) to (c) The 18th Law Commission headed by Justice A.R. Lakshmanan in its 227th Report on 'Preventing Bigamy via Conversion to Islam — A proposal for giving Statutory Effect to Supreme Court Rulings' has observed that traditional understanding of the Muslim law on bigamy is gravely faulty and conflicts with the true Islamic law in letter and spirit. The said Report is available on the website of the Law Commission <http://www.lawcommissionofindia.nic.in>. Since the subject matter of the said Report falls under List-III Concurrent List of the Seventh Schedule to the Constitution, comments/views of the State Governments and Union territory Administrations are solicited.

#### **Review of outdated laws**

1924. SHRIMATI SHOBHANA BHARTIA:  
DR. GYAN PRAKASH PILANIA:  
SHRI LALIT KISHORE CHATURVEDI:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the country has nearly 2000 archaic laws of old vintage but nearly two-thirds of them have not been used even once during the last sixty years;

(b) whether the Law Commission of India has recommended repealing of the irrelevant laws and updating of the important ones;

(c) if so, Government's reaction thereto;

(d) whether Justice V.R. Krishna Iyer headed a commission that found at least 300 outdated laws in Kerala alone; and

(e) whether outdated laws would continue to govern our lives for a long time to come unless a comprehensive law reform is undertaken by the Centre and State Governments?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) No, Sir.

(b) and (c) Review of all laws, including those enacted during the British era, with a view to bring them in harmony with the current economic, social and political situation in the country is a continuous process. This task is undertaken by the different nodal Ministries/Departments of the Central Government administering the respective laws and generally by the Law Commission of India. The concerned Ministry/Department examines the recommendations of the Law Commission of India in respect of laws being administered by them as to its feasibility of reviewing or repealing them.

(d) Yes, Sir. The Law Reforms Commission, Kerala, under the chairmanship of Honourable Justice V.R. Krishna Iyer has submitted its Final Report to the Government of Kerala on 26th January, 2009 recommending for review of old laws and for enactment of certain new legislations relating to that State, which is the primary concern of the Government of Kerala.

(e) In May, 1998, the Department of Administrative Reforms and Public Grievances of the Central Government set up the Committee on Review of Administrative Laws under the chairmanship of Shri P.C. Jain with the objective of examining the need of amendments in and repeal of laws, among others. The salient features of the recommendations of the said Committee included, among others, amendment of laws/rules, review of Acts of critical importance and repeal of dysfunctional/irrelevant laws. The implementation of the report submitted by the said Committee on Review of Administrative Laws is being monitored by the Department of Administrative Reforms and Public Grievances. A office memorandum containing the status of repeal and review of Statutes recommended by the Committee is enclosed of Statement.

***Statement***

No. K. 11019/1/2005—IT(A)/AR

Government of India

Ministry of Personnel, PG and Pensions

Deptt. of Administrative Reforms and Public Grievances

Sardar Patel Bhavan, Sansad Marg,  
New Delhi, Dated: the 20th November, 2009

### Office Memorandum

Subject: Action Points arising out of the address of the Hon'ble President of India-Bi-monthly Status report

Reference Department of Personnel and Training O.M.No. 1-27011/3/05-Ad.III dt 07.12.2005 on the above mentioned subject.

2. The report showing the status of the action taken on repeal of the dysfunctional laws (Action Point No.45) as on 30th September, 2009 is enclosed.

(Meenakshi Sharma)  
Director (AR)

Encl : a.a.

To

Department of Personnel and Training,  
Ad.III Section,  
North Block, New Delhi.

Copy along with Encl. to :-

Ministry of Law, Justice  
Legislative Department  
Shastri Bhavan,  
New Delhi

*Status of repeal of outmoded and inessential laws recommended by the  
Commission on Review of Administrative Laws*

(As on 30.09.2009)

Sl. No.	Acts	Total number of Acts	Number of Acts decided to be repealed and at various stages of repeal	Number of Acts decided to be retained	Number of Acts under examination (Excluding col. 4 and 5)	Acts repealed (Action completed)	Remarks
1	2	3	4	5	6	7	8
1.	Central Acts (including 11 Pre-Nationalisation Acts and 20 Validation Acts)	166	13	72	03	68	10 (Out of 166 Central Acts, 6 Acts pertains to State List and 4 Acts repeated in the list)

1	2	3	4	5	6	7	8
2. Amendment Acts		315	0	0	0	315	
3. British Statutes		11	3	0	0	8	
4. War-time permanent ordinances		17	1	6	5	5	
5. Central Acts relating State List		114	0	0	0	5	109 (Action is to be taken by State Govts.)
6. Appropriation Acts		700	0	700	0	0	
7. Reorganisation Acts'		35	0	27	1	7	
8. Laws applicable to High Courts		12	0	5	0	7	
9. Personal Laws		12	0	12	0	0	
TOTAL		1382	17	822	09	415	119

*Statistics of balance action pending for repeal*

1. Acts recommended for repeal	1382
2. Acts repealed so far (col. 7) (-)	415
3. Acts decided not to be repealed (Col. 5) (-)	822
4. Action to be taken by State Govt. (109 + 6 out of 166 Central Acts) (-)	115
5. Acts repealed in the list of 166 Central Acts (-)	4
Balance action pending	26

**Disclosure of assets by Judges**

1925. SHRIMATI RENUBALA PRADHAN:

SHRI MANGALA KISAN:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the names of Judges including the Chief Justice of India and the assets declared by them;

(b) whether Government proposes an enquiry into their disproportionate assets, if any; and

(c) whether it would amount to encroachment into the independence of judiciary?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) The information has been posted by the Supreme Court and some of the High Courts on their website.

(b) and (c) The Government is considering to bring in a comprehensive legislation on the issue of accountability of Judges wherein it is also proposed to deal with the subject of declaration of assets by Judges without encroaching upon the independence of the judiciary.

#### **Restatement of laws**

1926. SHRI JABIR HUSAIN:

DR. T. SUBBARAMI REDDY:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether, in a note exchanged at a meeting of Chief Justices of High Courts held at the Supreme Court, Judges have complained that Centre must deliver on its promise to set up more courts as burden of cases is increasing day-by-day;

(b) whether the Chief Justice of India has constituted a committee of Judges to bring out an authoritative series of 'Restatement of Laws' on about 100 topics to remove ambiguities surrounding legal principles and their applicability for their better adaptation to social needs; and

(c) if so, to what extent it has identified subjects for preparation of restatement of laws?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) Government has not received any such information.

(b) Yes, Sir. The Hon'ble Chief Justice of India who is an Ex-Officio President of the Indian Law Institute has constituted a Restatement of Law Project Committee consisting of Judges, senior advocates and academicians to undertake a research project on Restatement of Law on various topics.

(c) The Restatement of Law Project Committee has initially selected following three subjects as a pilot project in order to create models for future use:

(i) The Legislation Privileges

(ii) Contempt of Court

(iii) Public Interest Litigation

#### **Electronic storage of records**

1927. SHRI VIJAY JAWAHARLAL DARDA:

SHRI JESUDASU SEELAM:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether abnormal increase in bulk paperwork relating to pending cases in High Courts requires additional accommodation, especially in Punjab and Haryana High Court;

(b) if so, whether electronic storage would be resorted to, and extensive efforts made to weed out records which are not vital for final disposal of such cases; and

(c) whether such a standardized process has been evolved at Government level?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) This issue has not been brought to the notice of Government.

(b) and (c) Government is implementing a scheme for Computerization of District and Subordinate Courts in all States of the country and for upgradation of the Information and Communication Technology infrastructure of the Supreme Court and High Courts. This Scheme is being implemented as a Mission Mode Project named E-Courts Project. The first phase of the three phases of the scheme is currently under implementation. Digitization of court records is proposed to be taken up in the subsequent phases of the E-Courts Projects.

#### **Uniform Civil Code**

†1928. SHRI LALIT KISHORE CHATURVEDI:

DR. GYAN PRAKASH PILANIA:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) Government's approach towards principal of Uniform Civil Code in the country;

(b) whether separate civil codes are hindrance in social harmony and national integration; and

(c) whether Government would take any steps to do away with the customs and conventions countering the constitutional principles like equal right to women?

THE MINISTER OF LAW AND JUSTICE (SHRI M. VEERAPPA MOILY): (a) and (b) Bringing in a Uniform Civil Code involves changes in the Personal Laws including those of the minority communities. It has been the consistent policy of the Central Government not to interfere in the Personal Laws of the minority communities unless the necessary initiatives for such changes come from a sizeable cross-section of such communities themselves.

(c) Yes, Sir. The Government is committed to bring gender equality for women in all spheres of life.

#### **CBI probe on illegal mining in Orissa**

†1929. SHRI RUDRA NARAYAN PANY: Will the Minister of MINES be pleased to state:

(a) whether his Ministry is aware of the fact that a strong demand is being made for CBI probe into illegal mining, pilferage of mineral wealth and irregularities in the transportation of minerals in Orissa;

(b) whether it is a fact that a demand is also being raised for getting the matter investigated by the National Investigating Agency; and

(c) if so, the facts in this regard and the steps taken and proposed to be taken further by his Ministry in this regard?

THE MINISTER OF MINES (SHRI B.K. HANDIQUE): (a) to (c) Some instances of illegal mining of iron ore and manganese ore in Keonjhar district of Orissa have

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†Original notice of the question was received in Hindi.

come to the notice of the Government. The Indian Bureau of Mines inquiries has found evidence of illegal mining of 1957 tonnes of iron ore and 56453 tonnes of manganese ore of a value of approximately Rs.23.39 crores in preliminary inspection of one mining area in respect of Ms. Ram Bahadur Thakur Limited (RBTL).

The State Government of Orissa has informed that :-

- A Vigilance investigation is underway
- Administrative enquiry is underway
- The State Government has arrested 8 persons (of which 6 are Government officials and 1 retired officer of the State Government) on 12.8.2009, who were subsequently released on bail.
- State Level Task Force has been reconstituted under the Chairmanship of Chief Secretary.
- All the District Collectors have been directed to hold District Level Task Force meetings regularly, verify the lease hold areas and take appropriate action.
- The State Level Enforcement Squad constituted earlier has now been strengthened and enforcement activities intensified.
- The Department has introduced newly designed Transit Passes printed in Government Printing Press.

The State Government has also reported on 16.11.2009 that it has taken the following additional action in this matter:

- 128 mining leases for various minerals including iron ore, manganese, chromite, limestone, dolomite and quartzite, where application for renewal of lease had been pending have been verified and mining operations suspended.
- 482 licences granted by the State for trading and storage of minerals have been suspended/cancelled.
- State Level Enforcement squad is conducting intensive inspection of non grant areas to check for illegal mining.
- The Mines Department in the State has begun verification of the mining lease boundaries, for which remote sensing technology is also proposed to be used.
- Four Committees have been constituted at State level for setting up integrated check gates, Revenue Intelligence, Study rationalization of weigh-bridges, and Study to deploy IT application in mineral administration.
- Filling up vacant post in the Mines Department of the State Government to enhance enforcement.

The State Government has further reported on 24.11.2009 in this matter that:-

- Vigilance enquiries have been converted into investigation by registering an FIR under various sections of law.



- As on date, investigation is under progress in 7 cases and as estimated by vigilance, total estimated loss of revenue to the State exchequer is Rs.526.13 crore.
- The investigation is continuing and due action will be taken based on final findings. The State Level Enforcement Squad (SLES) which undertook intensive enforcement from 10th to 19th October, 09 conducted raids on different areas and during one such raid, the SLES members were attacked by illegal operators.
- Orissa Government has noticed that mafias are operating across the State borders of Orissa and Jharkhand states and in order to check illegal mining activities, matter has been taken up at senior level drawing attention to illegal inter-state mining operations and suggesting that a common platform should be set up so that team of officers from both the States can plan and work together.
- Between 10.11.2009 and 19.11.2009, the State Government has seized 4 vehicles, 19513 metric tonne of iron ore, 158 metric tonne of manganese ore valued at Rs.2.27 crore.

Secretary, Ministry of Mines, Government of India has written a letter on 26.11.09 to Chief Secretary, Government of Jharkhand, drawing his attention to the report of the State Government of Orissa which insisted upon joint inspection by the officers of both States.

#### **Enquiry by Indian Bureau of Mines on mining scam**

†1930. SHRI RUDRA NARAYAN PANY: Will the Minister of MINES be pleased to state:

- (a) whether the Indian Bureau of Mines has been entrusted with the work pertaining to studying and conducting a preliminary inquiry in recently unearthed mining scam in Orissa;
- (b) if so, whether the Bureau has since given any initial findings;
- (c) whether any further report is likely from the Bureau in this matter; and
- (d) whether Government would make public the report given by the Bureau?

THE MINISTER OF MINES (SHRI B.K. HANDIQUE): (a) to (c) The Central Government received representations on illegal mining by M/s. Ram Bahadur Thakur Limited (RBTL) in Keonjhar district of Orissa. The Indian Bureau of Mines (IBM) carried out preliminary inspection of the complaint between 30.8.2009 to 1.9.2009 and found evidence of illegal mining of 1957 tonnes of iron ore and 56453 tonnes of manganese ore amounting to approximately Rs.23.39 crore. The report of IBM has been sent to State Government for taking appropriate action against the guilty.

- (d) IBM report is not a confidential report.

#### **Allocation of reserves of Chiria mines**

1931. SHRI DHARAM PAL SABHARWAL: Will the Minister of MINES be pleased to state:

- (a) whether it is a fact that out of estimated 2 billion tonnes of reserves in Chiria mines, Steel Authority of India Limited (SAIL) has been considered for allocation of 1 billion tonnes of iron ore reserves;

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†Original notice of the question was received in Hindi.

(b) whether it is also a fact that State Government has proposed for allocation of balance 1 billion tonnes to private parties;

(c) if so, the details in this regard; and

(d) the steps Government has taken to earmark the balance area/block for allocation under the proposed Ultra Mega Steel Project?

THE MINISTER OF MINES (SHRI B.K. HANDIQUE): (a) As per the information furnished by the Government of Jharkhand, the Steel Authority of India Ltd. (SAIL) has been accorded *in principle* approval for renewal of Budhaburu/Ledaburu (Ankua Reserve Forest) IISCO mining lease area over 832.62 hectares containing approximately 800 million tonnes of iron ore reserves. The State Government had earlier agreed to *in principle* renewal of mining lease for Kiriburu/Meghahatuburu mines over an area of 1936.06 hectares, 879.439 hectares and 82 hectares, which account for about 200 million tonnes of iron ore. As such, the State Government has agreed to renewal of mining leases, which would account for one billion tonnes of iron ore.

(b) No, Sir.

(c) Does not arise.

(d) No decision on this issue has been taken except as mentioned in reply to part (a) above, as the matter is *sub-judice* before the Supreme Court of India.

#### Illegal mining

1932. SHRI NAND KUMAR SAI: Will the Minister of MINES be pleased to state:

(a) whether the cases of illegal mining has been increasing with the help of officials of mining departments of various States;

(b) if so, the details of the cases in which officials of State mining department were found involved in such illegal mining during the last three years, State-wise;

(c) whether the State Governments have failed to check such illegal activities in their respective States;

(d) if so, whether the Central Government proposes to give more powers to the States to check such activities; and

(e) if so, the details thereof?

THE MINISTER OF MINES (SHRI B.K. HANDIQUE): (a) and (b) Some instances of illegal mining of minerals have come into the notice of the Government in various parts of the country. No data is centrally maintained on the number of officials of State mining department involved in such illegal mining. However, it has come to the notice of Central Government that State Government of Orissa had arrested six officials of State Government and one retired official of State Government for illegal mining in Keonjhar district of Orissa.

(c) Quarterly Return showing the number of cases detected by State Governments, vehicle seized, FIR lodged, court cases filed, fine realized are being sent by concerned State Governments and the details of cases of illegal mining of major/minor minerals detected by the State Governments in the year 2006 to June, 2009 is given in the Statement. (*See below*).

(d) and (e) Minerals are the property of the State Governments and Mineral rights vest with the State Government.

**Statement**

*State-wise and year-wise statement of cases of illegal mining reported  
by the State Government*

Sl. No.	State	Nos. of cases detected by State Governments				Action Taken by State Governments				
		2006	2007	2008	2009 Upto June 2009	Vehicle seized	FIRs Lodged	Court cases filed	Fine realized (Rs. in Lakhs)	Others
1	2	3	4	5	6	7	8	9	10	11
1.	Andhra Pradesh	5385	9216	13478	7332	844	—	—	2112.95	
2.	Chhattisgarh	2259	2352	1713	599	—	—	2181	309.16	
3.	Goa	313	13	159	2	322	—	—	15.68	
4.	Gujarat	7435	6593	5492	3720	106	114	8	7085.67	
5.	Haryana	504	812	1209	416	103	138	2	133.33	
6.	Himachal Pradesh	478	—	503	375	—	—	464	21.04	
7.	Jharkhand	631	82	225	—	5592	202	39	108.41	
8.	Karnataka	3027	5180	2997	692	43585	931	771	3630.13	
9.	Kerala	1595	2593	2695	802	—	—	—	532.7	

10.	Madhya Pradesh	5050	4581	3895	2542	—	05	14831	1057.98
11.	Maharashtra	4919	3868	5828	3285	15212	13	—	1129.01
12.	Orissa	284	655	1059	365	1242+ 75 cycles	57	86	2309.36
13.	Punjab	218	26	50	48	—	—	—	2.96
14..	Rajasthan	2359	2265	2178	1130	368	441	59	413.49
15.	Tamil Nadu	2140	1263	1573	98	18722	133	155	6369.96
16.	Uttarakhand	—	—	191	—	683	—	—	38.50
17.	West Bengal	80	426	315	51	3680	897	167	—

### **Mining scam in Orissa**

1933. SHRI BHAGIRATHI MAJHI: Will the Minister of MINES be pleased to state:

(a) whether Government has taken any action to investigate the mines scam in Orissa which is a great loss of revenue to the country and also to the State Government;

(b) whether Government would take this case under CBI or any other subsidiary investigation agency which is under the Central Government to have a fair investigation; and

(c) if so, by when all the related issues would be investigated and the same may be brought to the notice of the House?

THE MINISTER OF MINES (SHRI B.K. HANDIQUE): (a) to (c) Some instances of illegal mining of iron ore and manganese ore in Keonjhar district of Orissa have come to the notice of the Government. The Indian Bureau of Mines in preliminary investigation has found evidence of illegal mining of 1957 tonnes of iron ore and 56453 tonnes of manganese ore of a value of approximately Rs.23.39 crores in one of the mining areas by Ms. Ram Bahadur Thakur Limited (RBTL). The report of Indian Bureau of Mines was referred to the State Government to take suitable action

The State Government of Orissa has informed that :-

- A Vigilance investigation is underway
- Administrative enquiry is underway
- The State Government has arrested 8 persons (of which 6 are Government officials and 1 retired officer of the State Government) on 12.8.2009, who were subsequently released on bail.
- State Level Task Force has been reconstituted under the Chairmanship of Chief Secretary.
- All the District Collectors have been directed to hold District Level Task Force meetings regularly, verify the lease hold areas and take appropriate action.
- The State Level Enforcement Squad constituted earlier has now been strengthened and enforcement activities intensified.
- The Department has introduced newly designed Transit Passes printed in Government Printing Press.

The State Government has also reported on 16.11.2009 that it has taken the following additional action in this matter:

- 128 mining leases for various minerals including iron ore, manganese, chromite, limestone, dolomite and quartzite, where application for renewal of lease had been pending have been verified and mining operations suspended.

- 482 licences granted by the State for trading and storage of minerals have been suspended/cancelled.
- State Level Enforcement squad is conducting intensive inspection of non grant areas to check for illegal mining.
- The Mines Department in the State has begun verification of the mining lease boundaries, for which remote sensing technology is also proposed to be used.
- Four Committees have been constituted at State level for setting up integrated check gates, Revenue Intelligence, Study rationalization of weigh-bridges, and Study to deploy IT application in mineral administration.
- Filling up vacant post in the Mines Department of the State Government to enhance enforcement.

The State Government has further reported on 24.11.2009 in this matter that:-

- Vigilance enquiries have been converted into investigation by registering an FIR under various sections of law.
- As on date, investigation is under progress in 7 cases and as estimated by vigilance, total estimated loss of revenue to the State exchequer is Rs.526.13 crore.
- The investigation is continuing and due action will be taken based on final findings. The State Level Enforcement Squad (SLES) which undertook intensive enforcement from 10th to 19th October, 09 conducted raids on different areas and during one such raid, the SLES members were attacked by illegal operators.
- Orissa Government has noticed that mafias are operating across the State borders of Orissa and Jharkhand states and in order to check illegal mining activities, matter has been taken up at senior level drawing attention to illegal inter-state mining operations and suggesting that a common platform should be set up so that team of officers from both the States can plan and work together.
- Between 10.11.2009 and 19.11.2009, the State Government has seized 4 vehicles, 19513 metric tonne of iron ore, 158 metric tonne of manganese ore valued at Rs.2.27 crore.

The situation is being closely monitored by the Central Government for ensuring strict action against the guilty.

#### **Allocation of iron ore mines in Jharkhand**

1934. SHRI N.R. GOVINDARAJAR: Will the Minister of MINES be pleased to state:

- (a) whether recently some cases of misuse of power in allocation of mineral resources have been noticed by Government in case of iron ore allotment pertaining to Jharkhand;
- (b) if so, the details thereof; and

(c) what steps Government is contemplating to ensure that the process of allocation of mines is completely transparent and only eligible applicants are allotted such scarce resources?

THE MINISTER OF MINES (SHRI B.K. HANDIQUE): (a) to (c) Reports of this nature have recently come to the notice of the Ministry of Mines. However, specific details thereof have not come to the notice of the Ministry. The State Governments are the owner of the minerals located within their respective boundaries. They grant the mineral concessions [Reconnaissance Permit (RP), Prospecting Licence (PL) and Mining Lease (ML)] under the provisions of the Mines and Minerals (Development and Regulation) (MMDR) Act, 1957. Prior approval of the Central Government is required under Section 5 (1) of the Act for grant of RP, PI and ML in respect of the minerals specified in Parts 'B' and 'C' of the First Schedule to the Act. Subsequent to the prior approval of the Central Government, mining leases etc. are executed by the State Governments with the mining agencies after they obtain all statutory clearances and approvals.

The Ministry of Mines is conscious of the need to have a transparent and efficient system for processing the mineral concession cases. In pursuance of the National Mineral Policy, 2008, which *inter alia* enunciates adoption of quick and transparent procedures for grant of mineral concessions, the Ministry has taken several steps in this direction, as mentioned below:

- (i) A Central Coordination-cum-Empowered Committee has been constituted in the Ministry of Mines to monitor and minimize delays in grant of approvals for mineral concessions. The Committee consists of the Central Ministries/Departments concerned and the Secretaries in charge of Mining and Geology in the States. The first meeting of the Committee was held in the Ministry on 24.7.2009. The second meeting of the Committee is scheduled to be held on 22.12.2009.
- (ii) The State Governments have been advised to similarly constitute Coordination Committees at the State level.
- (iii) The Ministry of Mines is using the internet services to bring about more accessibility and transparency in processing the mineral concession proposals recommended by the State Governments. The website of the Ministry ([www.mines.nic.in](http://www.mines.nic.in)) provides all information on the current status of the applications for mineral concessions. These services are being further enhanced to track the process from approval for grant to execution of concession agreement.
- (iv) The Ministry has, in consultation with the State Governments, issued detailed guidelines on 24.6.2009 in order to bring more clarity in processing the mineral concession proposals.

- (v) The Ministry has framed a Model State Mineral Policy and circulated it to all State Governments on 12.10.2009 with the request to finalise and adopt a Mineral Policy as per their priority and requirements.
- (vi) Procedures for revision under Section 30 of the MMDR Act, 1957 are being streamlined to reduce delays in disposal of revision applications.
- (vii) All instances of corruption and illegal practices coming to notice are taken up with State Governments with utmost seriousness and followed up.

#### **Hoda Committee recommendations**

1935. SHRI N.R. GOVINDARAJAR: Will the Minister of MINES be pleased to state:

- (a) whether it is a fact that amended Mines and Mineral (Development and Regulations) (MMDR) Act is in contravention of the recommendations of Hoda Committee;
- (b) if so, the details of the contraventions, specifically for setting up of the Empowered Committee; and
- (c) what is the status of implementation of the recommendations made by Hoda Committee for constituting the Empowered Committee comprising representatives from various Ministries/industries?

THE MINISTER OF MINES (SHRI B.K. HANDIQUE): (a) The Mines and Minerals (Development and Regulation) Act, 1957 has not been amended recently. It was last amended in 1999.

- (b) Does not arise.

(c) Based on the recommendations of the Hoda Committee, Government have announced the new National Mineral Policy, 2008. Separately, a Coordination-cum-Empowered Committee has been constituted in the Central Government on 4.3.2009 which includes representatives from Ministries of Mines, Environment and Forest, Defence, Home Affairs, Steel, Directorate General of Civil Aviation, Indian Bureau of Mines and Geological Survey of India. The first meeting of the Committee was held on 24.7.2009.

#### **Corruption in allotment of mining rights**

1936. SHRI R.C. SINGH: Will the Minister of MINES be pleased to state:

- (a) whether it is a fact that rampant corruption in allotting mining rights/licences for mining in mineral fields has come to light recently involving politicians; and
- (b) if so, the details of steps proposed to be taken to make allotments of mining rights transparent and corruption free?

THE MINISTER OF MINES (SHRI B.K. HANDIQUE): (a) and (b) Reports of this nature have recently come to the notice of the Ministry of Mines.



The State Governments are the owner of the minerals located within their respective boundaries. They grant the mineral concessions [Reconnaissance Permit (RP), Prospecting Licence (PL) and Mining Lease (ML)] under the provisions of the Mines and Minerals (Development and Regulation) (MMDR) Act, 1957. Prior approval of the Central Government is required under Section 5 (1) of the Act for grant of RP, PL and ML in respect of the minerals specified in Parts 'B' and 'C' of the First Schedule to the Act. Subsequent to the prior approval of the Central Government, mining leases etc. are executed by the State Governments with the mining agencies after they obtain all statutory clearances and approvals.

The Ministry of Mines is conscious of the need to have a transparent and efficient system for processing the mineral concession cases. In pursuance of the National Mineral Policy, 2008, which *inter alia* enunciates adoption of quick and transparent procedures for grant of mineral concessions, the Ministry has taken several steps in this direction, as mentioned below:

- (i) A Central Coordination-cum-Empowered Committee has been constituted in the Ministry of Mines to monitor and minimize delays in grant of approvals for mineral concessions. The Committee consists of the Central Ministries/Departments concerned and the Secretaries in charge of Mining and Geology in the States. The first meeting of the Committee was held in the Ministry on 24.7.2009. The second meeting of the Committee is scheduled to be held on 22.12.2009.
- (ii) The State Governments have been advised to similarly constitute Coordination Committees at the State level.
- (iii) The Ministry of Mines is using the internet services to bring about more accessibility and transparency in processing the mineral concession proposals recommended by the State Governments. The website of the Ministry ([www.mines.nic.in](http://www.mines.nic.in)) provides all information on the current status of the applications for mineral concessions. These services are being further enhanced to track the process from approval for grant to execution of concession agreement.
- (iv) The Ministry has, in consultation with the State Governments, issued detailed guidelines on 24.6.2009 in order to bring more clarity in processing the mineral concession proposals.
- (v) The Ministry has framed a Model State Mineral Policy and circulated it to all State Governments on 12.10.2009 with the request to finalise and adopt a Mineral Policy as per their priority and requirements.
- (vi) Procedures for revision under Section 30 of the MMDR Act, 1957 are being streamlined to reduce delays in disposal of revision applications.

- (vii) All instances of corruption and illegal practices coming to notice are taken up with State Governments with utmost seriousness and followed up.

**Leadership training programme for Muslim women**

1937. SHRI P.R. RAJAN: Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) whether Government is planning leadership training programme for Muslim women across the country; and

(b) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): (a) to (b) Yes, Sir. A scheme for leadership development of minority women including Muslim women is under consideration for launching it during 2009-10.

**Review of the working conditions of wakf boards**

1938. SHRI MOHD. ALI KHAN: Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) whether Government is reviewing the working conditions of wakf boards;

(b) if so, the details thereof during the last three years; and

(c) the actual demands of each State especially in Andhra Pradesh in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): (a) No, Sir. However, Central Wakf Council has been established for the purpose of advising the Central Government on matters concerning the working of Wakf Boards and the due administration of Wakfs.

(b) and (c) Do not arise.

**Committee for socially and economically backward classes**

1939. SHRI MOHD. ALI KHAN: Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) whether Government has constituted any committee to give suggestion for welfare of socially and economically backward classes among religious and linguistic minorities; and

(b) if so, the details thereof especially for minorities of Andhra Pradesh?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): (a) and (b) The Government constituted the National Commission for Religious and linguistic Minorities (NCRLM), to suggest the criteria for identification of socially and economically backward sections among religious and linguistic minorities and to recommend measures for their welfare, including reservation, in education and government employment. The NCRLM report submitted in May, 2007, covers the entire country, including minorities in Andhra Pradesh.

### **Rangnath Misra Commission report**

1940. SHRI A. VIJAYARAGHAVAN: Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) whether Government would make the Rangnath Misra Commission report public; and
- (b) whether Government is ready to Table the report in Parliament?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): (a) and (b) The Government is still examining the various aspects of the report, including from constitutional and legal angles. Decisions on making the report public and on the action to be taken on it have not yet been taken.

### **Schemes for upliftment of minority people**

†1941. SHRI BALBIR PUNJ: Will the Minister of MINORITY AFFAIRS be pleased to state:

- (a) the details of various schemes being run by Government for upliftment of minority people particularly for the Muslims;
- (b) the details of the funds released for these schemes during the last five years, State-wise;
- (c) the consequential changes in the position of the Muslims brought about through these schemes and whether the desired objectives has been achieved; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): (a) to (d) The Prime Minister's New 15 Point Programme for the Welfare of Minorities was announced in June, 2006. An important aim of the new programme is to ensure that the benefits of various government schemes for the underprivileged reach the disadvantaged sections of the minority communities, including Muslims. In order to ensure that the benefits of these schemes flow equitably to the minorities, the new programme envisages location of a certain proportion of development projects in minority concentration areas. It also provides that, wherever possible, 15% of targets and outlays under various schemes should be earmarked for minorities.

Schemes included in the new 15 Point Programme, considered amenable to earmarking for minorities, are as under:-

- (i) Integrated Child Development Service (ICDS) Scheme by providing services through Anganwadi Centres {Ministry of Women and Child Development}.
- (ii) Sarva Shiksha Abhiyan {Ministry of Human Resources Development}.
- (iii) Kasturba Gandhi Balika Vidyalya Scheme {Ministry of Human Resources Development}.

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†Original notice of the question was received in Hindi.

- (iv) Swaranjayanti Gram Swarojgar Yojana {Ministry of Rural Development}.
- (v) Swarn Jayanti Shahari Rojgar Yojana (SJSRY) {Ministry of Housing and Urban Poverty Alleviation}.
- (vi) Upgradation of existing Industrial Training Institutes (ITIs) into centres of excellence {Ministry of Labour and Employment}
- (vii) Bank credit under priority sector lending {Department of Financial Services}
- (viii) Indira Awaas Yojana (IAY) {Ministry of Rural Development}.

The new 15 Point Programme also includes schemes meant for minority communities and they are:-

- (i) Merit-cum-means scholarship for technical and professional courses.
- (ii) Post-matric scholarship.
- (iii) Pre-matric scholarship.
- (iv) Free Coaching and Allied scheme.
- (v) Schemes of National Minorities Development and Finance Corporation.
- (vi) Schemes of Maulana Azad Education Foundation.

A special area development programme for 90 Minority Concentration Districts called Multi-sectoral Development Programme has been launched from 2008-09. The details of all the schemes for minorities are in the website of the Ministry [www.minorityaffairs.gov.in](http://www.minorityaffairs.gov.in).

Targets were fixed under the schemes included in the new 15 Point Programme and considered amenable to earmarking for minorities, including Muslims and the details of funds released/number of units sanctioned and achievements made during the last three years, State-wise and scheme-wise, including for those schemes meant for minority communities, including Muslims, is in the website of the Ministry [www.minorityaffairs.gov.in](http://www.minorityaffairs.gov.in).

#### **Implementation of Multi-Sectoral Development Programme**

1942. SHRI JESUDASU SEELAM: Will the Minister of MINORITY AFFAIRS be pleased to state:

(a) whether Prime Minister has accorded high priority to the Multi-Sectoral Development Programme being implemented in 90-minority concentrated districts of the country, but according to latest figures the Scheme has not taken off in 16 of 20 States marked for the programme;

(b) whether statistics of his Ministry shows that States like Jammu and Kashmir, Delhi, Arunachal Pradesh, Madhya Pradesh and Sikkim have not even submitted development plans for their districts and Bihar and Manipur were late in utilizing funds; and

(c) if so, the main reasons put forward by Government and the action taken to the scheme of minority districts initiated by the Prime Minister?

THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): (a) and (b) The Multi-Sectoral Development Programme for minority concentration districts is a special area development programme of the Government monitored by the Delivery Monitoring Unit for flagship programmes. Under this programme, district plans of 16 states/UTs have been approved and funds released to 14 States/UTs. Four states, viz. Arunachal Pradesh, Delhi, Madhya Pradesh and Sikkim have not submitted their district plans. Six district plans have been approved each for Manipur and Bihar. Manipur has furnished Utilization Certificate for entire amount for two districts.

(c) The Multi-sectoral Development Programme was launched in the year 2008-09 and after completion of all necessary formalities of preparation and approvals, the first release was made under this programme in October 2008 only. Approvals are accorded project wise and utilization of funds is reported by the State Government after utilization of at least 60% fund released for the project as per guidelines of the programme. The implementation of the scheme of Multi-Sectoral Development Programme (MsDP) for minority concentration districts (MCDs) is reviewed regularly by the Government with the State Governments/UT administration concerned. Recently a provision has been made to include Members of Parliament and Legislative Assembly in the State and District Level Committees for implementation of Prime Minister's New 15 Point Programme for Welfare of Minorities and Multi-sectoral Development Programme.

#### **New solar policy**

1943. SHRI T.T.V. DHINAKARAN: Will the Minister of NEW AND RENEWABLE ENERGY be pleased to state:

- (a) whether a new Solar Policy has been announced;
- (b) if so, the details thereof;
- (c) whether the response for Solar Energy has not been good due to its cost factor;
- (d) if so, whether it is proposed to subsidise the cost of equipments; and
- (e) if not, the reasons therefor?

THE MINISTER OF NEW AND RENEWABLE ENERGY (DR. FAROOQ ABDULLAH): (a) and (b) Yes, Sir. Government has recently approved Jawaharlal Nehru National Solar Mission to develop solar energy technologies to make solar power competitive to conventional grid power. The Mission aims at creating capacity of 20,000 MW grid solar power and 2,000 MW of off-grid solar power including 20 million solar lights by 2022. In addition, it aims at installation of 20 million square metre solar thermal collector area by 2022. The Mission will be implemented in three phases. Government has approved the target for the first phase of the Mission, to set up 1,100 MW capacity of grid connected solar plants, including 100 MW capacity plants as rooftop and small solar plants. In addition, 200 MW capacity equivalent off-grid solar applications and

7 million square metre solar thermal collector area are also proposed in the first phase of the Mission, till March 2013. Mission will also support research and capacity building activities in solar energy. An amount of Rs. 4,337 crores has been approved for the first phase of the Mission.

(c) to (e) The high initial cost is a barrier in large scale utilization of solar energy equipment. However, utilization of solar energy is gradually increasing. The Ministry is providing capital and interest subsidy on select solar energy equipment to reduce the initial cost to the consumers.

#### **Capacity of solar energy machines**

†1944. SHRI SHREEGOPAL VYAS:

SHRIMATI MAYA SINGH:

Will the Minister of NEW AND RENEWABLE ENERGY be pleased to state:

(a) the capacity of smaller and low-cost solar device that is being made for generating solar energy;

(b) whether any plan is under Government's consideration to fulfil the average requirement of kitchen, lights, hot water from nature for all houses of medium class or it is a matter of research;

(c) whether any integrated new and renewable energy *i.e.* solar energy, bio-gas etc. is under consideration to achieve above target; and

(d) if not, whether it can be considered and if so, whether this is being used somewhere, the details thereof?

THE MINISTER OF NEW AND RENEWABLE ENERGY (DR. FAROOQ ABDULLAH): (a) Solar cookers (both box and dish types) can cook food for a small family and solar water heating system can provide hot water for various applications. Small capacity solar photovoltaic (SPV) systems with modules of a few watts are available in the country for meeting lighting and other electrical needs. The costs of such small energy systems vary according to technology and may range from Rs.1500 to Rs.20,000.

(b) to (d) In the country so far over 0.65 million solar cookers, 3.15 million sq. m. of collector area for solar water heating, 1.35 million SPV lighting systems and, 4.12 million biogas plants have been installed. In many houses, biogas is used for cooking, solar photovoltaic systems for lighting and hot water is made available from solar water heaters to meet their energy needs.

#### **Competitive pricing of solar photovoltaic panels**

1945. DR. E.M. SUDARSANA NATCHIAPPAN: Will the Minister of NEW AND RENEWABLE ENERGY be pleased to state:

(a) whether Government's proposal for 'Jawahar Solar Mission' includes Research and Development for mass production of user friendly competitive pricing of photovoltaic solar panels; and

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†Original notice of the question was received in Hindi.

(b) if not, whether Government would encourage the Research and Development and 'German Model' of people participation in electricity generation and production in each and every house throughout the country?

THE MINISTER OF NEW AND RENEWABLE ENERGY (DR. FAROOQ ABDULLAH): (a) and (b) Yes Sir. Government has recently approved Jawaharlal Nehru National Solar Mission to develop solar energy technologies to make solar power competitive to conventional grid power. The Mission aims at creating capacity of 20,000 MW grid solar power and 2,000 MW of off-grid solar power including 20 million solar lights by 2022. In addition, it aims at installation of 20 million square metre solar thermal collector area by 2022. The Mission will be implemented in three phases. Government has approved the target for the first phase of the Mission, to set up 1,100 MW capacity of grid connected solar plants, including 100 MW capacity plants as rooftop and small solar plants. In addition, 200 MW capacity equivalent off-grid solar applications and 7 million square metre solar thermal collector area are also proposed in the first phase of the Mission, till March 2013. In addition, the Mission will support research and development to reduce cost, improve efficiency and overall performance of solar energy systems and also for development of new materials and devices.

#### **Solar energy generation plan**

1946. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of NEW AND RENEWABLE ENERGY be pleased to state:

(a) whether the country has drawn up a \$19 billion solar energy plan to generate 20 GIGA watts of power using solar energy by 2020;

(b) if so, whether Government proposes to launch the National Action Plan on Climate Change under the National Solar Mission; and

(c) if so, the details of the fiscal incentives proposed for setting up solar plants both photovoltaic and thermal?

THE MINISTER OF NEW AND RENEWABLE ENERGY (DR. FAROOQ ABDULLAH): (a) to (c) National Action Plan on Climate Change has identified development of solar energy technologies in the country as a National Solar Mission. Government has recently approved Jawaharlal Nehru National Solar Mission to develop solar energy technologies to make solar power competitive to conventional grid power. The Mission aims at creating capacity of 20,000 MW grid solar power and 2,000 MW of off-grid solar power including 20 million solar lights by 2022. In addition, it aims at installation of 20 million square metre solar thermal collector area by 2022. The Mission will be implemented in three phases. Government has approved the target for the first phase of the Mission to set up 1,100 MW of grid connected solar plants, including 100 MW capacity plants as rooftop and small solar plants. In addition, 200 MW capacity equivalent off-grid solar applications and 7 million square metre solar thermal collector area are also proposed in the first phase of the Mission, till March 2013. Mission will also support research and

capacity building activities in solar energy. An amount of Rs. 4,337 crores has been approved for the first phase of the Mission.

Central Electricity Regulatory Commission has issued guidelines and norms for fixing preferential tariff for solar power. NTPC Vidyut Vyapar Nigam (NVVN), the trading subsidiary of NTPC, will be the nodal agency for purchase of 1,000 MW capacity of grid solar power (connected to 33 KV and above grid) by March 2013 from the project developers at a tariff fixed by Central Electricity Regulatory Commission (CERC) for purchase of solar power. NVVN will sign a PPA with each project developer for a period of 25 years as fixed by CERC.

#### Power projects in Gujarat

1947. SHRI NATUJI HALAJI THAKOR: Will the Minister of POWER be pleased to state:

- (a) the number of power projects in Gujarat;
- (b) the power generated by these power projects;
- (c) whether Government proposes to set-up more power projects in the State; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
(a) and (b) There are in all 37 power stations located in Gujarat having total installed capacity of approximately 12,401 MW, comprising about 12,383 MW from 27 major stations and about 17 MW from diesel stations. The generation from the major power stations as monitored in CEA has been approximately 41,647 Million Unit during the period from April to November, 2009.

(c) and (d) Planning Commission had fixed a capacity addition target of 78,700 MW during the Eleventh Plan Period. Central Electricity Authority (CEA) has recently reviewed the likely capacity addition during Eleventh Plan after meeting with project developers. Based on the inputs provided by the project developers and suppliers, CEA has assessed that a total capacity addition of 62,374 MW is likely to be commissioned with a high level of certainty during Eleventh Plan. This includes projects aggregating approximately 7,530 MW in the state of Gujarat in State/Private sector as per detail given below:

Sl. No.	Plant Name	Agency	Sector	Category	Fuel Type	Likely Benefits Eleventh Plan (2007-12) (MW)
1	2	3	4	5	6	7
1.	Kutch Lignite TPS	GSECL	S	Construction	LIGNITE	75



1	2	3	4	5	6	7
2.	Dhuvran St	GSECL	S	Construction	GAS/LNG	40
3.	Surat Lignite Ext U3, 4	GIPCL	S	Under Construction	LIGNITE	250
4.	Ukai Ext U6	GSECL	S	Under Construction	COAL	490
5.	Utran CCGP-GT+ST	GSECL	S	Construction	GAS/LNG	374
6.	GSEG Hazira Ext	GSECL	S	Under Construction	GAS/LNG	351
7.	Pipavav JV CCGT	GSECL	S	Under Construction	GAS/LNG	702
8.	Sugen Torrent Block I, II and III	TORRENT	P	Commissioned	GAS/LNG	1147.5
9.	Mundra TPP PH-I, U 1	Adani Power	P	Commissioned	COAL	330
10.	Mundra TPP PH-I, U 2-4	Adani Power	P	Under Construction	COAL	990
11.	Mundra TPP PH-II	Adani Power	P	Under Construction	COAL	1320
12.	Mundra TPP PH-III U 1	Adani Power	P	Under Construction	COAL	660
13.	Ultra Mega Mundra U1	Tata Power	P	Under Construction	COAL	800
TOTAL-With High Level of certainty						7529.5

In addition to the above capacity addition of 62,374 MW during Eleventh Plan, projects totaling to 12,590 MW have been identified for commissioning on best efforts basis during Eleventh Plan. This includes projects aggregation to 2,120 MW in the state of Gujarat in State/Private sector as detailed below:

Sl. No.	Plant Name	Agency	Sector	Category	Fuel Type	Likely Benefits Eleventh Plan (2007-12) (MW)
1.	Mundra TPP PH-III U-2, 3	Adani Power	P	Under Construction	COAL	1320
2.	Ultra Mega Mundra U2	Tata Power	P	Under Construction	COAL	800
Total — With efforts						2120

### **Electricity trading**

1948. SHRI B.K. HARIPRASAD: Will the Minister of POWER be pleased to state:

(a) whether, according to latest Economic Survey, traders of electricity sold 2152 crore units in 2008-09 at an average price of Rs. 7.29 per unit compared to the selling price of Rs. 3.14 in 2006-07;

(b) whether the payments for traded power aggregated about Rs. 30,000 crores in 2008-09 and assuming an average generation cost of Rs. 2.15 per unit, the profiteering in power trading exceeded Rs. 20,000 crores in 2008-09;

(c) whether the Electricity Act, 2003 provides the legal framework for competition and open and free access to consumer to buy direct from the producer; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) As per the Economic Survey, 2008-09, volume of electricity sold by the electricity traders during 2008-09 was 21,916.9 Million Units (MUs) at weighted average price of Rs.7.29/per unit and the volume of electricity sold by the electricity traders during 2006-07 was 15,022.7 MUs at weighted average price of Rs.4.51/per unit. Copy of relevant pages of Economic Survey 2008-09 enclosed as Statement (*See below*).

(b) Trading has been defined in the Electricity Act, 2003 as purchase of electricity for resale thereof. Income of power trader is the difference between the price at which trader sells the power and the price at which he has purchased power. According to the regulations of Central Electricity Regulatory Commission (CERC) this difference (known as trading margin) for inter-State transactions cannot be more than 4 paise per unit. Thus, the income of trader is not related to the cost of generation.

(c) and (d) Yes, Sir. The Electricity Act, 2003 provides for open access in transmission and in distribution. Open access in transmission has been allowed from the very beginning, enabling the generating companies and licensees the right to use the transmission system of a transmission licensee subject to availability of transmission facility. In distribution, open access is allowed in phases by the State Electricity Regulatory Commissions (SERCs) after taking into consideration the cross subsidy and other operational constraints. The Act, however, mandates that open access has to be allowed to consumers having load of 1 MW and above, by January, 2009. The tariff for direct purchase by consumers is not regulated.

### ***Statement***

#### **TRANSMISSION, TRADING, ACCESS AND EXCHANGE**

##### **National Grid**

9.20 An integrated power transmission grid helps to even out supply-demand mismatches. The existing Inter-regional transmission capacity of about 20,750 MW connects northern, western, eastern and north-eastern regions in a synchronous mode operating at the same frequency and

the southern region asynchronously. This has enabled interregional energy exchanges of about 46,000 Million units (2008-09), thus contributing to greater utilization of generation capacity and an improved power supply position. Proposals are underway to have synchronous integration of southern region with the rest.

### Trading of electricity

9.21 Power trading helps in resource optimization by facilitating the disposal of surplus power with distribution utilities and in meeting the short-term peak demand. The Central and State Electricity Regulatory Commissions have powers to grant inter-State and intra-State trading licences, respectively. CERC has so far granted 43 inter-State trading licences, of which 41 are in existence as on 31.03.2009. Traders are categorized on the basis of volume of electricity to be traded and the net worth of the trader (Table 9.9 and Box 9.1).

**Table 9.9 Electricity Trading**

Period	Volume of electricity traded (MUs)	Weighted average purchase price (Rs./kwh)	Weighted average sale price (Rs./kwh)	Trading margin (Rs./kwh)
2005-06	14,188.8	3.14	3.29	0.09
2006-07	15,022.7	4.47	4.51	0.04
2007-08	20,964.8	4.48	4.52	0.04
2008-09	21,916.9	7.25	7.29	0.04

### Box 9.1: Inter-State trading Regulation, 2009

The Central Electricity Regulatory Commission (CERC) issued new Inter-State trading Regulations in February, 2009. The aim was to tighten the terms and conditions for grant of trading licence keeping in view the current price of the trading power and the liquidity requirements of the power trading business and to encourage only the serious players. The important features of the new regulations include:

- Definition of inter-State trading has been revised to explicitly include electricity imported for resale.
- Number of categories of licensees has been reduced from 6 to 3.
- Net worth requirement has been increased to the range of Rs. 5 crore to Rs. 50 crore keeping the prevalent prices of traded power in view.
- Net worth definition has been revised to discount the loans and advances given to the associates.
- New conditions of liquidity *i.e.* current ratio and liquidity ratio have been introduced to adjudge the credit-worthiness of the applicant.
- Technical qualifications of the full time professionals have been specified.

- Definition of associate has been rationalized.
- A provision has been made that licensee shall not purchase electricity from the entities which are defaulting in payment of UI charges, transmission charges, charges of NLDC/RLDC/ULDC, if so directed by CERC. These regulations are also applicable to the existing licensees. They are required to comply with the new net worth requirement and liquidity requirement by March 31, 2010.

#### **Operationalization of open access**

9.22 Open access is an important framework seeking to promote competition. The regulations on open access in inter-State transmission together with the regulations on inter-State trading are issued by the Central Electricity Regulatory Commission (CERC). The responsibility for the introduction of open access at the distribution level rests with the State Electricity Regulatory Commissions (SERCs) (Box 9.2). Open access in inter-State transmission is fully operational. The open access transactions at inter-State transmission have increased from 778 in 2004-05 to 5,933 in 2006-07. The number was 9,560 in 2007-08 and 9,347 in 2008-09 (up to December, 2008). Status of applications received for open access in distribution is at table 9.10. The open access changes are widely different across States.

#### **Box 9.2: Recommendations of the task force on open access (Extracts)**

- Central and States' ERSs should be advised to comply with the statutory requirements relating to open access. State Governments and State ERCs should enable operationalizing open access.
- SERCs should specify temporary connection charges to be charged by the Discom for standby supply.
- States ERCs should provide open access to all consumers of 1 MW and above within five years from the coming into effect of the amendment of the Act in January, 2004.
- The tariff for distribution companies should specify energy charges and wheeling charges separately.
- Transmission and trading should be segregated by all States.
- States should be advised to set up SLDCs as independent entities with financial and operational autonomy.
- SERCs should ensure enabling arrangements such as standby supplies at affordable prices, metering and settlement.
- IPPs, captive and small generators should be allowed to bring power to the market in grant of open access.
- Regulators should meet bulk consumers and stakeholders to address their concerns.

- The supplies from the unallocated Central quota of CPSUs should not be permitted to be sold by a recipient State and/or its utilities outside the recipient State at prices exceeding the regulated tariff and the permissible trading margin.
- 25 per cent of the Centre's discretionary allocation of 15 per cent of CPSU generating capacity may be made available for direct sale by CPSUs to open access consumers. For new capacity of CPSUs, 50 per cent of the unallocated quota may be reserved for sale to open access consumers.

Table 9.10: Status of applications received for open access in distribution (31.03.2009)

States	Received		Approved		Implemented	
	No.	MW	No.	MW	No.	MW
Andhra Pradesh	09	130.5	2	44	2	44
Chhattisgarh	14	332.8	6	66	5	53
Gujarat	15	871.4	15	871.4	15	871.4
Madhya Pradesh	29	59.6	29	59.6	29	59.6
Maharashtra	46	13170.5	41	13122.5	5	88
Rajasthan	30	271.1	12	165.3	12	165.3
Tamil Nadu	12	1764	0	0	0	0
Other States (*)	19	974.2	11	133.9	8	113
<b>TOTAL:</b>	<b>174</b>	<b>17474.1</b>	<b>116</b>	<b>14462.7</b>	<b>76</b>	<b>1394.3</b>

Source: Forum of Regulators

(\*): Other States include Haryana, Himachal Pradesh, Jharkhand, Kerala, Orissa, Punjab, Uttar Pradesh and MW=Mega Watt

### Power exchange

9.23 CERC has issued guidelines for setting up power exchange. It has also given approval to two (2) applications for setting up power exchange. The two power exchanges, viz. the Indian Energy Exchange Ltd. (IEX), New Delhi and the power Exchange India Ltd. (PXIL), Mumbai have already started their operations from June 27, 2008 and October 22, 2008 respectively (Table 9.11).

Table 9.11: Volume and price of electricity transacted by Power exchanges

		Aug,08	Sept,08	Oct,08	Nov,08	Dec,08	Jan,09	Feb,09	Mar,09
1	2	3	4	5	6	7	8	9	10
Volume	IEX	239.81	278.54	375.19	450.65	354.10	291.70	180.80	377.17

1	2	3	4	5	6	7	8	9	10
(MUs)	PXIL			2.12	19.40	14.90	24.73	36.77	51.44
Price	IEX	7.61	7.95	8.32	7.47	6.64	6.16	6.85	8.33
(Rs./Unit)	PXIL			7.57	7.22	6.58	6.86	7.42	8.54

#### **Guidelines for procurement of electricity**

9.24 The Central Government has issued guidelines for procurement of power by Distribution Licensees through competitive bidding and Standard Bidding Documents for long term procurement of power from Case-2 projects having specified site and SBDs for long-term procurement from Case-1 projects, where the location, technology for fuel is not specified. The guidelines for procurement of power by Distribution Licensees through competitive bidding were amended before issuing SBDs for Case-1.

#### **Power generation in Tamil Nadu**

1949. SHRI S. ANBALAGAN: Will the Minister of POWER be pleased to state:

(a) the steps taken by Government for generation and supply of more power to Tamil Nadu during each of the last three years; and

(b) the amount allocated to the State for augmentation of power generation during the above period and the progress made in the works thereon, year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) Electricity is a Concurrent subject. Supply and distribution of electricity in a State is the responsibility of concerned State Government/Power Utility. Central Government supplements the efforts of State Governments by establishing power plants in Central Sector through Public Sector Undertakings. Planning Commission had fixed a capacity addition target of 78,700 MW during the Eleventh Plan including 14,920 MW capacity in the Southern Region.

During the last three years, Unit-3 of Kaiga Atomic Power Station with capacity of 220 MW has been commissioned in the Southern Region and Tamil Nadu has 46 MW (20.9%) share in this Unit.

Out of the capacity programmed for commissioning in the Central Sector in the Southern Region during Eleventh Plan, provisional share of Tamil Nadu works out to about 2,343 MW.

(b) No funds are provided by the Government to State for augmentation of power generation. The States are required to take steps to meet enhanced demand for power through various measures and funds required, if any, are to be arranged by them.

#### **Reduction in power allocation to Madhya Pradesh**

†1950. SHRIMATI MAYA SINGH: Will the Minister of POWER be pleased to state:

†Original notice of the question was received in Hindi.

(a) whether his Ministry or power plants are currently cutting on the share of power allocated to Madhya Pradesh;

(b) if so, the quantum of reduction in power in mega watt effected by Government at present;

(c) the reasons for reduction in share of power for the State Government; and

(d) by when the normal supply of stipulated power for the State would be restored?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) to (d) The allocation of power from Central Generating Stations to the beneficiary States/UTs is made in two parts, firm and unallocated. The firm allocation to the beneficiaries generally remains unchanged, unless power is surrendered by any beneficiary or the beneficiary is not able to clear the requisite dues to the concerned Central Power Sector Undertakings. Approximately 1,931 MW has been allocated to Madhya Pradesh from Central Generating Stations on a firm basis and no reduction has been made from Madhya Pradesh's share allocated on firm basis. The unallocated power in Central Generating Stations available at the disposal of the Government is provided on a dynamic basis to meet the seasonal and emergent needs of States/UTs keeping in view the emergent or seasonal nature of the request, the relative power supply position, utilization of existing generation resources, performance and payment capacity.

In the revision of allocation of unallocated power of Central Generating Stations (CGSs) of Western and Eastern regions on 9th July, 2009, allocation to Madhya Pradesh from NTPC stations of Eastern Region was reduced by 27 MW during peak hours and 52 MW during off-peak hours with enhancement from the unallocated power of CGSs of Western Region from 12.03% (158 MW out of 1,314 MW) to 14.08% (185 MW out of 1,314 MW) (during peak hrs. *i.e.* 1800-2300 hrs.) and 15.99% (210 MW out of 1,314 MW) (during rest of the day). Subsequently, in view of their requirements of power, specific allocations out of the unallocated power were made to Daman and Diu (58.3 MW) Dadra and Nagar Haveli (112.45 MW), Goa (25 MW) and Heavy Water Plant of Department of Atomic Energy (18 MW) totaling 213.75 MW has resulted reduction of the unallocated power for distribution to the States/UTs to 1,101 MW. Therefore, allocation to Madhya Pradesh from the unallocated quota now stands at 155 MW (14.08%) (during peak hrs) and 177 MW (15.99%) during rest of the day.

The quantum of unallocated power in CGSs available at the disposal of Central Government stands allocated to States/UTs and other beneficiaries at all points of time and the modifications in the same by reduction/enhancement among them are done on dynamic basis.

### **Prevention of accidents**

†1951. SHRI BALAVANT *ALIAS* BAL APTE:

SHRI SHREEGOPAL VYAS:

Will the Minister of POWER be pleased to state:

(a) whether the probe into chimney collapse incident at a power plant in Korba in Chhattisgarh has been made;

(b) if so, the details thereof; and

(c) the measures being taken to avoid the collapse of other chimneys?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) and (b) State Government of Chhattisgarh has informed that the State Police Department has registered a Case No. 377/09 under Section 304, 34 of IPC in the wake of the accident of falling of chimney on 23.09.2009 in one of the under construction power plant of M/s. Bharat Aluminum Company Limited (BALCO) at Korba, Chhattisgarh. The State Government has also ordered judicial enquiry to investigate the details of the accident by appointing one member Judicial Commission.

(c) Information is being collected.

### **Power generation at BALCO Power Plant, Korba**

1952. SHRI RAJKUMAR DHOOT: Will the Minister of POWER be pleased to state:

(a) whether it is a fact that chimney of an under construction BALCO Power Plant at Korba fell killing and injuring many persons on 23 September, 2009;

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

(c) the likely impact of this incident on delay in completion of project, power generation and cost escalation; and

(d) the details of the power distribution plan once this project starts functioning at optimum level?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) and (b) Yes, Sir. State Government of Chhattisgarh has informed that on 23rd September, 2009 a chimney (which was under construction) of the under construction power plant of M/s. Bharat Aluminum Company Limited (BALCO) at Korba, Chhattisgarh fell down, killing 40 labourers. The State Police Department has registered a case No.377/09 under Section 304, 34 of IPC. The State Government has also ordered judicial enquiry to investigate the details of the accident by appointing one member Judicial Commission.

(c) BALCO has informed that the impact of the incident is yet to be evaluated.

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†Original notice of the question was received in Hindi.



(d) According to the information received from BALCO, as per the Memorandum of Understanding dated 7th October, 2006, BALCO is required to supply on annualized basis to the Government of Chhattisgarh or its nominated agency 5% of the net power generated by the project at the Energy (Variable) Charges as determined by the appropriate Regulatory Commission. If the company is allocated captive coal block also in the State of Chhattisgarh for supply of coal to the project, then it will provide on an annualized basis to the Government of Chhattisgarh or its nominated agency 7.5% of the net power generated by the project at the Energy (Variable) Charges as determined by the appropriate Regulatory Commission. The Government and its nominated agencies shall have first right to purchase power upto 30% of the aggregate capacity of the generating units for a period of 20 years.

#### **Import of power equipments from China**

1953. SHRI GOVINDRAO WAMANRAO ADIK: Will the Minister of POWER be pleased to state:

(a) whether it is a fact that there has been a significant increase in the import of power equipments and machinery from China;

(b) if so, the details thereof;

(c) whether it is also a fact that most of such imports are done by the private power producers; and

(d) whether domestic producers are not able to supply equipments due to non-commercial conditionality in the tender?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
(a) to (c) Yes, Sir. There has been an increase in import of power equipment from China. At present 21,519 MW of capacity both in thermal and hydro is being implemented using equipments from China. The details at thermal and hydro power projects, which are programmed to benefits in Eleventh Plan, orders for which have been placed on Chinese manufacturer/supplier on Boiler-Turbine-Generator (BTG)/Engineering Procurement and Construction (EPC)/Electro-Mechanical packages basis is given in the Statement (See below). Out of 21519 MW of capacity under construction during Eleventh Plan, 4794 MW is being implemented in the Government Sector (Central Sector 1200 MW and State Sector 3594 MW) and 16725 MW in the Private Sector.

(d) The bids are generally selected through competitive biddings of equipment supplier/Chinese manufacturers. However, as the target of capacity addition is high and capacity of domestic equipment manufacturers at the moment is less, so plants are being imported.

**Statement**

*Order placed on Chinese Manufacturers/suppliers for power projects programmed for benefit during Eleventh Plan.*

Sector	State	Project Name/Implementing Agency	Unit No	Org. cap (MW)	Name of the manufacturer/supplier
1	2	3	4	5	6
<b>THERMAL</b>					
<b>CENTRAL SECTOR</b>					
	WB	Raghunathpur TPP, Ph-I/DVC	U-1	600	M/s. Shanghai Electric Corp., China
			U-2	600	
SUB-TOTAL				1200	
<b>STATE SECTOR</b>					
	Haryana	Rajiv Gandhi TPS, Hissar/HPGCL	U-1	600	M/s. Shanghai Electric Corp., China
			U-2	600	
	Haryana	Yamuna Nagar TPP/HPGCL	U-1	300	M/s. Shanghai Electric Corp., China
			U-2	300	
	TN	Mettur TPP Ext/TNEB	U-1	600	Dong Fang Electric Corpn. China
	WB	Durgapur TPS Extn/DPL	U-7	300	Dong Fang Electric Corpn. China
	WB	Sagardighi TPP/WBPDCL	U-1	300	Dong Fang Electric Corpn. China
			U-2	300	

SUB-TOTAL				3300	
1	2	3	4	5	6
<b>PRIVATE SECTOR</b>					
Chhattisgarh	Lanco Amarkantak TPS Ph-1, Lanco Amarkantak Power Pvt. Ltd.	U-1	300	Zelen Malayasia/Dong Fang Electric Company, China	
		U-2	300		
Gujarat	Mundra TPP Ph-1(U-1 and 2)/ Adani Power Ltd.	U-1	330	SCMEC, SFPML, China	
		U-2	330		
Gujarat	Mundra TPP Ph-1(U-3 and 4)/ Adani Power Ltd.	U-3	330	Kowa/SFPML, China	
		U-4	330		
Gujarat	Nundra TPP Ph-II/Adani Power Ltd.	U-1	600	SEPCO-III, China	
		U-2	660		
Gujarat	Nundra TPP Ph-II/Adani Power Ltd.	U-1	600	SEPCO-III, China	
		U-2	660		
		U-3	660		
Karnataka	Toranagallu TPP/JSW Energy (Vijayanagar) Ltd.	U-1	300	Shanghai Electric Corp., China	
		U-2	300		
Karnataka	Udupi TPP/NPCL	U-1	507.5	Dong Fang Electric Company, China	

			U-2	507.5	
1	2	3	4	5	6
	Maharashtra	JSW Ratnagiri TPP/SW Energy (Ratnagiri) Ltd.	U-1	300	Shanghai Electric Corp., China
			U-2	300	
			U-3	300	
			U-4	300	
	Maharashtra	Tirora TPP Ph-I/Adani Power Ltd.	U-1	660	SCMEC, China
			U-1	660	
	Maharashtra	Tirora TPP-II/Adani Power Ltd.	U-1	660	
	MP	Sasam UMPP/Reliance Power Ltd.	U-1	660	Shanghai Electric Corp., China
	Orissa	Sterlite TPP/Sterlite Energy Ltd.	U-1	600	SEPCO-III, China
			U-2	600	
			U-3	600	
			U-4	600	
	Rajasthan	Jallipa-Kapurdi TPP/Raj West Power Ltd. (JSW)	U-1	135	Dong Fang, China
			U-2	135	
			U-3	135	
			U-4	135	
			U-5	135	
			U-6	135	
			U-7	135	
			U-8	135	
	UP	Anpara-C/Lanco Anpara Power Pvt.	U-1	600	Dong Fang, China

		Ltd.	U-2	600	
1	2	3	4	5	6
UP		Rosa TPP Ph-I/Rosa Power Supply Co.Ltd.-Reliance Energy	U-1	300	Shanghai Electric Corp., China
			U-2	300	
UP		Rosa TPP Ph-II/Rosa Power Supply Co.Ltd.-Reliance Energy	U-3	300	Shanghai Electric Corp., China
			U-4	300	
			SUB-TOTAL	16555	
			TOTAL (Thermal)	21055	
<b>Hydro</b>					
<b>State Sector</b>					
Andhra Pradesh		Priyadarshini Jurala/APGENCO	6×39	234	CMEC
Kerala		Pallivasal/KSEB	2×30	60	Dongfang Electric Company
			SUB-TOTAL	294	
<b>Private Sector</b>					
H.P.		Budhil/Lanco Green Power Pvt. Ltd.	2×35	70	Dongfang Electric Company
		Malana/Everest Power Pvt. Ltd.	2×50	100	Dongfang Electric Company
			SUB-TOTAL	170	

TOTAL (Hydro)	464
GRAND TOTAL (Thermal + Hydro)	21519

### **Examination of gas pricing by ECC**

1954. SHRI TAPAN KUMAR SEN: Will the Minister of POWER be pleased to state:

- (a) whether the Energy Coordination Committee (ECC) headed by the Prime Minister was formed in 2005 to promote coordination in inter-departmental action and for decision making in the area of energy planning;
- (b) if so, the composition of the Committee;
- (c) whether the same was in place in September, 2007; and
- (d) if so, why the issue of gas pricing of KG basin D6 was not examined by ECC and a separate EGOM had to be formed for this purpose?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) The Energy Coordination Committee was set up by the Government to enable a systemic approach to policy formulation, promote coordination in inter Departmental action and function as a key mechanism for providing institutional support to decision making in the area of energy planning and security in 2005.

(b) The composition of the Committee is as under:

- (i) Prime Minister — Chairman.
- (ii) Minister of Finance.
- (iii) Minister of Petroleum and Natural Gas.
- (iv) Minister of Power.
- (v) Minister of Coal.
- (vi) MOS for Non-Conventional Energy Sources.
- (vii) Deputy Chairman, Planning Commission.
- (viii) Member (Energy), Planning Commission.
- (ix) Chairman, Economic Advisory Council to PM.
- (x) Chairman, National Manufacturing Competitiveness Council.
- (xi) National Security Advisor.
- (xii) Principal Secretary to PM — Convenor.

(c) Yes, Sir.

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

### **Hydro-electricity potential**

1955. PROF. P.J. KURIEN: Will the Minister of POWER be pleased to state:

- (a) the hydro-electricity potential in the country;
- (b) the amount of hydro-electricity being generated, so far;
- (c) whether there is any action plan to tap the entire potential of hydro-electricity in view of the fact that it is cleaner energy; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) and (b) As per the re-assessment studies of hydro-electric potential in the country, completed by the Central Electricity Authority (CEA) in 1987, the hydro power potential, identified in terms of installed capacity (I.C.) is 148701 MW, out of which 145320 MW is from the schemes having I.C. of above 25 MW schemes.

As on 30.11.2009, the status of hydro power potential in the country in terms of installed capacity is given below:

	Capacity (MW)	Percentage (%)
Identified Hydro Power Potential as per reassessment Study		
A. Total	148701	
B. Above 25 MW	145320	100
Capacity Developed (Above 25 MW)	32099.8	22.09
Capacity under construction (Above 25 MW)	13675.0	9.41
Capacity yet to be developed (Above 25 MW)	99545.2	68.50

(c) and (d) At the end of the Tenth Plan, the hydro capacity in the country was 34653.77 MW. During Eleventh Plan, 15627 MW of hydro capacity has been planned to be added. Further, a tentative list of 20334 MW of hydro projects have been prepared for benefits during Twelfth Plan. The action plan for development of entire potential of hydro electricity in the country is given below:-

Plan Period	Hydro Capacity Addition (MW)	Total Hydro Capacity at the end of Plan (MW)	% of Total
Eleventh Plan (2007-12)	15627	50281	34.60
Twelfth Plan (2012-17)	20334	70615	48.59
Thirteenth Plan (2017-22)	30000	100615	69.24

The balance potential of 44705 MW is likely to be developed by the end of 15th Plan *i.e.* 2032.

#### Funding of power projects in Bhutan

1956. SHRI O.T. LEPCHA:

SHRI KALRAJ MISHRA:

Will the Minister of POWER be pleased to state:



- (a) whether his Ministry is in quandary over the investment model for hydel project in Bhutan;
  - (b) if so, the details in this regard;
  - (c) what is the amount of investment involved in the project in Bhutan;
  - (d) what is the sharing pattern of funding and distribution of electricity;
  - (e) whether Government of Bhutan has been requesting to fund some part of the loan;
- and
- (f) if so, Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
 (a) and (b) Three Hydro Electric Projects *i.e.* Chukha (336 MW), Kurichhu (60 MW) and Tala (1020 MW), which have been commissioned in Bhutan, are fully funded by Government of India through Ministry of External Affairs with 60% grant and 40% loan. Similarly, Punatsangchhu-I HE Project (1200 MW) is presently under construction with funding pattern of 40% grant and 60% loan.

(c) The amount of investment involved in the Government of India assisted Hydel Projects in Bhutan are:

- (i) Chukha Hydroelectric Project:  
Rs. 246 Crores (without interest component)
  - (ii) Kurichhu Hydroelectric Project:  
Rs. 564 Crores (without interest component)
  - (iii) Tala Hydroelectric Project:  
Rs. 4185.5 Crores (without interest component)
  - (iv) Punatsangchhu-I Hydroelectric Project:  
Rs. 496 Crores till date (without interest component)
- (d) The sharing pattern of funding is as follows:
- (i) Chukha Hydroelectric Project  
Rs.98.4 crores (40% of total cost as loan by Gol)  
Rs.147.5 crores (60% of total project cost as Grant by Gol)
  - (ii) Kurichhu Hydroelectric Project  
Rs.224 crores (40% of total cost as loan by Gol)  
Rs.336 crores (60% of total project cost as Grant by Gol)
  - (iii) Tala Hydroelectric Project  
Rs.1674.2 crores (40% of total cost as loan by Gol)  
Rs.2511.3 crores (60% of total project cost as Grant by Gol)
  - (iv) Punatsangchhu-I Hydroelectric Project  
Rs.162.6 crores as loan by Gol  
Rs.333.4 crores as Grant by Gol

The distribution of electricity (in Millions of Units) from the Government of India assisted hydropower projects in Bhutan is as follows:.

2006		2007		2008	
Generation India	Export to	Generation India	Export to	Generation India	Export to
3009.87	2613.597	6086.74	5390.96	6799.34	5929.00

(e) and (f) Government of India is already providing/funding the loan as indicated in (d) above.

#### **Power plants in Punjab**

1957. SHRI VARINDER SINGH BAJWA: Will the Minister of POWER be pleased to state:

(a) the number of power plants in Punjab functioning at present both in the Central and State sectors separately;

(b) the number out of those generating power less than 90 per cent of their installed capacity, category-wise; and

(c) the steps taken/proposed to be taken to achieve near 100 per cent generation and the existing shortage of power in the State?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) Eleven power stations in the State Sector and two power stations in the Central Sector are presently functioning in Punjab.

(b) While all the Hydro Power Stations in Punjab are utilizing there full capacity for generation However, the generation from Anandpur Sahib HPS, Mukerian HPS, Ranjit Sagar HPS, Shanan HPS and Ganguwal HPS have been less than 90% of their respective target during April to November, 2009. One thermal power station, namely, Guru Nanak Dev Thermal Power Station, Bhatinda has run at less than 90% of its Plant Load Factor during the above period.

(c) The responsibility for maximizing generation of power from its power plants and supply of electricity as per demand is primarily under the purview of the concerned State Government/Power Utilities, Government of India assists the states by making allocation of power from Central Generating Stations (CGSs). Punjab has been allocated about 1,941 MW to 2,010 MW power from CGSs at present.

#### **Power allocation from Gadawada Thermal Power Project**

†1958. SHRI RAGHUNANDAN SHARMA: Will the Minister of POWER be pleased to state:

(a) whether it is a fact that Government of Madhya Pradesh has requested for allocating 80 per cent of power generated in 4×660 MW Gadawada Thermal Power Project being established in the State by NTPC; and

†Original notice of the question was received in Hindi.

(b) if so, the action being taken in this regard and by when the approval would be accorded?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
(a) Yes, Sir.

(b) The matter of allocation of power from this plant is under consideration of the Government. The decision in the matter will be taken in due course.

#### **Completion of power projects**

1959. SHRI N.K. SINGH: Will the Minister of POWER be pleased to state:

(a) whether in view of poor performance of the power sector, Government has put in place a stringent monitoring mechanism for timely completion of the power projects;

(b) if so, the details thereof;

(c) whether Government's entire focus towards achieving power generation target in the past few years has yielded unimpressive results;

(d) if so, the reasons therefor; and

(e) the latest strategies formulated/proposed to be made to achieve the power generation targets during the current fiscal year?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
(a) and (b) Government has put in place a stringent monitoring mechanism for timely completion of power projects. The following steps have been taken to further streamline and improve monitoring mechanism:

1. Monitoring mechanism has been strengthened to achieve targets by designating a nodal officer in the Central Electricity Authority (CEA) for each project. The nodal officers keep track of construction activities and make frequent visits to the power plant to have on the spot assessment of progress of work. The bottlenecks if any are identified and solutions thereof are decided in consultation with project authorities and executing agencies. Efforts are being made to minimize contractual problems so as to avoid delays during project execution.
2. Review of progress of project is being done at the highest level *i.e.* Secretary (Power), Chairperson, CEA and at the level of Minister of Power for timely completion of Projects.
3. Ministry of Power (MOP) has constituted Power Project Monitoring Panel (PPMP) having consultants to monitor projects for effective monitoring of projects.

(c) and (d) Against a targeted capacity of 33,636 MW planned for the year 2007-08, 2008-09, 2009-10, a capacity of 18,859 MW has already been achieved till date. The reasons for slippages are given as under:-

- Delay in placement of orders,
- Delay in sequential supplies and erection of equipment,
- Shortage of skilled manpower/commissioning teams,
- Delay in resolution of contractual issues,
- Constraints in movement of heavy equipment due to bottlenecks in road transportation,
- Inadequate deployment of construction machinery,
- Delay in Environment and Forest clearance,
- Land acquisition problems,
- Shortage of fuel,

(e) In order to achieve the power generation targets during the current fiscal year, in addition to the monitoring mechanism being as mentioned above, of lately an advisory group of retired Secretaries (Power) has been constituted and is functioning to advise MOP on the major issues of concern coming in the way of timely completion of Projects.

#### **Achievement of Eleventh Plan power generation targets**

1960. SHRIMATI T. RATNA BAI: Will the Minister of POWER be pleased to state:

- (a) whether Government has assessed the power generation targets for Eleventh Five Year Plan;
- (b) if so, the details thereof;
- (c) the assistance taken from private players during the last five years; and
- (d) the investment identified in the areas where private players are intended for this Plan?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
 (a) and (b) A capacity addition target of 78,700 MW has been set, comprising 59693 MW thermal, 15627 MW hydro and 3380 MW nuclear during the Eleventh Plan Period. Based on the current assessment, a total capacity addition of 62,374 MW is likely to be commissioned with a high level of certainty during Eleventh Plan. In addition projects totaling to 12,590 MW are being attempted 'on best efforts basis' for commissioning during the Eleventh Plan.

(c) During the last five years a generation capacity of 5,969 MW has been commissioned in Private Sector.

(d) A capacity addition target of 15043 MW has been fixed for the Private Sector during Eleventh Five Year Plan. Against this, a capacity of 4756.5 MW has been commissioned so far in the Eleventh Plan.

#### **NTPC-RIL gas pact**

1961. SHRI NANDAMURI HARIKRISHNA:

SHRI M.V. MYSURA REDDY:

SHRI PENUMALLI MADHU:

Will the Minister of POWER be pleased to state:

(a) whether NTPC has since signed the gas pact with the Reliance Industries Ltd. (RIL) as reported in the Business Standard dated 20 May, 2009;

(b) if so, the details of the terms and conditions thereof; and

(c) if not, by when Government plans to re-allocate gas to other fuel-deficient power plants?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) Empowered Group of Ministers (EGOM) in its meeting dated 09.04.2009 had allocated 2.67 MMSCMD of KG D-6 gas, plant-wise, to NTPC's existing Gas based power stations at Anta, Dadri, Faridabad, Kawas and Gandhar, without prejudice to NTPC vs. RIL court case relating to gas supplies for Kawas and Gandhar expansion projects. Out of 2.67 MMSCMD, NTPC have signed the necessary Gas Sale and Purchase Agreements (GSPAs) for 0.61 MMSCMD for Anta, Dadri, Faridabad, approved by EGOM except for Kawas and Gandhar. Further, NTPC had requested for distribution of remaining allocation from KG D6 basin to its stations in northern region and redistribution of APM/PMT gas from NCR station of NTPC to its Kawas and Gandhar stations.

(b) As per the EGoM's approved gas price formula in the GSPAs, signed with M/s RIL/M/s Niko for EGoM's allocated 0.61 MMSCMD of KG D6 gas, the gas price works out to US \$4.205/ MMBtu (on NCV basis) at a crude oil price cap of US \$ 60/Barrel at landfall point, *i.e.* Kakinada. The duration of the GSPAs is till 31st March, 2014.

(c) While agreeing to NTPC's request of swapping, EGoM in its meeting dated 27.10.2009 has decided that 2.71 mmscmd of APM/PMT gas should be diverted from NTPC's plants in the Northern part of the country to Kawas and Gandhar, and an additional quantity of 2.71 mmscmd KG D-6 gas should be supplied on firm basis to NTPC's plants in Northern part of the country. Hence the question of reallocation of gas to other plants does not arise at this stage.

#### **Emergency provision to curb power shortage**

1962. SHRI M.V. MYSURA REDDY:

SHRI NANDAMURI HARIKRISHNA:

SHRI PENUMALLI MADHU:

Will the Minister of POWER be pleased to state:

(a) whether the power sector investors are jittery over increasing trade bans and States using emergency provision to usurp power plug shortages as reported in the Business Standard dated 25 May, 2009;

- (b) if so, the details thereof along with the details of the emergency provisions;
- (c) the guidelines likely to be issued to clarify what constitutes extraordinary circumstances in Section 11; and
- (d) the additional measures being taken to boost investment in the power sector?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) In the recent past, some independent power producers have brought to the notice of the Central Government, Planning Commission and the Central Electricity Authority that the State Governments of Karnataka, Tamil Nadu, Orissa, Andhra Pradesh, Maharashtra and Rajasthan have issued orders under Section 11 or Section 108 restricting supply of power outside the State. The details of orders issued by the above State Governments are as under:-

Sl. No.	State	Section of the Act	Reasons specified in the order
1.	Karnataka	11	In public interest-to bridge the demand supply gap.
2.	Tamil Nadu	11	In public interest-due to power shortage
3.	Maharashtra	108	In Public Interest-due to acute power shortage
4.	Andhra Pradesh	11	In public interest
5.	Rajasthan	RRVNL letter dated 21.4.2009	Reasons not given
6.	Orissa	11	Acute power shortage and the resultant hardship to the public

The private power generators who have entered into long term Power Purchase Agreements with utilities and consumers outside the State may face interference in selling of power under these contracts which amounts to violation and sanctity of the contract. Providing non discriminatory open access to transmission and distribution systems is necessary for inter-state of power, Market development, regulatory framework for tariff setting and protecting the interests of the consumers.

(b) and (c) The following provision has been made in the Electricity Act, 2003 under Section:-

“11(1)-Director to Generating Companies-the Appropriate Government may specify that a generating company shall, in extraordinary circumstances operate and maintain any generating station in accordance with the direction of that Government.

Explanation — For the purposes of this section, the expression “extraordinary circumstances” means circumstances arising out of threat to security of the State, public

order or a natural calamity or such other circumstances arising in the public interest.”

(d) Some of the major initiatives taken by the Government to encourage investment in the power sector include-

- (i) 100% FDI has been permitted on the automatic approval route in respect of projects relating to electricity generation, transmission and distribution (other than Nuclear Power Plants). Recently, power trading has also been included in the above, subject to compliance with the regulations under the Electricity Act, 2003;
- (ii) Initiative for facilitating the development of Ultra Mega Power Projects of about 4000 MW capacity each under the tariff based competitive bidding route using super critical technology; and
- (iii) The Central Government has on 19th January 2005 issued guidelines for competitive bidding for determination of tariff procurement of power by distribution licensees after due consultation with the Central Electricity Regulatory Commission (CERC), This is expected to further encourage foreign as well as private sector investment. Subsequently, the Central Government has also issued detailed guidelines for tariff based competitive bidding process for procurement of transmission services for transmission of electricity *vide* notification dated 17th April, 2006.

#### **Power transmission among States**

1963. DR. T. SUBBARAMI REDDY:  
SHRI V. HANUMANTHA RAO:

Will the Minister of POWER be pleased to state:

(a) whether power regulator has notified the new transmission rule that would allow power producers with the capacity of at least 250 MW to transfer power beyond their State limits through contracts for 3 to 5 years;

(b) if so, whether, after detailed consultation with the stake holders, Central Electricity Regulatory Commission (CERC) revised connectivity regulations for inter-State transmission rules, that now include guidelines for medium-sized open access power trading and long term power transactions; and

(c) if so, to what extent these rules have helped in transmitting power to other States?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARAT SINH SOLANKI): (a) Yes, Sir. Central Electricity Regulatory Commission (CERC) has notified on 7th August 2009 CERC (Grant of connectivity, Long-term Access and Medium-term Open Access in inter-State transmission and related matters) regulations 2009 after following a due process of law of previous publication of the draft regulation and consultations with stakeholders.

Under these regulations, a power producer with a capacity of 250 MW and above can seek connectivity to the inter-State transmission system and seek long-term access (12-25 years) or medium term open access (3 months to 3 years) for selling this power to any State. However, a power producer of any capacity connected to the inter-State transmission system may also seek long term access or medium term open access for selling the power outside the State after getting concurrence of the SLDC (State Load Despatch Centre).

(b) As per procedure, the draft CERC (Grant of Connectivity, Long-term Access and Medium-term Open Access in Inter-State Transmission and related matters) Regulations, 2009 were put on the web-site and comments sought from all stakeholders. A public hearing was also held by Commission. After consideration of which the final regulations were notified on 7th August, 2009. These regulations are for grant of connectivity, long-term access and medium-term open access in inter-State Transmission and related matters.

(c) These regulations are yet to come in force. As per the regulations, these shall become effective after approval of the detailed procedures of CTU by the CERC. In this regard, POWERGRID, as CTU has already submitted the detailed procedures for approval to CERC on 10th November, 2009 and the same is under consideration by CERC.

#### **Mega power policy**

1964. SHRIMATI SHOBHANA BHARTIA:

SHRI ISHWAR SINGH:

Will the Minister of POWER be pleased to state:

(a) whether Government has recently made major changes in the mega power policy and States have been allowed to purchase power from Mega Power Plants;

(b) if so, the details thereof;

(c) whether the States have been directed to carry out distribution reforms as laid down by Government;

(d) if so, the details thereof; and

(e) to what extent the shortage of power in the States would be met by the above changes?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) and (b) Government has approved the following changes in the existing Mega Power Policy:-

(i) The existing condition of privatization of distribution by power purchasing States would be replaced by the condition that power purchasing States shall undertake to carry out distribution reforms as laid down by Ministry of Power (MoP).



- (ii) The condition requiring inter-State sale of power for getting mega power status would be removed.
- (iii) The present dispensation of 15% price preference available to the domestic bidders in case of cost plus projects of Public Sector Undertakings (PSUs) would continue. However, the price preference will not apply to tariff based competitively bid projects of PSUs.
- (iv) The developers of mega power project would not be required to undertake International Competitive Bidding (ICB) for procurement of equipment for the mega power project if the requisite quantum of Power has been tied up through tariff based competitive bidding or the project has been awarded through tariff based competitive bidding.
- (v) All benefits, except a basic custom duty of 2.5% only, available under mega power policy would be extended to expansion unit(s) of existing mega power projects even if the total capacity of expansion unit(s) is less than the threshold qualifying capacity, provided the size of the unit(s) is not less than that provided in the earlier phase of the project. All other conditions for grant of the mega power status shall remain same.
- (vi) Mega Power Projects may sell power outside long term PPA(s) in accordance with the National Electricity Policy 2005 and Tariff policy 2006, as amended from time to time.

(d) and (d) In view of the decision stated at sub-para (i) above, the power purchasing States are required to undertake to carry out distribution reforms as laid down by Ministry of Power.

(e) Mega power policy aims at deriving economies of scale by setting up large size power plants. Mega Power Policy, in its present form, has played a vital role in the development of power sector. The modified policy will simplify the procedure for grant of mega certificate and facilitate quicker capacity addition, thus bridging the demand-supply gap of power in the country.

#### **Progress of power projects**

1965. SHRIMATI MOHSINA KIDWAI:

SHRIMATI SHOBHANA BHARTIA:

Will the Minister of POWER be pleased to state:

- (a) whether Government has recently asked the States to expedite completion of power projects and check slippages for the proper growth of power sector;
- (b) if so, the details of the discussions held with the State Governments and the outcome thereof;
- (c) whether the Planning Commission has also expressed concern at the tardy progress of reforms in power sector; and

(d) if so, the strategies formulated by Government to check slippages in the growth of power sector and to achieve the target of completion of power projects in a time bound period?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
(a) and (b) To check slippages and expedite completion of power projects for proper growth of the power sector, Conference of Power Ministers was held in June, 2009 and November, 2009. In the Power Ministers' Conference held in November, 2009 it has been resolved that close monitoring of the projects particularly those identified as critical by Central Electricity Authority (CEA) will be ensured by the State Governments and all efforts will be made for timely commissioning of the projects.

(c) Planning Commission at this stage has not expressed its concern on the tardy progress of power reforms by the States.

(d) Question does not arise.

#### **Rural electrification**

1966. SHRI RAJEEV SHUKLA:

DR. T. SUBBARAMI REDDY:

Will the Minister of POWER be pleased to state:

(a) whether electrification is viewed as prime mover for rural development;

(b) whether rural electrification has been able to increase significantly agricultural production and also improve jobs and income generation activities;

(c) if so, whether schemes like Minimum Needs Programme (MNP), PM's Gramodaya Yojana, Kutir Jyoti, Accelerated Electrification of one lakh villages, one crore households and RGGVY are being implemented in this regard;

(d) whether his Ministry has released latest guidelines for village electrification through Decentralized Distributed Generation (DDG) under RGGVY during the Eleventh Five Year Plan scheme of rural electrification infrastructure and household electrification; and

(e) whether the approval has been accorded for capital subsidy of Rs. 540 crores for DDG during the Eleventh Five Year Plan period?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
(a) and (b) Electricity is an essential requirement for all facets of our life and it has been recognized as a basic human need. It is the key to accelerate economic growth, generation of employment, elimination of poverty and human development especially in rural areas. No study has been made by Ministry of Power to determine whether rural electrification has been able to increase significantly agriculture production and also improve jobs and income generation activities. However, it is expected that rural electrification would lead to increase in per capita consumption of electrification.

(c) Rajiv Gandhi Grameen Vidyutikaran Yojana-Scheme for Rural Electricity Infrastructure and Household Electrification was launched in 2005 by merging the existing schemes namely Accelerated Electrification of one lakh villages and one crore households, Kutir Jyoti and the Minimum Needs Programme for rural electrification.

(d) and (e) Yes, Sir.

#### **Study on Power Sector Reforms**

1967. SHRIMATI SYEDA ANWARA TAIMUR:

SHRI VIJAY JAWAHARLAL DARDA:

Will the Minister of POWER be pleased to state:

(a) whether the World Bank, in collaboration with Planning Commission, has organized a study entitled Power Sector Reform in States-Experience and Stock Taking of Distribution Reforms in July, 2008; and

(b) if so, what are its findings especially for functional efficiency of initiatives taken in distribution reforms, and in other areas like organizational transformation and skill development, investments which are critical in ensuring financially and operationally sustainable power sector, etc.?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) and (b) The Planning Commission has informed that they have not entrusted any study on Power Sector Reform to the World Bank in July, 2008.

#### **Availability of power**

†1968. MISS ANUSUIYA UIKEY: Will the Minister of POWER be pleased to state:

(a) the demand and generation of power, State-wise and source-wise;

(b) whether it is a fact that States have demanded an increase in power allocation and if so, the quantum of their demand;

(c) the scheme-wise action being taken by Government to ensure power supply in view of decreasing availability of power; and

(d) the target set by Government to resolve the power crisis?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) The State-wise details of actual demand for power during the current year 2009-10 (April to October, 2009) is given in the Statement-I (*See below*) and the State-wise and source-wise power generation in the country during the same period are given in the Statement-II (*See below*).

(b) The allocation of power from Central Generating Stations to the beneficiary States/UTs is made in two parts, firm and unallocated. The firm allocation to the beneficiaries generally remains unchanged, unless power is surrendered by any beneficiary or the beneficiary is not able to clear the requisite dues to the concerned Central Power Sector Undertakings. The

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†Original notice of the question was received in Hindi.

unallocated power in Central Generating Stations available at the disposal of the Government is provided on a dynamic basis to meet the seasonal and emergent needs of States/UTs keeping in view the emergent or seasonal nature of the request, the relative power supply position, utilization of existing generation resources, performance and payment capacity.

As most of the States and UTs have been facing power shortages, requests for additional allocation of unallocated power are received from time to time. The unallocated power of Central Generating Stations being limited and fixed, any modifications are possible only through adjustment of allocation generally within the States/UTs in the region, keeping in view the emergent or seasonal nature of the request, the relative power supply position, utilization of existing generation resources and payment capacity. The additional assistance is provided to the extent possible in view of aforesaid considerations.

(c) and (d) Planning Commission had fixed a capacity addition target of 78,700 MW comprising 36,874 MW in Central Sector, 26,783 MW in State sector and 15,043 MW in private sector during the Eleventh Plan Period. Central Electricity Authority (CEA) has recently reviewed the likely capacity addition during Eleventh Plan. Based on the inputs provided by the project developers and suppliers, CEA has assessed that a total capacity addition of 62,374 MW is likely to be commissioned with a high level of certainty during Eleventh Plan. In addition projects totaling to 12,590 MW are being attempted on best efforts basis for Eleventh Plan. The availability of power in the country has been increasing, the growth in generation during April to October, 2009 being of the order of 6.5%.

Besides the capacity addition, a number of steps have been taken/are being taken by the Government to enhance generation and mitigate shortage of power in the country including development of Ultra Mega Power Projects of 4,000 MW each, harnessing surplus captive power into the grid, import of coal, enhanced availability of gas from KG basin, augmentation of manufacturing capacity of equipment for electric power in the country, demand side management, energy efficiency and energy conservation measures, etc.

***Statement-I***

*State-wise details of Peak Demand for the period from April to October, 2009*

State/System/Region	Peak Demand (MW)
1	2
Chandigarh	308
Delhi	4,502
Haryana	6,133
Himachal Pradesh	960

1	2
Jammu and Kashmir	2,000
Punjab	9,786
Rajasthan	6,487
Uttar Pradesh	10,856
Uttaranchal	1,414
<b>Northern Region</b>	<b>37,159</b>
Chhattisgarh	2,819
Gujarat	10,406
Madhya Pradesh	6,766
Maharashtra	18,981
Daman and Diu	280
Dadra and Nagar Haveli	509
Goa	455
<b>Western Region</b>	<b>37,190</b>
Andhra Pradesh	11,325
Karnataka	7,196
Kerala	3,045
Tamil Nadu	10,158
Pondicherry	325
Lakshadweep #	6
<b>Southern Region</b>	<b>29,216</b>
Bihar	2,249
DVC	1,932
Jharkhand	1,088
Orissa	3,188
West Bengal	5,381
Sikkim	84
Andaman and Nicobar Islands#	40
<b>Eastern Region</b>	<b>12,980</b>
Arunachal Pradesh	95

1	2
Assam	920
Manipur	111
Meghalaya	270
Mizoram	66
Nagaland	95
Tripura	176
North-Eastern Region	1,760
ALL INDIA	116,281

# Lakshadweep and Andaman and Nicobar Islands are stand-alone systems, power supply position of these, does not form part of regional requirement and availability.

Note : Both peak met and energy availability represent the net consumption (including the transmission losses) in the various States. Net export has been accounted for the consumption of importing States.

**Statement-II**

*State-wise and Source-wise actual power generation in the country  
during the current year 2009-10 (April 09—Nov. 09\*)*

Region	State	Sector	Category	Capacity (MW)	Actual Gen.(MU)
1	2	3	4	5	6
NR	Delhi	State	Thermal	982.9	3505.68
		Central	Thermal	705	3612.78
	Delhi Total			1687.9	7118.46
	Haryana	State	Thermal	2070	9938.78
			Hydro	62.4	181.81
		Central	Thermal	431.59	2129.38
	Haryana Total			2563.99	12249.97
	Himachal Pradesh	State	Hydro	450.45	1484.2
		Pvt.	Hydro	386	1437.17
		Central	Hydro	2538	9488.15
Himachal Pradesh Total			3374.45	12409.52	

1	2	3	4	5	6
	Jammu and Kashmir	State	Thermal	175	0
			Hydro	758.49	2724.53
		Central	Hydro	1560	6491.96
	Jammu and Kashmir Total			2493.49	9216.49
	Punjab	State	Thermal	2620	13817.39
			Hydro	1142.35	2691.26
	Punjab Total			3762.35	16508.65
	Rajasthan	State	Thermal	3683.8	13797.58
			Hydro	430	131.97
		Pvt.	Thermal	135	19.48
		Central	Thermal	419.33	1897.62
			Nuclear	740	1719.67
	Rajasthan Total			5408.13	17638.32
	Uttar Pradesh	State	Thermal	4072	14954.51
			Hydro	525.8	665.89
		Central	Thermal	7823.14	40913.93
			Nuclear	440	553.46
	Uttar Pradesh Total			12860.94	57087.79
	Uttarakhand	State	Hydro	1281.85	3170.96
		Pvt.	Hydro	400	1739.79
		Central	Hydro	1374.2	2544.55
	Uttarakhand Total			3056.05	7455.3
	BBMB	Central	Hydro	2866.3	7069.88
	BBMB Total			2866.3	7069.88
NR TOTAL				38073.6	146754.4
WR	Chhattisgarh	State	Thermal	1780	8559.84
			Hydro	137	266.9
		Pvt.	Thermal	1300	6177.84

1	2	3	4	5	6
		Central	Thermal	3100	17404.86
	Chhattisgarh Total			6317	32409.44
	Goa	Pvt.	Thermal	48	210.81
	Goa Total			48	210.81
	Gujarat	State	Thermal	5082.72	19461.63
			Hydro	1995	1896.1
		Pvt.	Thermal	3557.5	13796.41
		Central	Thermal	1313.59	5771.85
			Nuclear	440	720.99
	Gujarat Total			12388.81	41646.98
	Madhya Pradesh	State	Thermal	2932.5	10048.79
			Hydro	925	1308.54
		Pvt.	Hydro	13.5	0
		Central	Thermal	3260	17972.31
			Hydro	1520	1732.39
	Madhya Pradesh Total			8651	31062.03
	Maharashtra	State	Thermal	7712	30188.23
			Hydro	2586.3	3066.14
		Pvt.	Thermal	2080	10072.86
			Hydro	505	977.91
		Central	Thermal	2220	4876.12
			Nuclear	1400	5298.45
	Maharashtra Total			16503.3	54479.71
WR TOTAL				43908.11	159809
SR	Andhra Pradesh	State	Thermal	3882.5	17050.77
			Hydro	3751.35	4044.7
		Pvt.	Thermal	2384.2	10718.23
			Hydro	3.75	0



1	2	3	4	5	6
		Central	Thermal	3600	19481.66
	Andhra Pradesh Total			13621.8	51295.36
	Karnataka	State	Thermal	2097.92	8675.58
			Hydro	3620.6	7456.99
		Pvt	Thermal	1186.5	3047.48
			Hydro	86.2	177.32
		Central	Nuclear	660	2182.74
	Karnataka Total			7651.22	21540.11
	Kerala	State	Thermal	234.6	349.46
			Hydro	1835.5	4373.11
		Pvt.	Thermal	195.84	502.23
			Hydro	33	53.33
		Central	Thermal	359.58	1567.33
	Kerala Total			2658.52	6845.46
	Lakshadweep	State	Thermal	9.97	19.44
	Lakshadweep Total			9.97	19.44
	Puducherry	State	Thermal	32.5	146.99
	Puducherry Total			32.5	146.99
	Tamil Nadu	State	Thermal	3493.2	15023.95
			Hydro	2162.7	3830.76
		Pvt.	Thermal	1164.8	4608.8
		Central	Thermal	2490	11710.95
			Nuclear	440	1385.27
	Tamil Nadu Total			9750.7	36559.73
SR TOTAL				33724.71	116407.1
ER	Andaman Nicobar	State	Thermal	40.05	46.73
			Hydro	5.25	7.51
		Pvt.	Thermal	20	91.29
	Andaman Nicobar Total			65.3	145.53

1	2	3	4	5	6
	Bihar	State	Thermal	310	130.49
			Hydro	44.9	23.62
		Central	Thermal	2560	7035.57
	Bihar Total			2914.9	7189.68
	DVC	Central	Thermal	3400	9700.04
			Hydro	147.2	149.74
	DVC Total			3547.2	9849.78
	Jharkhand	State	Thermal	1190	2298.7
			Hydro	130	97.91
		Pvt.	Thermal	360	1569.88
	Jharkhand Total			1680	3966.49
	Orissa	State	Thermal	420	1958.64
			Hydro	2011.5	3182.07
		Pvt.	Thermal	0	294.59
		Central	Thermal	3470	17364.92
	Orissa Total			5901.5	22800.22
	Sikkim	State	Thermal	5	0.04
			Hydro	32	27.62
		Central	Hydro	570	2516.74
	Sikkim Total			607	2544.4
	West Bengal	State	Thermal	4880	15570.51
			Hydro	1056.5	722.65
		Pvt.	Thermal	1333	5408.07
		Central	Thermal	1600	6315.78
	West Bengal Total			8869.5	28017.01
ER TOTAL				23585.4	74513.11
(blank)	Andhra Pradesh	State	Thermal		
	Andhra Pradesh Total				
(blank)	Total				

1	2	3	4	5	6
NER	Arunachal Pradesh	State	Hydro	18.5	11.88
		Central	Hydro	405	869.75
	Arunachal Pradesh Total			423.5	881.63
	Assam	State	Thermal	299	857.67
			Hydro	100	350.08
		Pvt	Thermal	24.5	56.44
		Central	Thermal	291	1150.15
			Hydro	225	653.85
	Assam Total			939.5	3068.19
	Manipur	State	Thermal	36	0.27
		Central	Hydro	105	246.68
	Manipur Total			141	246.95
	Meghalaya	State	Hydro	185.2	406.11
		Central	Hydro	50	134.3
	Meghalaya Total			235.2	540.41
	Mizoram	State	Thermal	22.90	0
	Mizoram Total			22.92	0
	Nagaland	State	Hydro	24	50.4
		Central	Hydro	75	162.15
	Nagaland Total			99	212.55
	Tripura	State	Thermal	127.5	399.34
			Hydro	15	33.39
		Central	Thermal	84	439.43
	Tripura Total			226.5	872.16
NER TOTAL				2087.62	5821.89
Import	Bhutan (IMP)	IMP	Hydro		4958.91
Import Total					4958.91
GRAND TOTAL				141379.44	508264.4

### **Laying of transmission lines**

1969. DR. ABHISHEK MANU SINGHVI:

SHRI VIJAY JAWAHARLAL DARDA:

Will the Minister of POWER be pleased to state:

(a) whether public-private partnership system is being considered for laying transmission lines for the five ultra mega power projects;

(b) if not, whether the Power Grid Corporation of India Ltd. has its own financial resources or seeking dedicated allocations of funds by Planning Commission;

(c) whether credit from World Bank, Asian Development Bank or any other such international organization is also being taken; and

(d) if so, the amount of such credit, organization-wise?

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

(a) and (b) Implementation of transmission system associated with four Ultra Mega Power Projects (UMPPs), viz., Sasan, Mundra, Krishnapatnam and Tilaiyya has been entrusted to Power Grid Corporation of India Ltd. (PGCIL). Implementing agency for evacuation of power from the fifth UMPP located in Tamil Nadu is yet to be finalized. PGCIL would be implementing transmission system associated with above-mentioned four UMPPs with funding from multi-lateral agencies like World Bank, Asian Development Bank (ADB), domestic market and internal resources. It is not seeking any dedicated allocation of funds from Planning Commission.

(c) and (d) PGCIL has recently signed a loan agreement for an amount of US\$ 1000 million with the World Bank, which would be utilized for implementation of transmission schemes associated with Sasan, Mundra and Krishnapatnam UMPPs and South-West Interconnection. A part of transmission system associated with Tilaiyya UMPP is proposed to be covered under loan assistance from ADB.

### **Power generation by NTPC**

†1970. SHRI RANJITSINH VIJAYSINH MOHITE-PATIL: Will the Minister of POWER be pleased to state:

(a) the target fixed by NTPC for the Eleventh Five Year Plan for power generation;

(b) whether NTPC is generating power according to the target fixed during the Tenth Five Year Plan;

(c) the percentage of power generated by NTPC out of total power generation; and

(d) whether any proposal is being considered to establish National Power Exchange to increase power trading?

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†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):  
(a) The generation target for NTPC is fixed on year to year basis as a part of the Memorandum of Understanding (MOU) signed with Government of India/Ministry of Power.

During Eleventh Five Year Plan, year-wise NTPC generation targets in the MOU are as under:

(Figures in Million Unit)

Year	MOU Target
2007-08	202850
2008-09	209000
2009-10	217000

(b) and (c) During Tenth Five Year Plan NTPC generation with respect to target, is as under:

(Figures in Million Unit)

Year	MOU Target	Actual	All India Generation (%age)
2002-03	136000	140868	26.50
2003-04	142000	149161	26.72
2004-05	148000	159110	27.09
2005-06	164000	170880	27.67
2006-07	178000	188674	28.48
TOTAL	768000	808693	27.34

(d) A Company namely National Power Exchange Limited has been promoted jointly by NTPC, NHPC, Power Finance Corporation and Tata Consultancy Services to set up a power exchange to promote short term trading of electricity.

The Company has received in-principle approval from the Central Electricity Regulatory Commission to set up and operate a national level power exchange.

#### Utilization of MPLADS Fund

1971. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of STATISTICS AND PROGRAMME IMPLEMENTATION be pleased to state:

(a) whether the MPLADS Fund utilization totally depends upon the mercy of the District Collector of the concerned district;

(b) whether if the Collector does not like or the State Government does not want, they may not spend or they can spend the money even without the consent of the Member of Parliament; and

(c) if so, the remedies available to the concerned Member of Parliament?

THE MINISTER OF STATE OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION (SHRI SRIPRAKASH JAISWAL): (a) to (c) Member of Parliament Local Area Development Scheme (MPLADS) is administered through a set of Guidelines which specifies the authority and responsibility of the Central Government, the State/UT Governments, the District Authorities and the Implementing Authority. The guidelines provide for undertaking works recommended by Hon'ble Members of Parliament in a time frame manner by the district authorities. Under the Scheme, no work shall be undertaken without the recommendation of Member of Parliament.

The Ministry of Statistics and Programme Implementation is responsible for the policy formulation, release of funds and prescribing monitoring mechanism for implementation of the Scheme. Members of Parliament can complain both to the Ministry as well as to the Parliamentary Committees on MPLADS of Lok Sabha and Rajya Sabha respectively for redressal of their grievances.

#### **Holistic development of tribals**

1972. DR. JANARDHAN WAGHMARE: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether Government is aware of the fact that the tribals are the indigenous people of the country;
- (b) whether Government has formulated a well-defined policy for indigenous people for their holistic development; and
- (c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI TUSHAR BHAI CHAUDHARY): (a) to (c) As the Ministry of Tribal Affairs is the nodal Ministry for the overall policy, planning and coordination of programmes of the development for the Scheduled Tribes (STs) as notified under Article 342 of the Constitution, it has drafted a National Tribal Policy which addresses issues relating to the holistic development of Scheduled Tribes of the country.

#### **ST status to communities in Assam**

1973. SHRI KUMAR DEEPAK DAS: Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether Government has completed its formalities for giving ST status of six communities including Koch Rajbangshi, Tea Tribes, Ahom, Chutias, Moran and Mattaks;
- (b) if not, the reasons therefor;
- (c) whether it is a fact that the State Government has already submitted the details of the supporting documents, etc. required as per norms; and
- (d) whether his Ministry would be able to declare the tribal status to the above mentioned tribes during this financial year?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI TUSHAR BHAI CHAUDHARY): (a) and (b) The Ministry of Tribal Affairs has processed the proposal of the State Government of Assam for inclusion of Adivasi Tea Tribes, Ahoms, Mattaks, Morans, Koch Rajbangshi and Chutias in the list of Scheduled Tribes in Assam as per modalities approved by the Government of India on 15/06/1999 for determining the claims for inclusion in, exclusion from and other modifications in Orders specifying Scheduled Castes and Scheduled Tribes' lists.

(c) Additional justification regarding their proposal for inclusion of communities in the ST list of Assam has not been sent by the State Government of Assam.

(d) In view of (c) above, does not arise.

#### **Use of children for begging**

†1974. DR. PRABHA THAKUR: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government is aware of the fact that children are used for begging at various places;

(b) whether many people beg with newly born babies in their lap even during scorching summer and severe cold;

(c) whether it is not amounted to severe exploitation of infant children; and

(d) the steps taken by Government to prevent such exploitation of children and whether these steps have been successful and if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) As per the report of National Commission for Protection of Child Rights "Rapid Appraisal of Children in begging and vending in Delhi" children are used for begging at various places at Delhi. Though the report is limited to Delhi the phenomena of child beggars is also prevalent in other parts of the country. As per media reports as well as from public perception it is a fact that many people beg with infants in their lap.

(c) to (e) The use of young children for begging and cruelty to children causing mental or physical suffering is punishable under Juvenile Justice (Care and Protection of Children) Act, 2000 as amended in 2006. The child beggars are also included in the category of 'children in need of care and protection' under the Act. Preventive, care, protection and rehabilitation services are provided for such children under 'Integrated Child Protection Scheme', a Centrally Sponsored Scheme, which has been launched recently. Once the Scheme is fully implemented in the country it is expected to create better environment for children who need care and protection.

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†Original notice of the question was received in Hindi.

### Projects under ICDS

1975. SHRIMATI VIPLOVE THAKUR: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the number of projects sanctioned under the Integrated Child Development Services (ICDS) scheme during 2008-09 and 2009-10; and

(b) the funds allocated for infrastructure development under the said scheme and the details of funds utilized in each State particularly in Himachal Pradesh during the above period?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) In order to universalize the Integrated Child Development Services (ICDS) Scheme based on requirements projected by States, 789 additional ICDS Projects were sanctioned in 2008-09. No further proposal has been sanctioned during 2009-10.

(b) Under the Integrated Child Development Services (ICDS) Scheme, funds are released to States/UTs for establishment and operating cost like salary, honoraria of ICDS functionaries, POL, rent, pre-school education kits, medicine kits etc. as per schematic norms.

A statement indicating amount of funds released to States/UTs and the expenditure reported by the States/UTs for 2008-09 and 2009-10 is enclosed.

### Statement

*Releases during 2008-09 and 2009-10 under ICDS scheme (General)*

(Rs. in lakh)

Sl. No.	State	2008-09	2009-10
		Release	Release (upto 01/12/2009)
			Expenditure reported by States*
(1)	(2)	(3)	(4)
			(5)
1.	Andhra Pradesh	27163.56	47238.14
2.	Bihar	17508.23	20764.15
3.	Chhattisgarh	8992.46	12051.94
4.	Goa	406.56	yet to be reported
5.	Gujarat	16491.86	15596.07
6.	Haryana	8455.60	8798.38



(1)	(2)	(3)	(4)	(5)
7.	<b>Himachal Pradesh</b>	8232.21	7159.69	2860.09
8.	Jammu and Kashmir	4557.80	8529.92	6351.10
9.	Jharkhand	9776.60	9851.86	8399.17
10.	Karnataka	19473.26	22474.61	13916.94
11.	Kerala	15020.66	13726.91	5169.82
12.	Madhya Pradesh	29168.81	24141.32	10938.04
13.	Maharashtra	31996.55	yet to be reported	13249.45
14.	Orissa	16934.58	18081.79	11743.46
15.	Punjab	9125.15	8709.66	5975.79
16.	Rajasthan	19486.76	20226.22	15229.74
17.	Tamil Nadu	18163.08	17203.97	8846.11
18.	Uttarakhand	4627.72	3259.16	2614.97
19.	Uttar Pradesh	54349.16	48226.21	34659.17
20.	West Bengal	33616.96	33083.08	27228.22
21.	Delhi	3885.71	3246.06	2657.51
22.	Pondicherry	332.37	254.44	222.47
23.	Andaman and Nicobar Islands	299.10	296.05	238.66
24.	Chandigarh	250.94	232.44	167.92
25.	Dadra and Nagar Haveli	85.87	88.89	102.74
26.	Daman and Diu	58.81	58.48	43.63
27.	Lakshadweep	62.87	yet to be reported	31.03
28.	Arunachal Pradesh	3395.68	2741.45	1953.58
29.	Assam	26033.82	19677.98	9703.08
30.	Manipur	2888.69	2966.4	2464.68
31.	Meghalaya	1817.13	1586.44	677.54
32.	Mizoram	1603.55	1612.93	1062.95
33.	Nagaland	2527.14	2504.40	742.33

(1)	(2)	(3)	(4)	(5)
34.	Sikkim	884.29	yet to be reported	375.78
35.	Tripura	2975.26	2808.10	2205.51

2008-09: The release to NE States includes Rs. 11237.77 lakh for construction of AWCs.

\*Any shortfall/excess expenditure of the States is balanced at the time of release of funds in the next year.

#### Monetary relief to rape victims

†1976. SHRI AMIR ALAM KHAN: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether Government proposes to provide monetary relief to the rape victims besides enforcing a stringent law;
- (b) if so, the details thereof;
- (c) whether Government also proposes to implement some more policy measures to deter the rapists from committing such heinous crimes;
- (d) if so, the details thereof; and
- (e) by when these measures are likely to be adopted and the said scheme is likely to be implemented?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) The Government has a proposal to provide monetary relief to rape victims. The details of the scheme are yet to be finalized.

(c) to (e) The Code of Criminal Procedure (Amendment) Act, 2008 (5 of 2009) has been enacted by the Parliament which *inter-alia* provides that inquiry or trial in such cases shall, as far as possible, be completed within a period of two months from the date of commencement of the examination of witness (Section-309).

#### Miserable life of single women

1977. SHRIMATI JAYA BACHCHAN: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether it is a fact that there are about 3.5 crore widowed, separated, estranged single women who are subjected to a miserable life, deprivation of property rights etc., by their in-laws and other relatives;
- (b) whether Government has made an assessment about their problems and the steps taken to address their problems;
- (c) if so, the details in this regard; and
- (d) if not, the reasons therefor?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (d) As per census, 2001 there are 3,72,89,729 widows and 23,42,930 divorcee/separated women in the country. Under NREGA, all rural households including single women are entitled to guaranteed 100 days employment. Under Indira Gandhi National Social Assistance Programme, all persons who are 65 years of age or older and belong to BPL category are eligible for a pension of Rs. 200/- per month from Government of India. The Scheme was expended in February, 2009 to include widows in the age group of 40-64. The Government also runs the Support to Training and Employment Programme (STEP) for skill upgradation and generation of livelihood options for assetless and marginalized women. Besides, the Government is implementing two shelter based schemes, namely, Swadhar and Short Stay Homes which provide emergency outreach services to women in difficult circumstances who do not have societal/family support of independent means of income.

#### **Pawning of wives and daughters in Bundelkhand**

1978. SHRI GIREESH KUMAR SANGHI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether the media reports of poor people and farmers of drought hit Bundelkhand and other parts of Uttar Pradesh and Madhya Pradesh pawning their wives and daughters on stamp paper have come to the notice of Government;
- (b) if so, whether Government has conducted any inquiry into such reports;
- (c) if so, the outcome of the inquiry; and
- (d) the remedial measures Government has taken or proposes to take in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (d) The National Commission for Women (NCW) has constituted an inquiry committee to inquire into such incidents of Bundelkhand region. The Committee has submitted its preliminary report. Since the root cause of such social evils is poverty, the Government has advised Central Social Welfare Board (CSWB) and Rashtriya Mahila Kosh (RMK) to focus their activities in the region so that gainful economic employment opportunities can be created. Besides, the Government has advised Ministry of Panchayati Raj and NCW to organise sensitisation programmes for the members of Panchayati Raj institutions of the region and disseminate information in respect of the schemes/programmes of the Central and State Governments. The Government of Uttar Pradesh and Madhya Pradesh have also been advised to taken action for mitigating hardships and reducing poverty.

#### **Domestic violence against women**

1979. SHRI KALRAJ MISHRA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government has conducted any survey about the continuation of domestic violence including sexual violence against women, despite the law prohibiting such violence; and

(b) if so, the effective steps being taken or proposed to be taken to prevent such violence?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) As per National Family Health Survey III (2007) data, approximately 35.4% of women in the age-group of 15-49 and approximately 40% of women in case of ever married women, have experienced physical or sexual violence. 6.7% of all women have experienced both physical and sexual forms of domestic violence. Further, the data suggests that both physical and sexual forms of domestic violence against women are higher in rural as compared to urban areas.

(b) The Protection of Women from Domestic Violence Act, 2005 is a civil law intended to fill the gaps in existing criminal legal framework. This law aims to provide various types of reliefs to those women, who experience violence in the domestic environment. This law has been in force for about 3 years.

#### **Funds for child welfare schemes**

1980. SHRI Y.P. TRIVEDI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the funds released and spent for child welfare schemes, State-wise especially in Maharashtra;

(b) the details thereof, rural and urban area-wise; and

(c) the benefits reached to poor people like minorities in the State?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (c) The funds released to States/UTs alongwith the details of benefits provided under child welfare schemes are available on the website of the Ministry of Women and Child Development *i.e.*, [www.wcd.nic.in](http://www.wcd.nic.in). This information is also available in the Annual Reports of this Ministry which are available in the Library of the Rajya Sabha. All the schemes of this Ministry cater to all the communities.

#### **Anganwadi workers and helpers**

1981. SHRI T.K. RANGARAJAN: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the details of the number of Anganwadi workers and helpers, State-wise;

(b) the amount of remuneration provided to each worker and helper;

(c) whether Government considers hike in their remuneration, in view of the escalating cost of living;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) There are 10,03,319 Anganwadi workers and 9,88,779 Anganwadi helpers in the country as on 30.9.2009. State-wise details are given in the Statement (See below).

(b) Presently, the honorarium being paid to Anganwadi workers ranges from Rs.1438/- to Rs.1563/- per month, depending upon their qualifications and experience, whereas Anganwadi helpers and Anganwadi workers engaged in Mini-AWCs are paid an honorarium of Rs.750/- per month. Details are available at Ministry's website [www.wcd.nic.in/icds.htm](http://www.wcd.nic.in/icds.htm).

(c) to (e) The rates of the honoraria being paid to Anganwadi workers and helpers have been revised upwardly recently *w.e.f.* 1.4.2008. Therefore, at present there is no proposal for hike in their honoraria at such a short interval.

**Statement**

*Details of Anganwadi Workers (AWWs) and Helpers (AWHs) working at Anganwadi Centres under ICDS scheme as on 30.9.2009*

Sl. No.	Month of report	State/UT	No. of Anganwadis Workers (AWWs)		No. of Helpers	
			Sanc-tioned	In-position	Sanc-tioned	In-position
1	2	3	4	5	6	7
1.	09/09	Andhra Pradesh	91307	71665	80481	70700
2.	09/09	Arunachal Pradesh	6028	4277	6028	4277
3.	03/09	Assam	59695	36849	56728	36849
4.	04/07-	Bihar	91968	60041	86528	59797
5.	07/09	Chhattisgarh	64390	33786	55709	32859
6.	09/09	Goa	1212	1183	1212	1094
7.	09/09	Gujarat	48617	42237	47491	42141
8.	09/09	Haryana	25699	17263	25187	17112
9.	07/09-	Himachal Pradesh	18925	17652	18386	17630
10.	12/08	Jammu and Kashmir	28577	16409	28577	18474
11.	04/09	Jharkhand	38186	31216	35635	31163
12.	08/09	Karnataka	63377	53658	60046	54037

1	2	3	4	5	6	7
13.	09/09	Kerala	33115	32217	32986	32216
14.	05/09-	Madhya Pradesh	90999	68161	78929	67520
15.	08/09	Maharashtra	110486	81885	97475	80048
16.	03/08	Manipur	11510	7621	9958	7621
17.	09/09	Meghalaya	5115	3377	3881	3377
18.	06/09	Mizoram	1980	1682	1980	1682
19.	09/09	Nagaland	3455	3194	3455	3194
20.	08/09	Orissa	71134	43475	60918	42763
21.	09/09	Punjab	26656	21465	25436	21465
22.	09/09	Rajasthan	61119	49955	54915	47403
23.	08/09	Sikkim	1233	981	1233	969
24.	07/09-	Tamil Nadu	54439	46638	49499	43707
25.	08/09	Tripura	9878	6413	9878	6612
26.	08/09	Uttar Pradesh	187517	145980	165331	143016
27.	08/09	Uttarakhand	23159	8844	18039	8493
28.	03/09	West Bengal	117170	86935	117170	84320
29.	09/09	A and N Islands	720	672	689	672
30.	08/09	Chandigarh	500	370	500	370
31.	08/09	Delhi	6606	6097	6606	6106
32.	07/09	Dadra and Nagar Haveli	253	247	219	219
33.	03/09	Daman and Diu	107	102	107	102
34.	03/09	Lakshadweep	107	87	96	87
35.	08/09	Puducherry	788	685	788	684
ALL INDIA			1356027	1003319	1242096	988779

**Honorarium to Anganwadi workers and helpers**

1982. SHRI SYED AZEEZ PASHA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government has taken any action on the report of the Review Committee for examining current levels of honorarium and other related issues of Anganwadi workers and helpers;

- (b) if so, the details thereof;
- (c) whether there is a disparity in the respective remunerations of the workers of Anganwadi and Mini-Anganwadi Centres;
- (d) if so, the details thereof and the steps taken to remove such disparity;
- (e) whether Government proposes to revise the status of Mini-Anganwadi Centres; and
- (f) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) The Review Committee was constituted by the Government in 2006 to examine the current levels of Honorarium of Anganwadi Workers and Helpers and other related issues. The Report submitted by the Committee was accepted by the Government on 30.07.2008. Accordingly, the honorarium of Anganwadi Workers of Anganwadi Centres (AWCs) was enhanced by Rs.500/- per month over and above the last honorarium drawn by them. Similarly, for Anganwadi Helpers of AWCs and Anganwadi Workers of Mini-AWCs, the honorarium was enhanced by Rs.250/- per month over and above the last honorarium drawn by them. The enhanced Honorarium is payable *w.e.f.* 1.4.2008.

(c) and (d) The honorarium being paid to Anganwadi Workers of Anganwadi Centres (AWCs), out of grant-in-aid released by the Government of India ranges from Rs. 1438/- to Rs.1563/- per month, depending upon their qualification and experience, whereas Anganwadi Workers engaged in Mini-Anganwadi Centres are paid an honorarium of Rs.750/- per month.

The difference in honorarium being paid to these workers is on account of catering of lesser population (150-300 in tribal areas and 150-400 in rural/urban areas) by a Mini-AWC as compared to an AWC which caters a population in the range 300-800 in tribal areas and 400-800 in rural/urban areas.

(e) and (f) Presently, there is no such proposal.

#### **Reports of NCW**

†1983. MISS ANUSUIYA UIKEY: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) the details of the reports submitted by the Chairperson and members of the National Commission for Women (NCW) during the last three years;
- (b) the action taken so far by Government on the reports; and
- (c) the present status of the reports on which no action has been taken so far and by when the action would be taken?

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†Original notice of the question was received in Hindi.

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (c) The information is being collected and will be laid on the Table of the House.

#### **Amendments to Sexual Assault Bill**

1984. SHRIMATI BRINDA KARAT: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the recommendations of the National Commission for Women (NCW) proposing amendments to the Sexual Assault Bill submitted to the Government are being incorporated;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (c) The suggestions of National Commission for Women (NCW) with respect to amendments to the Criminal Major Laws to tackle gender specific crimes are under consideration.

#### **Anganwadis in Maharashtra**

1985. SHRI Y.P. TRIVEDI: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the number of Anganwadis functioning in Maharashtra, taluka-wise;

(b) the number of Anganwadi workers employed in these Anganwadis, taluka-wise and post-wise;

(c) the remuneration paid to them by the Central Government and the contribution made by the State; and

(d) whether there is any proposal to increase their remuneration and to improve their service conditions?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) and (b) There are 81982 Anganwadi Workers and 80260 Anganwadi Helpers working in 83798 functional Anganwadis in Maharashtra. Taluka-wise details are available at Ministry's Website: [www.wcd.nic.in/icdsimg/mahawwawh2009.htm](http://www.wcd.nic.in/icdsimg/mahawwawh2009.htm).

(c) Presently, the honorarium being paid to Anganwadi Workers ranges from Rs.1438/- to Rs.1563/- per month, depending upon their qualifications and experience, whereas Anganwadi Helpers and Anganwadi Workers engaged in Mini-AWCs are paid an honorarium of Rs.750/- per month. The details of the honorarium paid to them by Central Government and the contribution made by the State Government of Maharashtra are given in the Statement (See below).

(d) No, Sir.



**Statement**

*Remuneration paid to the AWWs and AWH by the Central Government and  
the Contribution made by the State*

(w.e.f. 1/4/2008)

Qualification/Experience (in years)	Amount of Honoraria paid by (in Rs.)		
	Central Government since 1.4.2008	State Government of Maharashtra	Total
Non-Matriculate	1438	800	2238
Matriculate	1500	800	2300
Non-Matriculate with 5 year exp.	1469	800	2269
Matriculate with 5 year exp.	1531	800	2331
Non-Matriculate with 10 year exp.	1500	800	2300
Matriculate with 10 year exp.	1563	800	2363
Mini-Anganwadi Workers	750	250	1000
Anganwadi Helpers	750	400	1150

**Staff pattern in ICDS projects**

1986. SHRI P. RAJEEVE: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether Government has given any new direction to reduce the existing staff pattern in ICDS projects;

(b) if so, whether Government has considered the difference in existing staff pattern and the work load in various States; and

(c) whether Government had done any specific studies to decide the uniform staff pattern for ICDS?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (c) In order to ensure effective implementation and monitoring of the ICDS Scheme, Government of India issued revised guidelines, on 8th May, 2009, rationalizing the staffing pattern for the State and District Cell. The basis of the revised staffing pattern is the number of projects sanctioned for each State/UT. However, there has not been any change in the existing staffing pattern at the Project level.

12.00 NOON.

**PAPERS LAID ON THE TABLE**

**Report and Accounts (2008-09) of HCL, Kolkata and related papers**

THE MINISTER OF MINES AND THE MINISTER OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI B.K. HANDIQUE): Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:

- (a) Annual Report and Accounts of the Hindustan Copper Limited (HCL), Kolkata, for the year 2008-09, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Company.

[Placed in Library. See No.L.T. 1213/15/09]

**Report and Accounts (2008-09) of Neyveli Lignite Corporation, Chennai and related paper**

THE MINISTER OF STATE OF THE MINISTRY OF COAL AND THE MINISTER OF STATE OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION (SHRI SHRIPRAKASH JAISWAL): Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:

- (a) Fifty-third Annual Report and Accounts of the Neyveli Lignite Corporation Limited, Chennai, for the year 2008-09, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Corporation.

[Placed in Library. See No.L.T. 891/15/09]

**I. Notifications of the Ministry of Corporate Affairs.**

**II. Report and Accounts (2008-09) of Central Wakf Council, New Delhi and related papers.**

THE MINISTER OF STATE OF THE MINISTRY OF CORPORATE AFFAIRS AND THE MINISTER OF STATE OF THE MINISTRY OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): Sir, I lay on the Table

- I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under Section 40 of the Company Secretaries Act, 1980, together with delay statement on the Notifications:
  - (1) F.No. 104/34/Accts., dated the 20th September, 2006, publishing the Audited Annual Accounts and Report of the Council of the Institute of Company Secretaries of India, for the year ended the 31st March, 2006.

- (2) F.No. 104/27/Accts., dated the 18th September, 2007, publishing the Audited Annual Accounts and Report of the Council of the Institute of Company Secretaries of India, for the year ended the 31st March, 2007.
- (3) F.No. 104/28/Accts., dated the 18th September, 2008, publishing the Audited Annual Accounts and Report of the Council of the Institute of Company Secretaries of India, for the year ended the 31st March, 2008.

[Placed in Library. For (1) to (3) See No.L.T. 1163/15/09]

- (4) F.No. 104/29/Accts-Report of the Council dated the 16th September, 2009, publishing Audited Annual Accounts and Report of the Council of the Institute of Company Secretaries of India, for the year ended on the 31st March, 2009.

[Placed in Library. See No.L.T. 932/15/09]

- (ii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under Section 40 of the Cost and Works Accountants Act, 1959, together with delay statement on the Notifications:-

- (1) No.G/18-CWA/9/2006, dated the 13th September, 2006, publishing the Audited Annual Accounts and Report of the Council of the Institute of Cost and Works Accountants of India, for the year ended on the 31st March, 2006.
- (2) No.G/18-CWA/9/2007, dated the 25th September, 2007, publishing the Audited Annual Accounts and Report of the Council of the Institute of Cost and Works Accountants of India, for the year ended on the 31st March, 2007.
- (3) No.G/18-CWA/9/2008, dated the 25th September, 2008, publishing the Audited Annual Accounts and Report of the Council of the Institute of Cost and Works Accountants of India, for the year ended on the 31st March, 2008.

[Placed in Library. For (1) to (3) See No.L.T. 1262/15/09]

- (4) G/18-CWA/9/2009, dated the 23rd September, 2009, publishing Audited Annual Accounts and Report of the Council of the Institute of Cost and Works Accountants of India, for the year ended on the 31st March, 2009.

[Placed in Library. See No.L.T. 933/15/09]

- (iii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under sub-section (1) of Section 642 of the Companies Act, 1956:

- (1) G.S.R. 642 (E), dated the 7th September, 2009, publishing the Companies (Electronic Filing and Authentication of Documents) Amendment Rules, 2009.
  - (2) G.S.R. 643 (E), dated the 7th September, 2009, publishing the Companies (Central Governments) General Rules and Forms (Fourth Amendment) Rules, 2009.  
[Placed in Library. For (1) and (2) See No.L.T. 1160/15/09]
  - (3) S.O. 2276 (E), dated the 7th September, 2009, publishing the Scheme for Filing of Statutory Documents and other Transactions by Companies in Electronic Mode (Amendment) Scheme, 2009.  
[Placed in Library. See No.L.T. 1161/15/09]
  - (4) G.S.R. 649 (E), dated the 8th September, 2009, publishing the Companies (Central Governments) General Rules and Forms (Fifth Amendment) Rules, 2009.  
[Placed in Library. See No.L.T. 1160/15/09]
  - (5) G.S.R. 827 (E), dated the 16th November 2009, publishing the Competition Appellate Tribunal (Salaries and Allowances and other terms and conditions of service of the Chairperson and other Members) Second Amendment Rules, 2009.  
[Placed in Library. See No.L.T. 931/15/09]
- (iv) A copy each (in English and Hindi) of the following Notifications of the Ministry of Corporate Affairs, under Section 30B of the Chartered Accountants Act, 1949, together with delay statement on the Notifications:
- (1) No.1-CA(5)/57/2006, dated the 29th September 2006, regarding Audited Annual Accounts and Report of the Council of the Institute of Chartered Accountants of India, for the year ended on the 31st March, 2006.
  - (2) No.1-CA(5)/58/2007, dated the 28th September, 2007, regarding Audited Annual Accounts and Report of the Council of the Institute of Chartered Accountants of India, for the year ended on the 31st March, 2007.
  - (3) No.1-CA(5)/59/2008, dated the 25th September, 2008, regarding Audited Annual Accounts and Report of the Council of the Institute of Chartered Accountants of India, for the year ended on the 31st March, 2008.  
[Placed in Library. For (1) to (3) See No.L.T. 1164/15/09]
  - (4) No.1-CA (5)/60/2009, dated the 30th September, 2009, regarding Audited Annual Accounts and Report of the Council of the Institute of

Chartered Accountants of India, for the year ended on the 31st March, 2009.

[Placed in Library. *See* No.L.T. 934/15/09]

II. A copy each (in English and Hindi) of the following papers:

- (a) Annual Report and Accounts of the Central Wakf Council, New Delhi, for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Council.

[Placed in Library. *See* No.L.T. 235/15/09]

**I. Notifications of the Ministry of Environment and Forests.**

**II. Report and Accounts (2008-09) of National Biodiversity Authority, Chennai and related papers.**

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): Sir, I lay on the Table

I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Environment and Forests, under Section 26 of the Environment Protection Act, 1986:

- (1) S.O. 2804 (E), dated the 3rd November, 2009, amending Notification No. S.O. 979 (E), dated the 27th August, 2003, to substitute certain entries in the original Notification.

[Placed in Library. *See* No.L.T. 822/15/09]

- (2) G.S.R 794 (E), dated the 4th November, 2009, publishing the Environment (Protection) Sixth Amendment Rules, 2009.

- (3) G.S.R 826 (E), dated the 16 November, 2009, publishing the Environment (Protection) Seventh Amendment Rules, 2009.

[Placed in Library. For (2) and (3) *See* No.L.T. 1129/15/09]

- (ii) A copy (in English and Hindi) of the Ministry of Environment and Forests Notification S.O. 1545 (E), dated the 25th June, 2009, notifying Mount Abu and its surrounding region as Eco-sensitive Zone, under the sub-section (2) of Section 3 of the Environment (Protection) Act, 1986.

[Placed in Library. *See* No.L.T. 892/15/09]

- (iii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Environment and Forests, under sub-section (3) of Section 62 of the Biological Diversity Act, 2002:

- (1) S.O. 2726(E), dated the 30th October, 2009, regarding applicability of provisions of the Biological Diversity Act, 2002 to any items including biological resources normally traded as commodities.

- (2) S.O. 2524 (E), dated the 5th October, 2009, notifying the species of plants and animals on the verge of extinction, in the State of Mizoram.
- (3) S.O. 2525 (E), dated the 5th October, 2009, notifying the species of plants and animals on the verge of extinction, in the State of Orissa.
- (4) S.O. 2526 (E), dated the 5th October, 2009, notifying the species of plants and animals on the verge of extinction, in the State of Meghalaya.

[Placed in Library. For (1) to (4) See No.L.T. 895/15/09]

II. A copy each (in English and Hindi) of the following papers:

- (a) Annual Report and Accounts of the National Biodiversity Authority, Chennai, for the year 2008-09, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Authority.

[Placed in Library. See No.L.T. 1128/15/09]

**I. Corrigenda to the Notification of the Ministry of Power.**

**II. Report and Accounts (2008-09) of THDC, Tehri and related papers.**

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI):

Sir, I lay on the Table

- I. (i) A copy each (in English and Hindi) of the following Corrigenda to the Notifications of the Ministry of Power, under Section 179 of the Electricity Act, 2003:
  - (1) L-1(3)/2009-CERC, dated the 10th August, 2009, publishing the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and Related matters) Regulations, 2009.
  - (2) L-7/186(201)/2009-CERC, dated the 17th September, 2009, publishing the Central Electricity Regulatory Commission (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2009.
  - (3) L-7/145(160)/2008-CERC, dated the 26th September, 2009, publishing the Central Electricity Regulatory Commission (Fee and Charges of Regional Load Dispatch Centre and other related matters) Regulations, 2009.

[Placed in Library. For (1) to (3) See No.L.T. 1010/15/09]

- (ii) A copy (in English and Hindi) of the Ministry of Power Notification No. L-1(1)/2009-CERC, dated the 24th July, 2009, publishing Corrigendum to

the Central Electricity Regulatory Commission (Unscheduled Interchange charges and related matters) Regulations, 2009.

[Placed in Library. See No.L.T. 1011/15/09]

- (iii) A copy (in English and Hindi) of the Ministry of Power Notification No. L-7/105(121)/2007-CERC, dated the 24th July, 2009, publishing Corrigendum to the Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) (Amendment) Regulations, 2009.

[Placed in Library. See No.L.T. 1011/15/09]

- (iv) A copy (in English and Hindi) of the Ministry of Power Notification No. L-7/142/157/2008-CERC, dated the 24th July, 2009, publishing Corrigendum to the Central Electricity Regulatory Commission (Payment of Fees) Amendment Regulations, 2009.

[Placed in Library. See No.L.T. 1010/15/09]

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

- (a) Twenty-first Annual Report and Accounts of the Tehri Hydro Development Corporation Limited (THDC), Tehri, for the year 2008-09, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Review by Government on the working of the above Corporation.

[Placed in Library. See No.L.T. 1009/15/09]

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#### LEAVE OF ABSENCE

MR. DEPUTY CHAIRMAN: I have to inform Members that the following letter has been received from Shri Arjun Singh stating that he is unable to attend the House due to illness of his wife. He has, therefore, requested for the grant of leave of absence from 19th November to 15th December, 2009, of the current (218th) Session of the Rajya Sabha.

Does he have the permission of the House to remain absent from 19th November to 15th December, 2009, during the current Session of the Rajya Sabha?

*(No Hon. Member dissented)*

MR. DEPUTY CHAIRMAN: Permission to remain absent is granted.

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#### MATTERS RAISED WITH THE PERMISSION

##### Conflicting statements on climate change

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Deputy Chairman, Sir, two weeks ago, this hon. House called the attention of the Minister on the issue of India's stand

in the Climate Change Negotiations. And, this House was categorically assured by the hon. Minister, in the course of the discussion, that there would be no substantial change from the stand that this country had adopted over the last 17 years in these negotiations. The Minister also said that he will take Parliament into confidence before he proceeds to Copenhagen and the country's stand is spelt out. Sir, this Calling Attention was called in the backdrop of some apprehension that the Minister was not in agreement with the stand of the Government of India, which was being conventionally taken. Now, we find that the hon. Minister and the Government of India, have unilaterally altered their position substantially over what India has been saying all these years. We have now announced, without waiting for what developed countries say, that we are going to make a 20-25 per cent cut in our carbon intensity on the 2005-level till 2020. Now, this country has, consistently, followed a policy that there is a per capita principle, that is, we have as much a share as members of developing countries in the carbon space, as much as a citizen of a developed country has. The hon. Minister had addressed a letter to certain Members of Parliament, and I also received this letter, on the 29th of September, 2009, where till 29th September, the Minister has said, and I quote from his letter: "The equal per capita entitlement principle is the only legitimate internationally acknowledged measure for reflecting equity. As stated by our hon. Prime Minister, India's per capita emission levels will never exceed the per capita emission levels of the developed countries." Today, Sir, what appears to be happening is that the legally binding cut, which the developed country had to face, is something that they want to get out of, as a result of which various drafts are being internationally circulated. And, as a part of those drafts, one of the suggestions being made is, "Please go by domestic measures". What we seem to have done is, we completely altered our principle; irrespective of what the developed world does, we have unilaterally announced that we are going to make cuts of 20-25 per cent. Now, Sir, our difficulty today is that a major part of this negotiation, the deal, is still to be settled. Who is going to make the entire investment involved in India, as also in the various developing countries, as far as this reduction of carbon intensity or emission intensity of 20-25 per cent over the next few years is concerned?

Sir, when the business was as usual between 1990 and 2005 ...*(Interruptions)*... Sir, I will just take a minute or two more. Between 1990 and 2005, we had in this emission intensity a 17.6 per cent cut. That was one per cent compounded annually. Now, if we are to achieve this figure, then a lot of investment would be required because it would be almost about one-and-a-half per cent per year which is required till 2020. Now, one of the essential aspects of this deal has to be as to who is to bear the cost. Is the cost to be borne by those who are the victims of environmental pollution or is the cost to be borne by those who have substantially polluted the environment? Now, Sir, the original understanding was that there would be substantial cuts being made by the developed countries, and today, having really bared our hands completely on



the eve of negotiations, we do not know what the developed countries are going to do. Experts in the field are now indicating that the cuts will only be three to four per cent on the 1990 emission levels, as far as the developed countries are concerned, and we would be rendered completely helpless in a situation of this kind.

Sir, there are two or three aspects I wish to highlight. It is bad strategy for the Government of India on the eve of a crucial negotiation to bare its hands and disclose all its cards. Our disclosed cards today become the baseline of further negotiations. We have raised our own baseline which was absolutely not necessary.

Secondly, Sir, today, we have no reciprocity in return. Thirdly, we are in a state of turmoil on the eve of these negotiations. The negotiations' first phase begins today itself. Our negotiators appear to be sulking. From what has appeared in the newspapers, some of them, day-before-yesterday, refused to board the flight and said, 'unless we have a clear assurance from the Government of India that we will not be really reversing our stand, we are not willing to go'. And, lastly, Sir, the question was also asked by one of our colleagues in the Question Hour as to what is the international observation or verification of our unsupported domestic actions. Sir, earlier our stand categorically was this will never be acceptable. Now, the Minister has now coined a new buzz word which is flexibility. And, flexibility says, we will see, if necessary, we will allow it. His interview to one of the leading newspapers of the country almost seems to indicate that we will allow that also. Now, this is, entirely, Sir, unacceptable, and I suggest, Sir, that the Government gives a categorical assurance to this House that there will be no change in India's categorical stand which has been there all these years on this subject.

MR. DEPUTY CHAIRMAN: Shri Sitaram Yechury and Shri D. Raja to associate.  
...(Interruptions)... It is association.

SHRI SITARAM YECHURY (West Bengal): No, no; Sir. In the morning, the agreement was that we will speak. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: No, no; in the morning, the agreement was that it will be raised in the Zero Hour...(Interruptions)...

SHRI SITARAM YECHURY: And I will be allowed to speak. That was the agreement.  
...(Interruptions)...

MR. DEPUTY CHAIRMAN: Okay; okay. I am saying this because the Leader of the Opposition has given the details of it. ...(Interruptions)... Okay, please stick to the time.  
...(Interruptions)...

SHRI SITARAM YECHURY: Sir, start the time now. ...(Interruptions)... I have already lost one minute. ...(Interruptions)...

MR. DEPUTY CHAIRMAN: You are capable of... (*Interruptions*)...

SHRI SITARAM YECHURY: Sir, I understand your sentiments and I will try to be very brief. ... (*Interruptions*)...

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI JAIRAM RAMESH): Sir, he is part of our delegation. ... (*Interruptions*)...

SHRI SITARAM YECHURY: I am going to give him a hint of what I am going to say in Copenhagen also. The Minister, Sir, had assured the Parliament and the country that there are two red lines that will not be crossed. One is that there will be no binding emission cuts that will be acceptable to India. Second is that there will be no deadline for peaking of our emissions. Now, whatever has been stated earlier and what the Minister has been stating now in the media somehow seems to contradict this. Our voluntary announcement of 20 to 25 per cent reduction; we presume, it is on reduction in carbon intensity because it has gone by the past record of 17 per cent reduction from 1990 to 2005, which is the compound rate of one per cent per year. Now, whether it is emission intensity or energy intensity or carbon intensity, these three are very different concepts and impact on the country differently. We do not know what the Government is talking about. But, presuming it is carbon intensity, it means that by 2020, we will have to reduce by 150 per cent of what we have reduced in the last 15 years. What does it mean? Today, 55 crores of my countrymen do not have electricity, 70 crores of my countrymen survive on bio-gas fuels without any carbon emission.

If this 150 per cent reduction is to be brought about, then it will come at the expense of two-thirds of India. Are we today prepared to widen the gap between the rich and the poor in the country as a result of this, and has this come under any pressure? That is my point. The pressure is that on the 4th December, the White House releases a press note. I am reading from it, Sir, which is a public document. It says, "After months of diplomatic activity, there is progress being made towards a meaningful Copenhagen accord in which all countries pledge to take action against the global threat of climate change." No annexure-1 or non annexure. No division between the developed and the developing countries. "Following bilateral meetings with the President and since the United States announced an emissions reduction target that reflects the progress being made in Congress towards comprehensive energy legislation, China and India have for the first time set targets to reduce their carbon intensity. There has also been progress in advancing the Danish proposal for an immediate, operational accord that covers all of the issues under negotiation." Danish proposal is a document where there is no differentiation between the developed and the developing countries. Hours after this was announced, the Prime Minister of India announces that he is also going. So, the suspicion that comes up is, is this happening under pressure? Therefore, Sir, since you asked us to restrict our time, I would be brief. Article 4, para 7 of the framework so far clearly talks in terms of annexure-1 and non annexure countries and the responsibility of the developed world. Therefore, Sir, we want

assurances from the hon. Minister. Firstly, the per capita emission standards cannot be diluted. It cannot be given up. Secondly, the historical responsibility of the advanced countries must be ensured. Thirdly, the cut-off date that has been changed from 1990 to 2005 should not be accepted, we should stick to 1990; and, our voluntary cuts must be conditional upon three things. One, that the developed countries ensure a mandatory cut in their emissions. Two, the financing for the shift to greener technologies will be provided and they take much of the burden of financing of such a transfer to greener technologies. Three, the transfer of technologies should be beyond the purview of the Intellectual Property Rights and they should be transferred to the Third World without this Intellectual Property Rights royalties. We want these assurances from the Minister.

SHRI D. RAJA (Tamil Nadu): Sir, agreeing with the speakers before me, I would like to draw the attention of the House to one international climate scheme. Our Government has been supporting on international climate scheme called REDD, Reducing Emissions from Deforestation and Degradation of Forests. Even though this scheme has major implications for the livelihood of crores of Adivasis and forest dwellers, the Government has never publicly discussed this scheme. Even the issue was not discussed in Parliament. The proposed scheme would make it possible for companies and Governments to earn tradable carbon credits from forest protection in developing countries. Our Government has gone beyond this and wants aforestation and plantation projects to be eligible for carbon credit also.

Sir, as of now, the Forest Right Act, 2006 is not being properly implemented in many areas. When the Government is not giving the people secure rights to their lands and forests, what can the Government do to prevent companies and Government agencies grabbing the same lands to earn carbon credits under this scheme? The Government's aforestation programmes are already resulting in conflict, in many States, for instance in Orissa, Andhra Pradesh and Chhattisgarh. So, my point is, the Government must be very categorical and clear on what it is going to do. Replacing natural open areas with mono-cultural plantations...

MR. DEPUTY CHAIRMAN: No, the subject is, 'conflicting statements' and not on this, please.

SHRI D. RAJA: Sir, no, it is part of Copenhagen Summit that is beginning today. It is part of the climate scheme and the Government's position.

MR. DEPUTY CHAIRMAN: That we have already discussed. This is only on 'conflicting statements.'

SHRI D. RAJA: Sir, this is a new thing which the Government has been supporting and the Government has not discussed it in Parliament!

MR. DEPUTY CHAIRMAN: That is correct, I am not disputing it. But the question which we have admitted is.... (*Interruptions*)

SHRI D. RAJA: What I am trying to say is, the Government cannot support this international scheme REDD. If Government has anything like this, Government should share what Government is going to do in Copenhagen. That is what we are asking the Minister. Let him respond.

SHRI SITARAM YECHURY: Government should take it seriously because Mr. Raja is opposing REDD! You please understand. If Mr. Raja is opposing REDD, it is a serious matter.

SHRI D. RAJA: So my humble request is, Sir,...

MR. DEPUTY CHAIRMAN: Your three minutes are also over.

SHRI D. RAJA: Let him respond.

SHRI JAIRAM RAMESH: Sir, I am grateful for yet another opportunity for clarifying and before I go on Thursday, I am sure there will be more opportunities of such topics raised. So, I am grateful that...

SHRI ARUN JAITLEY: Mr. Yechury is also going to be with you. So, we are going to keep an eye on you even there.

SHRI JAIRAM RAMESH: Dr. Swaminathan also will be there. Sir, I am grateful to the Leader of the Opposition. Today, the discussion has not been oriented towards me personally and has been substantive on issues of climate change unlike the Calling Attention Motion where I felt as if I was an accused on a trial. Sir, let me respond to whatever each of these speakers have said in as serious a manner as possible.

MR. DEPUTY CHAIRMAN: And as briefly as possible.

SHRI JAIRAM RAMESH: Yes, as briefly as possible. But, allow me to say Sir, that I am sometimes perplexed by the shifting stands of our distinguished Leader of the Opposition. When I meet the Leader of the Opposition outside this hall, I get one view and when he stands up and speaks as the Leader of the Opposition, I get a different view. But, Sir, that is inherent in our political system.

SHRI M. VENKAIAH NAIDU (Karnataka): It is unbecoming on the part of a leader to mention something what is being said outside. Sir, it is never done. It is never done. *(Interruptions)* Sir, he should withdraw it. *(Interruptions)*

MR. DEPUTY CHAIRMAN: No, no, I think, in the interest of the... *(Interruptions)*...What you discuss privately should not form a part of it. *(Interruptions)* What they discuss privately should not be part of this. *(Interruptions)*

SHRI JAIRAM RAMESH: Sir, let me respond. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Please sit down. *(Interruptions)* Please don't refer to your personal conversation.

SHRI S. S. AHLUWALIA (Jharkhand): One should not refer to a personal conversation. You talk only about this issue. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Let us confine to what is going on inside the House.

SHRI ARUN JAITLEY: Since he has referred, let me clarify it. At the major economies forum after the Government of India diluted its stand I felt quite happy as most of India did when the US Secretary of State was here and their Environment negotiator referred to our stand a diluted stand there. The Minister had the courage to stand up and contradict that. We all congratulated him. So did I. But, after he shifted his position in the Lok Sabha, I categorically told him that I disagree with his stand.

SHRI JAIRAM RAMESH: Sir, I will not get into this any further. I will respond to the points that have been raised. Sir, let me first talk about the non-negotiables which will continue to be non-negotiables till the 18th of December, 2009 and beyond. The first non-negotiable is that we will under no circumstances accept a legally, binding emission reduction cut. This is my first point. Secondly, we will not reflect whatever we do, the emission intensive cut as an example. This is not an internationally legally binding commitment. This is a unilateral domestic obligation that we have taken in our own interest and we are announcing to the world that this is what we are going to do as part of the Twelfth and Thirteenth Plan and if you want us to better it, if you want us to you have to reflect it internationally you have to support us both in terms of finance and technology. This is the second non-negotiable.

The third non-negotiable is: we comprehensively and categorically reject the notion of a peak India. We will, under no circumstances, accept any draft which suggests that India's emissions should peak by 2025, 2030, 2040, 2045. This is simply not on our agenda.

Sir, the fourth non-negotiable is this. Please bear with me. Sir, since there is a fine distinction involved here and this has caused much consternation amongst the Members of Parliament, I would like to respond to it as openly and transparently as I can. The fourth non-negotiable is: Why we accept international scrutiny of supported actions? We will not accept the same level of international scrutiny and the same type of international scrutiny for the unsupported actions. So, wherever the world supports us in terms of finance and technology, they can come and verify what we are doing. But, where you are not supporting us — the bulk of our actions will be unsupported actions — we will not subject these actions to international scrutiny. However, we are in an open system. We are in a democratic system. We are accountable to Parliament. What I have stated and what the Government of India's position is, we are prepared to submit to the UN Framework Convention on Climate Change a national communication, say, once in two years, which will have both the supported and unsupported actions for consideration of the UNFCCC. That is all we have said, Sir. There will be a scrutiny only when we are supported financially and technologically. But, for the unsupported actions, we are only going to submit a report — of course, we will come before Parliament with — to the UNCCC for consideration. Sir, please bear with me...

SHRI SITARAM YECHURY: But then, why submitting a report?

SHRI JAIRAM RAMESH: Please bear with me. We have nothing to hide. Our country has nothing to hide.

SHRIMATI BRINDA KARAT (West Bengal): Why do you want to submit a report?

SHRI JAIRAM RAMESH: Madam, can I please finish?

We have nothing to hide. All that we do is in the public domain. We have a National Action Plan on Climate Change. We have a Plan document. Everything is debated in Parliament. We come to Parliament and say that this is the extent to which our solar energy plan has gone. This is the extent to which our energy efficiency plan has been implemented. And whatever information we are putting in the public domain, we are going to give it to international consideration. What is wrong with this? I am not saying international scrutiny. International scrutiny means, international observers coming, asking questions, looking at...

SHRI S.S.AHLUWALIA: You don't require any observer.

SHRIMATI BRINDA KARAT: What is consideration? Please define what you mean by the word 'consideration.'

SHRI S.S. AHLUWALIA: Through big boss satellite they can observe everything. They do not need to send a man here.

SHRI JAIRAM RAMESH: Mr. Ahluwalia, please listen to me. These are not nuclear power plants we are talking about which need to protect. These things are all in open. We are not doing anything secretly.

SHRI SITARAM YECHURY: What is consideration?

SHRI JAIRAM RAMESH: Sir, consideration will be defined by the UNFCCC. This is all going to be based on the guidelines. What is our proposal? Our proposal is according to guidelines framed by the UNFCCC. This is our proposal. But, according to the guidelines of the UNFCCC, we will subject all the supported actions to international scrutiny. Unsupported actions will not invite international scrutiny but will be a part of our reporting to the UNFCCC. Sir, it cannot be any hon. Member of Parliament's case that what we have made public to Parliament cannot form a part of the document that we are going to submit to an international body. That is not the case.

SHRI SITARAM YECHURY: Actually, the point is...

SHRI JAIRAM RAMESH: Can I finish? Then, you can seek any clarification you want. You let me finish. I am trying to explain the whole thing.

MR. DEPUTY CHAIRMAN: It is not a debate; it is only clarifications.

SHRI SITARAM YECHURY: Sir, it is a very important subject.

MR. DEPUTY CHAIRMAN: I agree that it is important... (*Interruptions*)...

SHRI JAIRAM RAMESH: I am trying to come clean as much as I can. I am not trying to hide anything. I feel the transparency is the best way to strengthen one's negotiating position. I would like to reassure this House, categorically, that this proposal does not mean international monitoring, reporting and verification of our unsupported actions.

It does not mean that. I would like to reassure the Leader of Opposition and I would like to reassure my colleague who is coming to Copenhagen with me that this is not what it means. All that it means is, there will be a document which we will submit to the UN Framework Convention on Climate Change, which will be once in two or three years, whatever is decided, but will have a compendium of all our actions on climate change wherever the international community has supporters, financially and technologically, but will be verified. Everything else will be just there for information. And our accountability, ultimately, Sir, as I said in the Lok Sabha, is to Parliament and Parliament alone. In fact, Sir, if the hon. Leader of the Opposition could kindly re-read the letter I have sent him, my proposal is that we convert all our national appropriate mitigation actions to a nationally accountable mitigation outcome. You may read that letter. Mr. Javadekar will recall—I have spoken to him—that I would like, not NAMA, which is what the world is talking about, but NAMO. And, what is NAMO? NAMO is, to come to Parliament and tell Parliament every year that this is what we are doing in climate change. If I am not accountable to Parliament, whom am I going to be accountable to? Our primary and only accountability is to Parliament, not to any international organisation. So, please, be reassured. Now, this debate is taking place in the Government whether we should have a comprehensive legislation or whether we should have piecemeal legislation. Once this debate is settled, we will come back to Parliament, but I want to reassure and reiterate to the distinguished Leader of the Opposition that my accountability on all the actions on behalf of the Government of India is to Parliament, and what reports we put out to Parliament, we will make available to any international body. I do not say...

SHRI SITARAM YECHURY: Sir,...

SHRI JAIRAM RAMESH: May I finish? (*Interruptions*) Whatever reports that we come to the Parliament with will be in the public domain. (*Interruptions*)

MR. DEPUTY CHAIRMAN: What is this? You are extending the scope of Zero Hour. You are converting it into a debate. This is not correct. ...(*Interruptions*)...

SHRI JAIRAM RAMESH: Sir, please, can I finish?

Sir, the hon. Leader of the Opposition talked of reciprocity. It is true that our 20-25 per cent emission intensity cut offer by 2020 is a unilateral offer, not dependent on reciprocity. Now, why did we do this? I don't mind sharing this with you, Sir. Every major country in the world has a major offer on the table. We also have an offer on the table. But, under no circumstances, our

per capita emissions should exceed —I have taken your caution and not using the word ‘below’— the emissions of the developed world. That is our offer on the table. I believe, our emission intensity offer, which is a unilateral offer, which is a domestic offer, which is a non-legally binding offer, strengthens our negotiating position to demand greater cuts from the West. We have to negotiate...*(Interruptions)* May I finish, and then you can respond to what I said?

SHRI ARUN JAITLEY: Since you are on the issue, you might as well just clarify this. Quite to the contrary, it demolishes your negotiating position because the moment you say that my per capita emission will be lower than yours, this is my existing offer and I am now going to further lower it by 20-25 per cent, whether you reduce or not, it means that you completely destroy the per capita equity argument which we have conventionally taken.

SHRI JAIRAM RAMESH: I am afraid, the hon. Leader of the Opposition is profoundly mistaken on this. Let me say that the Chinese have offered a 40-45 per cent cut.

SHRIMATI BRINDA KARAT: Their emissions are so many more times...*(Interruptions)*...

SHRI JAIRAM RAMESH: Madam, we have gone through this in a Calling Attention Motion. We can have one more round of discussions on this. The Brazilians have offered a cut. The Indonesians have offered a cut. The Mexicans have offered a cut. It is true that last year we voluntarily offered our per capita emission constraint. That remains a constraint as far as we are concerned. We are not going to deviate from the per capita principle. I want to reassure the hon. Leader of the Opposition that the two pillars of our negotiating strategy remain the per capita convergence, ultimately, which is the only equity instrument that I have pointed out in my letter, and the historical responsibility. It is because of the historical responsibility that we will refuse to take legally-binding targets of any kind. The hon. Leader has asked what is flexibility. Sir, whatever we have done we are not going to be in a position to better whatever we have done unless there are substantial emission cuts made by the developed countries, unless there is a substantial financial package offered by the developed countries and unless there is a substantial liberalisation of technology flows by the developed countries. This we have made amply clear. I made this clear in my statement in the Lok Sabha as well that there is absolutely no doubt in our mind that any further movement on India's part is conditioned on three things, that is, a substantial improvement on emission cuts by the developed countries, a substantial financial package by the developed countries and a substantial liberalisation of technology flows by the developed countries. Sir, as far as the timing of the American Press release is concerned, I also got to know about it; I saw it later and I can assure this House that this was not done under any foreign pressure.



SHRIMATI BRINDA KARAT: Sir, ..(Interruptions)..

SHRI JAIRAM RAMESH: In fact, if Madam can bear with me, this exercise has been going on for the last couple of months. The Planning Commission, as a part of the Mid-Term Appraisal, has consulted a large number of independent bodies, individuals and think-tanks and the consensus view that emerged as part of the Mid-Term Appraisal was that without jeopardising our economic growth, without jeopardising our poverty alleviation and without jeopardising our electricity supply target to every household, we can take a 20 to 25 per cent cut in our emission intensity which means our emissions would still continue to grow, but our emission intensity would fall. I plead with the hon. House to give some time for this to work out and I can assure the House that if this emerges as a constraint we would be the first to re-look at it. But I am confident in my mind that emission intensity will not jeopardise the prospects. The hon. Leader of the CPM has rightly pointed that we are going to Copenhagen with the objective of not accepting any agreement that would put a constraint on expanding electricity supply to rural households, for livelihood security and for all the other economic objectives. Sir, as far as the point that my distinguished colleague who is opposing REDD is concerned, the REDD Proposal was made by Brazil and Indonesia who are contributing to deforestation and who wants financial incentives to stop deforestation. India took the lead for saying that okay if you are giving financial incentives for stopping deforestation, what about giving financial incentives for reforestation. That is our REDDplus proposal. It is not secret. It is in the public domain. I have sent you a copy of what our REDD plus proposal is. It is there in the letter that I have written to you, and I want to re-assure you that if there is any REDD Plus project in India which violates the Forest Rights Act, 2006, it is simply not acceptable. I want to tell you this categorically. In fact, I don't know whether you are aware that two months' ago from my Ministry we have issued a guideline that henceforth all clearances under the Forest Conservation Act ..(Interruptions)..

श्री रघुनन्दन शर्मा (मध्य प्रदेश) : जितनी सफाई दे रहे हैं, उतने फंसते जा रहे हैं..(व्यवधान)..

SHRI JAIRAM RAMESH: That all clearances under the Forests Conservation Act, 1980 will be given only after the Forest Rights Act, 2006 is fully implemented. In fact, this is one of the grounds in which we have issued a letter to the Orissa Government on the Niyamgiri project that the Forest Rights Act, 2006 is not implemented. ... (Interruptions)...

श्री रुद्रनारायण पाणि (उड़ीसा) : सर, ...(व्यवधान)... उड़ीसा में जो माइनिंग हो रही है...(व्यवधान)...उसके बारे में बोलिए..(व्यवधान)..जो माइनिंग हो रही है...(व्यवधान)...

श्री जयराम रमेश : बैठ जाइए...(व्यवधान)...

श्री उपसभापति : उसके बारे में आप नोटिस दीजिए..(व्यवधान)..

SHRI JAIRAM RAMESH: Sir, let me summarise. ..(Interruptions).. Let me summarise. ..(Interruptions).. Sir, our negotiating team is in Copenhagen. We have over ten Negotiators in Copenhagen. It is true that one or two Negotiators had some questions on my statements. I have

had a discussion with them. I have tried to convince them that there is no dilution of our stand and these two Negotiators are going to Copenhagen in a day or two. In closing, I want to re-assure this House that while stands do evolve over time in response to changing circumstances, there is a certain basic code which we are not violating. We are not violating the per capita principle. We are not going to transgress the historical responsibility...*(Interruptions)*. Actions speak louder than words.

SHRIMATI BRINDA KARAT: But, now, only words are speaking...*(Interruptions)*.

MR. DEPUTY CHAIRMAN: Now, we are converting it into another Calling Attention Motion, another debate. But, there is no further scope under Zero Hour, and only because there was an understanding...*(Interruptions)*.

SHRI JAIRAM RAMESH: Sir, I would suggest to the hon. Member to give a notice for Calling Attention Motion on 20th of December, and I will respond to my actions, and not to my words...*(Interruptions)*.

MR. DEPUTY CHAIRMAN: 20th December is Sunday.

SHRI JAIRAM RAMESH: Sir, I mean, on 21st December.

SHRI SITARAM YECHURY: Sir, I would suggest that instead of saying 'please submit them for their consideration to the United Nations', why don't you say, 'you submit them for information.'? Consideration has lot of other implications.

SHRI JAIRAM RAMESH: Yes, we will discuss it in flight.

SHRIMATI BRINDA KARAT: Sir, what is this? He is trivialising the issue.

SHRI JAIRAM RAMESH: Sir, I am not trivialising...*(Interruptions)*.

SHRIMATI BRINDA KARAT: He has not answered the question on international monitoring...*(Interruptions)*.

SHRI S.S. AHLUWALIA: Sir, he is responding to the questions raised by the Members of Parliament. And, now he is answering, "we will discuss it in flight". It is not a personal affair that they will discuss it in flight. Is he taking the whole House by flight? When he is answering it, he should answer it properly. He should address the Chair, and through the Chair, he should inform the House.

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. NARAYANASAMY): Sir, the Minister has replied to all the points.

SHRI JAIRAM RAMESH: Okay, I withdraw the statement. I am trying, but once in a while, टोका-टोकी चलती है। Sir, I am trying my best. I am prepared to come tomorrow. I am prepared to come day after tomorrow. I leave on Thursday, and before that, I am prepared to come to this House on as many occasions as you want to address the doubts that you have. I want to re-assure this House that there is simply no compromising on India's national interest. We have

a counter draft to the Danish Draft prepared by China, Brazil, South Africa and India. Ours is the BASIC draft. I was in Beijing. I went to Beijing myself. I contributed to the BASIC draft, and we are hoping that the BASIC draft will form the basis of our negotiations. Sir, I am as patriotic and as mindful of the national honour as any other hon. Member...*(Interruptions)*.

SHRIMATI BRINDA KARAT: Sir, he has not answered any of the basic questions ...*(Interruptions)*.

MR. DEPUTY CHAIRMAN: He has answered the questions.

SHRI ARUN JAITLEY: Sir, the basic doubt we have is that what we are getting from the developed countries. We don't have a single word on this. On the reciprocity principle, the reply merely says, "Yes, we believe in reciprocity." We have not got a single...*(Interruptions)*.

SHRI JAIRAM RAMESH: I am afraid, he has not heard it.

SHRI ARUN JAITLEY: The per capita principle has been completely negated, and we are completely dissatisfied with this reply.

SHRI JAIRAM RAMESH: I have answered every point that the Leader of the Opposition had raised.

SHRI ARUN JAITLEY: We are completely dissatisfied with the reply and we walk out.

*(At this stage, some hon. Members left the Chamber)*

SHRI JAIRAM RAMESH: That is pre-planned anyway.

SHRIMATI BRINDA KARAT: Sir, we completely disagree with this entire thing ...*(Interruptions)*.

*(At this stage, some hon. Members left the Chamber)*

MR. DEPUTY CHAIRMAN: Now, Shri Venkaiah Naiduji; not there. Shri Ali Anwar Ansari.

#### **Delay in payment of salaries to employees of United News of India**

**श्री अली अनवर अंसारी (बिहार)** : उपसभापति महोदय, United News of India (UNI), जो देश की प्रमुख समाचार एजेंसी है ...*(व्यवधान)*...

**श्री उपसभापति** : अली अनवर जी, आप बोलिए, आपका समय जा रहा है।

**श्री अली अनवर अंसारी** : महोदय, UNI, जो देश की प्रमुख समाचार एजेंसी है, उसके 800 कर्मचारियों को 4 महीने से वेतन नहीं मिला है। आप समझ सकते हैं कि इस महंगाई के जमाने में अगर एक महीना और आठ-दस दिन पगार में देर हो जाए, तो क्या हालत होती है। ये अल्प-वेतनभोगी कर्मचारी हैं, लेकिन चार महीने से इनको वेतन नहीं मिला है।

महोदय, आप जानते हैं कि 1961 में पंडित जवाहर लाल नेहरू जी ने इस एजेंसी की स्थापना की थी। यह एजेंसी बहुत कम पैसे में या नाम मात्र का शुल्क ले कर देश भर के तमाम अखबारों व गवर्नमेंट के संस्थानों को निष्पक्ष न्यूज़ उपलब्ध कराती है।

महोदय, केन्द्र सरकार ने DAVP की विज्ञापन दरों में इजाफा करके और दूसरे तरीकों से निजी लाभ के लिए चलाए जा रहे अखबारों को मंदी से उबारने के लिए करोड़ों रुपयों की मदद की है, लेकिन UNI, जो सहकारिता के सिद्धांत पर चलने वाली एक संस्था है, उसे सरकार मदद के रूप में एक कौड़ी भी नहीं दे रही है।

महोदय, श्री कुलदीप नैयर साहब की अध्यक्षता में गठित समिति ने 1971 में अपनी रिपोर्ट में समाचार एजेंसियों के सुचारु संचालन के लिए सरकार से उन्हें कानूनी संरक्षण एवं आर्थिक सहायता देने की सिफारिश की थी। 1992 में सरकार ने एक एजेंसी को 10 करोड़ रुपया दिया, लेकिन UNI जैसे संस्था को वह कुछ नहीं दे रही है।

महोदय, ये लोग सॉफ्ट लोन की मांग कर रहे हैं कि हमको सॉफ्ट लोन दीजिए, जिससे वे अपने यहां एक इमारत बनाएं। बीपी हाउस के बगल में उनका एक बहुत बड़ा भूखंड है, अगर वे वहां पर एक इमारत बना लें, तो उससे उनकी एजेंसी भी चलेगी और उनके कर्मचारियों को वेतन भी मिल सकेगा।

महोदय, जब हवाई जहाज के पायलेट्स का मामला होता है अथवा अन्य किसी का मामला होता है, तो सरकार उसमें संवेदनशीलता दिखलाती है। हम आपसे गुजारिश करना चाहते हैं कि ये अल्प-वेतनभोगी कर्मचारी हैं और भूखों मर रहे हैं। हाल ही में एक वरिष्ठ पत्रकार श्री कृष्ण पांडे जी को हार्ट अटैक हो गया था। उनकी दो-दो बच्चियां शादी करने लायक हैं। इस तरह से ये परिवार तबाह हो रहे हैं।  
..(समय की घंटी)

**श्री उपसभापति:** बस हो गया।

**श्री अली अनवर अंसारी:** महोदय, सरकार से हम कहेंगे कि आप डायरेक्शन दीजिए, ताकि इस संवेदनशील मामले को सुलझाया जा सके।

**श्री उपसभापति:** बस, आपका माइक बंद हो गया है।

**श्री रुद्रनारायण पाणि (उड़ीसा):** सर, मैं भी स्वयं को इस मामले से संबद्ध करता हूं।

#### **Demand for carving out Telangana State**

SHRI M. VENKAIAH NAIDU (Karnataka): Mr. Deputy Chairman, Sir, it is a serious issue. The State of Andhra Pradesh is on the boil. For the last fifteen days, all the educational institutions are closed. As per the media reports, more than twenty people are either dead or have committed suicide. One of the former Ministers, and, an ally of the ruling party, is on 'fast' for the last ten days. There is tension everywhere. There are attacks on public property. The entire situation is very tense. The Chief Minister of Andhra Pradesh and the Congress Party Chief there says that the issue is with the Central Government. Mr. Veerappa Moily, who is the in charge there, and, also a Cabinet Minister said openly, this issue rests with the State Government. I am not able to understand all this. On such a burning issue of Telangana, the Government of India needs to take a categorical stand. What is your stand? What do you want to do? Do you want the situation to continue? Do you want this tension to continue? Do you want the children to suffer? Do you want these regional feelings to flare up further? You do not have any solution. You mentioned it at the time of elections in 2004. You had an alliance with the TRS. The Presidential Address to the Joint Session of the Parliament also mentioned about

Telangana. You appointed the Pranab Mukherjee Committee. You also said, the entire decision is left to the leader of the Congress Party, and, subsequently, now, you are saying that you require time. Five years are over. I want to know from the ruling party, Sir, what is the stand of the Congress Party, and, what is the stand of the UPA Government vis-a-vis Telangana. You wanted to build a consensus. We said, we are willing to support you. We are there to extend a helping hand. I would suggest to the Government that if you have the political will, bring the Bill, we will support you. I don't think, anybody is opposing it now. There is a broad spectrum of political opinion, which is favouring division of Andhra Pradesh into two States. Still, the Government is delaying it. You are acting in such a manner which will increase the tension there in the State without offering any solution. Can you just keep quiet like this and allow people to take to the streets and, then, have this sort of situation in Andhra Pradesh. I do not know.

Sir, there are reports that all the Cabinet Ministers belonging to Telangana in the Congress Party said that they are for the Telangana. The Congress President said, we are for the State of Telangana. My colleague, Mr. Keshava Rao, former Congress President, who is sitting here, said that he is for Telangana. Then, who is opposing it. What is it that is delaying the matter? What is the reason? I am not able to understand it. Everybody is sympathetic. Five years are over, and, sixth year is also ending. And you want to spend some more precious time like this. What is the stand of the Ruling Party and the Government of India? I would like to know this. People are indulging in self-immolation. The Government of India so far has not uttered a single word. Many delegations have come here. The Leader of the Opposition in the Lok Sabha also declared it publicly and, as a major Opposition Party, we have categorically said that we are in favour of division of the State and we are ready to support the Resolution of Telangana. What is your stand? Are you trying to fool the people further? You did it in 1969; you did it in 1972; and you want to do it once again. What is it? I am not able to understand it. What is the stand of the Ruling Party? Why are they silent? There has to be some response. Please try to understand what is happening in Andhra Pradesh. *(Interruptions)*

**श्री प्रकाश जावडेकर (महाराष्ट्र):** सर, ...(व्यवधान)... हमने पाँच दिन पहले ...(व्यवधान)...

**श्री रुद्रनारायण पाणि (उड़ीसा):** सर, ...(व्यवधान)...

**श्री उपसभापति:** नहीं, नहीं, ...(व्यवधान)... हो गया ...(व्यवधान)...

**SHRI S.S. AHLUWALIA (Jharkhand):** Sir, we want a response from the Government.

**श्री उपसभापति:** ठीक है ...(व्यवधान)... आपने Zero Hour में mention किया, लेकिन...(व्यवधान)...

**SHRI M. VENKAIAH NAIDU:** Sir, they had an alliance with the TRS. ...*(Interruptions)*

**MR. DEPUTY CHAIRMAN:** I cannot influence the Government to give reply for a Zero Hour Mention. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Sir, my point is that in a normal situation we would not have raised it; we have not pressed for an answer. One Member of Parliament, a former Minister, is on fast and his health is deteriorating. ...*(Interruptions)*

MR. DEPUTY CHAIRMAN: That is correct. ...*(Interruptions)*... I hope the Government will take it up. ...*(Interruptions)*... Mr. R.C. Singh. ...*(Interruptions)*.. You have said that. The Government is listening. ...*(Interruptions)*

SHRI M. VENKAIAH NAIDU: Sir, the Government has to ...*(Interruptions)*

SHRI B.K. HARIPRASAD (Karnataka): Sir, they cannot force the Government to answer. ...*(Interruptions)*

MR. DEPUTY CHAIRMAN: I am not forcing it. *(Interruptions)* Nobody is forcing the Government. The only thing that I told Mr. Venkaiah Naidu is that the Government is listening. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Sir, who is listening?

MR. DEPUTY CHAIRMAN: The Government is sitting here. ...*(Interruptions)*

SHRI M. VENKAIAH NAIDU: Sir, the Minister of Parliamentary Affairs is also here. ...*(Interruptions)*

MR. DEPUTY CHAIRMAN: Not necessary. ...*(Interruptions)*... Two Cabinet Ministers are here. ...*(Interruptions)*

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI AMBIKA SONI): Sir, I will bring this issue before the Prime Minister and the Home Minister. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Sir, what did she say? ...*(Interruptions)*

MR. DEPUTY CHAIRMAN: She will bring this matter before the Prime Minister and the Home Minister. ...*(Interruptions)* Shri R.C. Singh. ...*(Interruptions)*

SHRI M. VENKAIAH NAIDU: I request the Chair to direct the Government to come back to the House. *(Interruptions)*

MR. DEPUTY CHAIRMAN: On Zero Hour Mention, I am afraid I will not be able to direct the Government, because I don't want to make new conventions. *(Interruptions)* The hon. Minister has responded. *(Interruptions)* She is going to take up this matter with the Prime Minister and the Home Minister. *(Interruptions)* That means the Government has taken note of your mention. *(Interruptions)* The Government has taken note of it and the hon. Minister has promised that this matter will be brought to the notice of the Prime Minister and the Home Minister. *(Interruptions)* आपने उठाया था ...*(व्यवधान)*... देखिए, इसका जवाब मैं नहीं दे सकता ...*(व्यवधान)*... I cannot give answer to all your questions. यह Zero Hour है, please don't spoil it *(Interruptions)* Please don't spoil it. *(Interruptions)* आप जाइए ...*(व्यवधान)*... देखिए, Zero Hour में यह नहीं होता ...*(व्यवधान)*... देखिए, hon. Members, ...*(व्यवधान)*... आप अपनी seats पर जाइए ...*(व्यवधान)*... अब आप अपनी seats पर जाइए ...*(व्यवधान)*... मैं खड़ा हूँ ...*(व्यवधान)*... I appeal to hon. Members.*(Interruptions)*

This Zero Hour is being appreciated all over the country. *(Interruptions)* Let us not spoil this. *(Interruptions)* The sensitivity is there. *(Interruptions)* We have discussed this. *(Interruptions)* Let us not create new conventions. *(Interruptions)* We have been maintaining in the Zero Hour that the Chair will not be able to direct the Government to do this or that. *(Interruptions)* There is no mention of the Zero Hour in the Rules. When there is no Zero Hour in the Rules, it is a convention. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Sir, you are steaming out. When people are ....*(Interruptions)*

MR. DEPUTY CHAIRMAN: You have rightly used the word. But the question is.. *(Interruptions)* Please don't disturb. *(Interruptions)* I fully agree with the sensitivity of the matter. The hon. Minister has responded. Let us leave it at that. Then in whatever manner you want to raise it under the Rules, you give a notice, the Chair will consider this. ...*(Interruptions)*

SHRI M. VENKAIAH NAIDU: Postpone this burning issue.. *(Interruptions)*..

MR. DEPUTY CHAIRMAN: No. I told you.. *(Interruptions)*.. Please. ...*(Interruptions)*

SHRI M. VENKAIAH NAIDU: Sir, I know the position of the Chair. It is

not an argument with the Chair. *(Interruptions)*

MR. DEPUTY CHAIRMAN: I am not saying that you are arguing with me. The Government has taken note of the sensitivity. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: What is the response of the Government? ...*(Interruptions)*

SHRI S.S. AHLUWALIA: We want a statement of the Home Minister on Telangana issue, as to what is happening there. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Your voice is being heard. Give some time to the Government. *(Interruptions)*

SHRI M. VENKAIAH NAIDU: Who will be held responsible for the consequences? *(Interruptions)*

MR. DEPUTY CHAIRMAN: Mr. Venkaiah Naidu, you are a senior Member. You have mentioned it. *(Interruptions)*

SHRIMATI AMBIKA SONI: Sir, realising the gravity of the situation and the emotions expressed rightly by the hon. Members of the House, I made a *suo-motu* assurance that I would bring this matter to the notice of the Home Minister and the Prime Minister. If a further discussion is needed, surely, Zero Hour is not the only forum.

**Looting of money from labourers by motorcycle gangs in Ludhiana,**

**Punjab**

SHRI R.C. SINGH (West Bengal): Sir, it is the most important issue which I am going to raise about the incident of looting of money from the labourers by the motorcycle gang and creating serious situation in Ludhiana, Punjab. This is one more incident of how poor labourers and workers in the country are being looted by powerful men like gangs, etc. The poor labourers from Uttar Pradesh and Bihar, who are working in various industrial units in Ludhiana, are being attacked and robbed during the last few months methodically by motorcycle gangs of their earning during the first week of every month. The workers have been making complaints of such incidents to Punjab police. But, unfortunately, no action has been taken against the culprits by Punjab police. When the workers went to police station to report another incident of looting on Thursday night, the police shooed them. So, the labourers have come out from their *jhonpries* and protested peacefully on G.T. Road. The trouble broke out when police resorted to lathicharge on the unarmed peaceful labourers and instigated the local youth against the protesters. The local youth attacked the workers with swords, axes, rods, baseball bats and with other sharp-edged weapons. The poor labourers who did not have anything to protect themselves had to run helter-skelter for safety. Taking advantage of this, the police have beaten up the workers and fired in the air. In the incident, many labourers have suffered serious injuries and some of them are in very critical condition.

So, I demand that the Government of India immediately send a Central Team to Punjab to take stock of the situation, and direct the Government of Punjab to see that the poor labourers are protected against the atrocities committed on them by motorcycle gangsters, police and others. I also demand that Rs.2 lakhs be paid to every injured worker immediately and the Government should bear all the expenditure for their hospitalisation. ...*(Interruptions)*

SHRI A. VIJAYARAGHAVAN (Kerala): Sir, it is a very serious issue.

MR. DEPUTY CHAIRMAN: Please wait. *(Interruptions)* Let him complete. ...*(Interruptions)*

SHRI R.C. SINGH: And ensure normal conditions and social securities to the innocent workers and their families. *(Interruptions)*

**श्री अली अनवर अंसारी (बिहार) :** महोदय, मैं इस विषय के साथ अपने आपको सम्बद्ध करता हूँ।

SHRI M.P. ACHUTHAN (Kerala): Sir, I also associate myself with the submission made by Shri Singh.

**श्री मंगल किसन (उड़ीसा) :** महोदय, मैं इस विषय के साथ अपने आपको सम्बद्ध करता हूँ।

**श्री वीरेन्द्र भाटिया (उत्तर प्रदेश) :** महोदय, मैं इस विषय के साथ अपने आपको सम्बद्ध करता हूँ।

**श्री बृजभूषण तिवारी (उत्तर प्रदेश) :** महोदय, मैं इस विषय के साथ अपने आपको सम्बद्ध करता हूँ।



श्री महमूद ए. मदनी (उत्तर प्रदेश) : महोदय, मैं इस विषय के साथ अपने आपको सम्बद्ध करता हूँ।  
..(व्यवधान)

† [جناب محمود اے۔ مدنی (اتر پردیش): مہودے، میں اس وشنے کے ساتھ اپنے آپ کو سمبڈھ کرتا ہوں۔۔(مداخلت)۔۔]

MR. DEPUTY CHAIRMAN: Shri Rajniti Prasad. (Interruptions) You associate. (Interruptions) I have called the name of the Member who has given his name. (Interruptions).

श्री राजनीति प्रसाद (बिहार): क्या आप लोग मुझे बोलने नहीं देंगे? ..(व्यवधान)

श्री उपसभापति : बोलिए, आपका एक मिनट का समय है। ..(व्यवधान)

श्री राजनीति प्रसाद : सर, एक मिनट क्या? मेरा तो तीन मिनट का समय है।

श्री उपसभापति : नहीं, आपका समय तीन मिनट नहीं है। आपका समय associate करने के लिए है, प्लीज। ..(व्यवधान).. देखिए आप बोलिए ..(व्यवधान)

श्री राजनीति प्रसाद : सर, आप ..(व्यवधान)

श्री उपसभापति : देखिए, जरा सुनिए, प्लीज आप argue मत कीजिए। ..(व्यवधान)

श्री राजनीति प्रसाद : सर, अगर आप नहीं बोलने देंगे ..(व्यवधान) .. लेकिन आप नियम मत ..(व्यवधान) .. मुझे बोलने दीजिए। ..(व्यवधान)

MR. DEPUTY CHAIRMAN: I have called your name. (Interruptions) But, the rule of the association on the same subject, if there are 2-3 notices, is that one Member will be allowed to speak, and others will associate. I don't mind giving you one or two minutes. But, don't demand it as a right that you will get three minutes.

श्री राजनीति प्रसाद : सर, पिछले दिनों पंजाब से एक न्यूज आई और अखबार में भी न्यूज आई कि वहां बिहारियों पर बहुत कहर बरसाया जा रहा है। सर, यह महाराष्ट्र में भी हो रहा है, इस बारे में मध्य प्रदेश में भी झंझट हुआ और दिल्ली में भी थोड़ा झंझट हुआ।

सर, सिखों के दसवें गुरु बिहार से हैं, बिहार में ही पैदा हुए थे, हम लोग भी उनके वहां पर जाकर माथा टेकते हैं। सर, यह जो कहर बरसाया जा रहा है, इस पर इन्होंने क्या लिखा है, मैं उसे एक मिनट में पढ़ देना चाहता हूँ।

श्री उपसभापति : आपका एक मिनट हो गया है।

SHRI RAJNITI PRASAD: The Sikh organizations had launched a movement last year against the migrants describing them as 'population bomb'. वे कह रहे हैं कि 10% उनकी आबादी आ गई है। सर, बिहार के लोगों ने पंजाब को ग्रीन हाऊस कर दिया, तो यह पापुलेशन बम कैसे हुए? दूसरा वे कहते हैं कि Continuous entry of migrant labour was disturbing the demography of the State. सर, मैं एक निवेदन करना चाहता हूँ कि क्या हम लोग हिन्दुस्तान का संविधान बदलने वाले हैं? हम लोग संविधान बदलने वाले नहीं हैं। बिहारी मजदूर, पंजाब के मजदूर कहीं भी, पंजाब में, महाराष्ट्र में सभी जगह जा सकते हैं, तो क्या यह जरूरी है कि आप हमारे बिहारी लोगों को पिन प्वाइंट करके मारने और भगाने का काम करें? सर, यह बहुत सीरियस मैटर है और इस सीरियस मैटर पर हम सभी लोगों को पार्लियामेंट में साथ होना चाहिए। इतना ही नहीं, बल्कि सरकार को, यहां पर जो कन्सर्ड मिनिस्टर हैं, इसका जवाब भी देना चाहिए।

† [ ] Transliteration in Urdu Script.

**श्री उपसभापति :** आप बैठिए। आपका टाइम हो गया है।

**श्री राजनीति प्रसाद :** सर, मैं चाहता हूँ कि मिनिस्टर साहब यहां पर आकर इसके बारे में जवाब दें। सर, यह कानून और व्यवस्था का मामला है। वहां जो थानेदार हैं, वे हमारे माइग्रेंट लेबरर्स की शिकायत को नहीं सुनते हैं। क्या यह कानून का मामला नहीं है?

MR. DEPUTY CHAIRMAN: Shri S.S. Ahluwalia to associate.

**श्री तारिक अनवर (महाराष्ट्र) :** उपसभापति महोदय, ...

**श्री उपसभापति :** आप भी associate कर रहे हैं।

**श्री एस0एस0 अहलुवालिया (झारखंड) :** उपसभापति महोदय, इत्तेफाक से मैं सिख भी हूँ और बिहार तथा झारखंड का वासी भी हूँ। मानस की जात, एक ही पहचानबो, गुरु गोबिंद सिंह जी का यह मैसेज लेकर लोग पंजाब में फलते-फूलते हैं और वहां कारखाने पंजाबियों के हो सकते हैं, खेत-खलिहान भी पंजाबियों के हो सकते हैं, किन्तु बिना बिहार, झारखंड और उत्तर प्रदेश के मजदूरों के और उनके हाथों की ताकत के न तो वहां फसल हो सकती है, न वहां की इंडस्ट्री चल सकती है। परन्तु, उनके साथ अन्याय हो रहा है और ये छीना-झपटी करने वाले, छोटे-मोटे लुटेरे उनको लूटते और पीटते हैं। वे बड़ी मुसीबत से वहां रहते हैं और ये मजदूर अपनी सुरक्षा की व्यवस्था पूरी तरह से नहीं कर सकते। जिस दिन उनको तनखाह मिलती है, ये छीना-झपटी करने वाले उस दिन उनसे पैसे छीन लेते हैं, दबाव देकर पैसे खींचकर ले जाते हैं। कोई अफीम खाने वाला है, कोई शराब पीने वाला है, तरह-तरह के व्यसन करने वाले लोग छीना-झपटी कर रहे हैं और उन पर अगर पंजाब की सरकार, पंजाब की पुलिस रोक नहीं लगाती है तो यह दुर्भाग्यजनक है। वहां पर हमारे ये लोग, जो खेतों में फसल उगा रहे हैं, कारखानों में उत्पादन कर रहे हैं, इनकी हर तरह की सुरक्षा की व्यवस्था की जिम्मेदारी पंजाब सरकार को लेनी चाहिए और केन्द्र सरकार को चाहिए कि उनको अगर किसी मदद की जरूरत है, तो उस मदद को करके इनकी सुरक्षा की पूरी व्यवस्था की जाए।

SHRI A. VIJAYARAGHAVAN: No, no. It is important... (*Interruptions*)...

MR. DEPUTY CHAIRMAN: I cannot allow you. You have not given a notice... (*Interruptions*)...

SHRI A. VIJAYARAGHAVAN: One second, Sir. It is a very serious matter.

MR. DEPUTY CHAIRMAN: It is a serious matter. That is why I allowed... (*Interruptions*)...

SHRI A. VIJAYARAGHAVAN: Action should be taken and an assurance should be given that such acts will not be repeated in future... (*Interruptions*)... It should not be repeated.

MR. DEPUTY CHAIRMAN: Dr. V. Maitreyan.

#### **Delhi High Court Judgement for reversal of cut off date for 2G Spectrum**

DR. V. MAITREYAN (Tamil Nadu): Thank you, Mr. Deputy Chairman, Sir. Last Friday, on 4th December, 2009, the hon. Prime Minister happily informed the nation about the auction of 3G Spectrum and said that his Government has decided that 3G Spectrum will be allocated at market determined prices, not at administered prices. On the very same day, the Pioneer

1.00 P.M.

Newspaper carried the headline news about the nontransparent behaviour of the Union Telecom Minister on the 2G Spectrum. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: This is on the court's decision. Please confine yourself to the court decision.

DR. V. MAITREYAN: I am on that only.

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND THE MINISTER OF STATE OF THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. NARAYANASAMY): The Minister's name should not be brought...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I have already said that.

DR. V. MAITREYAN: I am not mentioning the names, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I have already said that. ...*(Interruptions)*... I have got him cautioned. ...*(Interruptions)*...

DR. V. MAITREYAN: On 1st November, 2007, the then Union Law Minister, on whose legal acumen I have great regard, in his Ministerial notings, observed that in view of the importance of the 2G Spectrum allocation and various options indicated in the statement of the case, he said, it is necessary that the whole issue is first considered by an empowered Group of Ministers. On 2nd November, 2007, the Telecom Minister wrote to the Prime Minister that notwithstanding the Law Minister's objection, he decided to continue with the first controversial policy of 'first come, first served' basis for allocation of Spectrum. On that very same day, after receiving the letter, the Prime Minister wrote to the Telecom Minister, drawing the attention to the issues raised in the media on this Spectrum allocation and stressed on the need to ensure fairness and transparency. In the letter, the Prime Minister insisted that he should be kept informed before any further action is taken in this regard. The crux of the matter is the revision of the cut-off date for granting UYSM. The Telecom Ministry fixed '1st October, 2007' as the deadline to receive applications. Accordingly, a Press note, dated 24th September, 2007, was issued. Up to 1st October, 2007, a total of 575 applications were received; 232, up to 25th of September, and 343, afterwards, before 1st October. Suddenly, in a Press-release, dated 10th January, 2008, the Telecom Ministry announced that applications received up to 25th September alone will be considered. The reversal of cut-off date from 1st October, 2007 to 25th September, 2007 was contested in the Delhi High Court, and a single Judge Order of 1st July, 2009 and now a two-bench Order, dated 24th November of the Delhi High Court, headed by the Chief Justice of Delhi High Court, quashed the reversal of the cut-off date. The Court observed that there cannot be a change in the rule after the game has begun. In his affidavit before the Court, the Union Telecom Minister concealed.....*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please conclude. ...*(Interruptions)*...

DR. V. MAITREYAN: Sir, I have to make it. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I am only cautioning you.

DR. V. MAITREYAN: Sir, you have allowed everybody else on this important issue. This precedent... ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: These precedents, again, cannot be quoted.

DR. V. MAITREYAN: But everybody has violated this, Sir. ...*(Interruptions)*... In his affidavit before the Court, the Union Telecom Minister concealed the Prime Minister's letter, asking him to keep the process in abeyance! The Telecom Ministry only produced the Telecom Minister's letter to the Prime Minister, but it concealed the Prime Minister's reply to the Telecom Minister... ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Your time is over. ...*(Interruptions)*...

SHRI V. NARAYANASAMY: Sir, he cannot mention it. ...*(Interruptions)*...

DR. V. MAITREYAN: It is not *sub judice*. ...*(Interruptions)*... It is not *sub judice*. ...*(Interruptions)*... What is this, Sir? ...*(Interruptions)*... The time has been given.. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He cannot take the names of the Ministers. ...*(Interruptions)*... He cannot take the names ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, he should not speak on the Prime Minister's letter. ...*(Interruptions)*... He should speak on the judgment, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He is to only confine himself to the judgment of the High Court. ...*(Interruptions)*...

DR. V. MAITREYAN: In the affidavit ...*(Interruptions)*... When I saw the judgment, I have to talk about it, Sir. ...*(Interruptions)*... Because the affidavit.....

MR. DEPUTY CHAIRMAN: Mr. Maitreyan, please hear me. ...*(Interruptions)*... I would not like to remind the hon. Member again and again. ...*(Interruptions)*... Sometimes, it happens. ...*(Interruptions)*... If, on every issue, you want to break the rules, that is not proper; I cannot allow that. ...*(Interruptions)*...

DR. V. MAITREYAN: Now that the Delhi High Court has quashed... ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is over. ...*(Interruptions)*... That is over.

DR. V. MAITREYAN: I will finish it in one minute, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: It is meant for everybody in the Zero Hour.

DR. V. MAITREYAN: Now that the Delhi High Court has quashed the reversal of the cut-off date ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please sit down. I have to stop it. ...*(Interruptions)*... The next one is Shri Amar Singh. ...*(Interruptions)*... Shri Amar Singh. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*... I appeal to the hon. Members...*(Interruptions)*... I appeal to the hon. Members, please don't break the rules of Zero Hour. We are following it properly, and it has been doing faithfully.....*(Interruptions)*... The moment, on this subject or on that subject, if some precedent is there ...*(Interruptions)*... if it is there, ...*(Interruptions)*...

SHRIMATI BRINDA KARAT (West Bengal): Sir, I have to make only one request.

MR. DEPUTY CHAIRMAN: No, this is not possible. ...*(Interruptions)*... I humbly appeal to the hon. Member, please respect the Zero Hour; it is in your own interest. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD (Bihar): Sir, kindly allow me to speak. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is all right. We have discussed. ...*(Interruptions)*... We have discussed it, Mr. Ravi Shankar Prasad. ...*(Interruptions)*... Several times, we have discussed. ...*(Interruptions)*... Every time, it d[oes] not matter. ...*(Interruptions)*... I appeal to you, please do not do it. ...*(Interruptions)*... Please do not do it; otherwise we will not be able to accept Zero Hour. ...*(Interruptions)*... Shri Amar Singh. ...*(Interruptions)*... Shri Amar Singh. ...*(Interruptions)*...

SHRIMATI BRINDA KARAT: Sir, only one request I want to make.

MR. DEPUTY CHAIRMAN: No, no; I have no objection to your raising according to rules. Give a notice and we will discuss it again and again. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Sir, please allow me to associate.

MR. DEPUTY CHAIRMAN: You also please associate yourself with that. ...*(Interruptions)*... You have associated. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Only one minute.

MR. DEPUTY CHAIRMAN: No, no, no. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I can't allow. *(Interruptions)*... Please....*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: \*

MR. DEPUTY CHAIRMAN: That is all right. *(Interruptions)*... Please. Mr. Amar Singh. *(Interruptions)*... Don't worry. *(Interruptions)*... Please. *(Interruptions)*... Nobody is allowed. Nothing is going on record. *(Interruptions)*... Nothing is going on record. *(Interruptions)*... Shri Amar Singh. *(Interruptions)*... I will give you four minutes. *(Interruptions)*...

SHRI V. NARAYANASAMY: Sir, ...*(Interruptions)*...

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\* Not recorded.

MR. DEPUTY CHAIRMAN: Mr. Narayanasamy, I have not allowed. *(Interruptions)*... Why are you making this? *(Interruptions)*... Please. I have not allowed. *(Interruptions)*... Please. Mr. Amar Singh. *(Interruptions)*.. Please. Mr. Amar Singh. *(Interruptions)*...

SHRI M. VENKAIAH NAIDU: \*

DR. V. MAITREYAN: \*

SHRI V. NARAYANASAMY: Sir, I would like to say ... *(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, Mr. Narayanasamy. Please. ...*(Interruptions)*...

SHRI V. NARAYANASAMY: Sir, we have to respond. *(Interruptions)*... We have right to respond. *(Interruptions)*...

MR. DEPUTY CHAIRMAN: He is Minister of State for Parliamentary Affairs. *(Interruptions)*... I can't help. *(Interruptions)*... If Members are not following the rule, I will not be able to do anything. *(Interruptions)*... Nothing will go on record. *(Interruptions)*... Nothing will go on record. *(Interruptions)*...

DR. V. MAITREYAN: \*

MR. DEPUTY CHAIRMAN: Nothing will go on record. *(Interruptions)*... I can't help. *(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: \*

MR. DEPUTY CHAIRMAN: If Members want to break the rules, I have no objection. *(Interruptions)*...

SHRI V. NARAYANASAMY: Sir, kindly bear with me. Mr. Jairam Ramesh, the hon. Minister, has responded. When the telecom issue was raised, the hon. Minister responded. *(Interruptions)*...

MR. DEPUTY CHAIRMAN: That is why I was about to tell you, Mr. Narayanasamy, that at any point of time the Minister can intervene and I can't prevent also. *(Interruptions)*... Please. *(Interruptions)*... He is not responding. *(Interruptions)*... Nothing will go on record. *(Interruptions)*...

DR. V. MAITREYAN: \*

MR. DEPUTY CHAIRMAN: Nothing will go on record. *(Interruptions)*... I can't allow. *(Interruptions)*... Nothing is going on record.

SHRI TIRUCHI SIVA: \*

MR. DEPUTY CHAIRMAN: Nothing is going on record. Mr. Siva, nothing is going on record. *(Interruptions)*...

SHRI TIRUCHI SIVA: \*

MR. DEPUTY CHAIRMAN: Both of you quarrel. *(Interruptions)*... Nothing is going on record. *(Interruptions)*... What can I do? *(Interruptions)*...

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\* Not recorded.

SHRI S. S. AHLUWALIA: \*

MR. DEPUTY CHAIRMAN: Nothing is going on record. (*Interruptions*)... What can I do? That is all I can do. (*Interruptions*).. Please. Now, Mr. Amar Singh.

#### Misuse of Government agencies for political purposes

**श्री अमर सिंह** (उत्तर प्रदेश) : सर, मैं बहुत आदर और विनम्रता के साथ कुछ तथ्य सामने लाना चाहता हूँ। वह तथ्य बिल्कुल पारदर्शी है और सत्य से परिपूर्ण है। पिछले दिनों अखबारों में एक खबर छपी। उस खबर में यह प्रकाशित हुआ कि स्वर्गीय सुनील दत्त के सुपुत्र संजय दत्त, जो आज कल हमारे दल में हैं और हमारे दल के राष्ट्रीय महासचिव हैं, सीबीआई ने फिर से मुकदमा चलाने की मांग की है। जिस टांडा के मुकदमे में उनको मुक्ति दे दी गई थी, दो साल बीत जाने के बाद, टाइम बार होने के बाद सीबीआई ने उनके ऊपर फिर से मुकदमा चलाने की मांग की है। उसके बाद कानून मंत्रालय द्वारा सीबीआई के इस मांग को अटॉरनी जनरल के पास भेजा गया। अटॉरनी जनरल देश का सबसे बड़ा लॉ आफिसर होता है। अटॉरनी जनरल ने एक स्पष्ट राय दी कि इसका टाइम बार हो चुका है, इस मामले में सिर्फ अटॉरनी जनरल ने ही नहीं, अटॉरनी जनरल से पहले सोलीसिटर जनरल ने भी न सिर्फ संजय दत्त के पक्ष में राय दी, बल्कि अदालत में जाकर संजय दत्त के पक्ष में बहस की। उनमें आज एक गुणात्मक अंतर आ गया है, जिस समय सोलीसिटर जनरल ने संजय दत्त के पक्ष में बयान दिया और अदालत में उनके पक्ष में बहस की, उस समय संजय दत्त समाजवादी पार्टी के राष्ट्रीय महासचिव नहीं थे। जैसे ही वह समाजवादी पार्टी के राष्ट्रीय महासचिव हो गए, तो सोलीसिटर जनरल की ओपीनियन, अटॉरनी जनरल की ओपीनियन बदल गई और टाइम बार होने के बाद भी संजय दत्त के मामले को फिर से खोलने की कोशिश हो रही है। सर, मैं यह कहना चाहता हूँ कि मैं कोई आरोप नहीं लगा रहा हूँ। हमारे प्रगतिशील वामपंथी साथियों ने साढ़े चार साल तक यूपीए-लेफ्ट कमेटी चलाई और सरकार चलाई। और यह उनकी गुणवत्ता है, उनका निर्णय है कि उन्होंने सरकार चलाई। उस समय तो कॉमरेड विजयन का मामला प्रकाशित नहीं हुआ, लेकिन जैसे ही उन्होंने सरकार छोड़ दी, कॉमरेड विजयन का मामला प्रकाशित हो गया। सर, जैसा ....(व्यवधान)....

**श्री उपसभापति** : आपका वक्त खत्म हो रहा है, आप घड़ी की तरफ भी देखिए।

**श्री अमर सिंह** : हां, मैं घड़ी देख रहा हूँ। महोदय, मैं सिर्फ इतना ही कहना चाहता हूँ कि selective use of CBI नहीं होना चाहिए। हमारे नेता मुलायम सिंह यादव के मामले में एटॉर्नी जनरल ने उनके पक्ष में निर्णय दिया है। अगर मुलायम सिंह के पक्ष में निर्णय दिया है, तो मुलायम सिंह को भी छोड़ देना चाहिए। मैं तो स्वागत करता हूँ कि क्वात्रोची को आपने छोड़ दिया, क्योंकि सॉलिसिटर जनरल ने क्वात्रोची के पक्ष में निर्णय दिया है। जब क्वात्रोची को सॉलिसिटर जनरल के कहने से छोड़ दिया, तो मुलायम सिंह को एटॉर्नी जनरल के कहने से छोड़ दीजिए, संजय दत्त को एटॉर्नी जनरल के कहने से छोड़ दीजिए। संजय दत्त और मुलायम सिंह दोषी हैं ...**(समय की घंटी)**... क्योंकि साथ नहीं हैं, लेकिन क्वात्रोची को ..**(समय की घंटी)**.. सॉलिसिटर जनरल के कहने से छोड़ दिया जाएगा और एटॉर्नी जनरल के कहने से भी ....**(व्यवधान)**... यह जो सी.बी.आई. है, जो सेंट्रल ब्यूरो ऑफ इन्वेस्टिगेशन है, यह कांग्रेस ब्यूरो ऑफ इन्वेस्टिगेशन है।

**श्री वीरेन्द्र भाटिया** (उत्तर प्रदेश) : सर, मैं इस विषय से एसोसिएट करता हूँ।

**श्री बृजभूषण तिवारी** (उत्तर प्रदेश) : महोदय, मैं भी स्वयं को इस विषय से सम्बद्ध करता हूँ।

**श्री राम नारायण साहू** (उत्तर प्रदेश) : महोदय, मैं भी इस विषय से एसोसिएट करता हूँ।

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\* Not recorded.

### **Allotment of C.G.H.S. Flats in Dwarka, Delhi**

SHRI SYED AZEEZ PASHA (Andhra Pradesh): Mr. Deputy Chairman, Sir, I am raising an issue of allotment of flats in Dwarka, Delhi, which is pending for long.

Sir, this to inform you that there is severe scarcity of residential houses in Delhi. Around 10,000 CGHS flats built in 2005 are still vacant/unoccupied in Dwarka, Delhi. These flats are getting damaged day by day. Several fixtures have been stolen. Even important implements in electric lifts have also been stolen. Hence this will definitely add burden on the exchequer. Sir, despite the Delhi High Court judgement dated 25.8.2008, issuing guidelines and a timeframe for allotment/draw of lot to those 57 societies which had undergone CBI investigations — the timeframe given by the hon. High Court ended in February 2009 — unfortunately, nothing has been done so far. Out of the 57 societies, none of the society has been allotted flats despite the fact that most of these societies have already submitted the requisite documents for draw of lot to the Office of the Registrar of Cooperative Societies, Delhi soon after the Delhi High Court judgement dated 25.8.2008.

More than 60 to 70 per cent of the members awaiting allotment are senior citizens, retired Government officers, war widows, exservicemen and women members who had paid full money, four to five years back, towards the cost of construction of flats from their life time saving/hard earned money and by securing home loans from the banks. Apart from paying EMIs to banks for repaying their home loans and house rent for their rented accommodation, these suffering members have to shell out monthly maintenance charges for their build up flats from 2005 onwards. Several times, this issue was raised in the House and various forums outside the House. I met the hon. Lt. Governor along with the beneficiaries, not once but twice. Even though the hon. Lt. Governor expressed very serious concerns and gave concrete directions, but till now there seems to be no concrete result. When we saw the things not moving properly, we sought the intervention of Shrimati Sonia Gandhi, the UPA Chairperson who was kind enough to immediately call a meeting of the hon. Minister of Urban Development, along with the Lt. Governor and the Chief Minister of Delhi. In spite of the high level meeting, the issue is still pending. Hence this unwarranted delay is causing unnecessary anxiety and agony in the minds of thousands of families whose sufferings and miseries are increasing with every passing day.

Therefore, I insist upon the Government to immediately allot the flats to these suffering members. Thank you.

### **Deaths due to Swine Flu in Rajasthan**

**श्री ललित किशोर चतुर्वेदी (राजस्थान) :** माननीय उपसभापति महोदय, मैं एक बहुत संवेदनशील मामले की ओर आपका ध्यान आकर्षित करना चाहता हूँ। राजस्थान में जो स्वाइन फ्लू है, वह काबू से बाहर हो गया है। पिछले नवंबर से, जब से यह शुरू हुआ है, इतनी बड़ी संख्या में मौतें हो रही हैं। स्थिति यह हो गई है कि कल राजस्थान में 6 मौतें हो गईं। पिछले कुछ समय में 28 मौतें हो गई हैं। जयपुर में 12 मौतें हो गई हैं और 755 केस जयपुर में पॉजिटिव पाए गए हैं। 1,860 लोग इसकी चपेट में आ गए हैं। मैं कहना चाहता हूँ कि आखिर किस परिमाण में स्वाइन फ्लू का प्रसार राजस्थान की धरती पर हो रहा है। हालत यह हो गयी है कि सरकार



ने आदेश दे दिए हैं, एक महीने से स्कूल बंद हैं, बच्चों की पढ़ाई नहीं हो रही है। सीनियर स्कूल्स में बच्चों की परीक्षा का क्या होगा, कुछ पता नहीं है। हालत यह हो गयी है कि प्राइवेट डॉक्टर्स, जो इलाज कर रहे हैं, वे उनका शोषण कर रहे हैं और गवर्नमेंट डॉक्टर्स की हालत यह है कि चिकित्सकों के दो केसेज हो गए हैं, वे मैदान छोड़कर भाग गए, अस्पताल में मिलते नहीं हैं। उनको डर लगने लग गया है कि कहीं उनको भी फ्लू न हो जाए। मैं आपके माध्यम से कहना चाहता हूँ कि जो स्थिति वहां बन गयी है, उसके बाद वहां क्या हालत हो गयी है। असेंबली पर रोक लग गयी है, लोग वहां इकट्ठे नहीं हो सकते। बात भी सही है। संक्रामक रोग एक-दूसरे से फैलता है। लेकिन मैं आपके मार्फत कहना चाहता हूँ कि थोड़े समय पहले एक बड़े युवा नेता, मैं उनका नाम नहीं लेना चाहता, राजस्थान की धरती पर गए। वहां पर हजार-दो हजार लोग इकट्ठे हुए, सामूहिक डिसकशंस हुए। इस प्रकार से सरकारी आदेशों की धज्जियां उड़ रही हैं। असेंबली न होने का कारण दिया जा रहा है, लेकिन असेंबली हो रही है। मैं आपके माध्यम से कहना चाहता हूँ कि चिकित्सकों की एक कमेटी बनी थी। उसने रिपोर्ट दी है कि शायदियों के कारण भी फ्लू फैल रहा है। अब शायदियां नहीं होंगी तो क्या होगा? 12 तारीख लास्ट डेट है। उसके बाद बड़ा भारी प्रतिबंध है। मैं आपके माध्यम से कहना चाहता हूँ कि यह विषय इतना गंभीर हो गया है कि अब केन्द्र सरकार को इसके बीच में आना चाहिए। Epidemics Act लागू किया जाए। इसकी चर्चा चलती है लेकिन कुछ होता नहीं है। अगर चालू हो गया तो सरकार पर जिम्मेदारी होगी। डॉक्टर्स conscious होंगे, लोगों का इलाज चलेगा। कल ही की एक घटना आपको बताना चाहता हूँ। हमारे सीनियर एमएलए, वह मंत्री रह चुके हैं, उनके साढ़ू के लड़के को उदयपुर में फ्लू हुआ, लेकिन उसे देखने के लिए कोई तैयार नहीं था इसलिए उन्हें उसे लेकर अहमदाबाद जाना पड़ा। वहां पहुंचते-पहुंचते उसकी मृत्यु हो गयी। मैं आपसे कहना चाहता हूँ ..(व्यवधान)..

**श्री नरेन्द्र बुढानिया (राजस्थान) :** सर, यह बिल्कुल गलत सूचना है। राजस्थान सरकार इसके प्रति पूरी तरह से सजग है।..(व्यवधान)..

**श्री उपसभापति :** आप उनको कहने दीजिए।

**श्री ललित किशोर चतुर्वेदी :** सर, मैं आपके मार्फत कहना चाह रहा हूँ..(व्यवधान).. सर, मेरा समय लिया जा रहा है।..(व्यवधान).. मैं कहना चाहता हूँ कि राजस्थान सरकार को चेताएं, कम से कम intervene करें, यहां से चिकित्सक भेजें क्योंकि वहां पर सरकारी अस्पताल से चिकित्सक भाग रहे हैं, वे फेस नहीं करना चाहते। ऐसी स्थिति में Epidemics Act लागू किया जाए। निश्चित रूप से उसकी कल्पना की जाए, वहां पर लोगों को राहत दी जाए और ऐसे काम किए जाएं ताकि उसका प्रसार एकदम रुक सके। यही मेरा आपके माध्यम से निवेदन है। ...(समय की घंटी)... सर, अभी मेरा समय बाकी है। मैं एक और बात आपसे निवेदन करना चाहता हूँ कि अगर राजस्थान की सरकार काम नहीं कर रही है तो केन्द्र क्यों नहीं intervene करती? उसे केस की तह तक जाना चाहिए, अपने हाथ में लेना चाहिए, वहां पर सहयोग करना चाहिए और स्वाइन फ्लू के प्रकोप के प्रसार को बंद करने की कोशिश करनी चाहिए। धन्यवाद।

**श्री कृष्ण लाल बाल्मीकि (राजस्थान) :** महोदय, मैं माननीय सदस्य से स्वयं को संबद्ध करता हूँ।

MR. DEPUTY CHAIRMAN: The House is adjourned for lunch for one hour.

The House then adjourned for lunch at eighteen minutes past one of the clock.

The House re-assembled, after lunch, at twenty minutes past two of the clock,

MR. DEPUTY CHAIRMAN in the Chair.

## STATEMENT BY MINISTER

### Recent Developments in Northern Sri Lanka

MR. DEPUTY CHAIRMAN: Now, the External Affairs Minister to reply to clarifications sought by Members on Statement made by him on Recent Developments in Northern Sri Lanka, on 4th December, 2009.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Mr. Deputy Chairman, Sir, I would like to thank all the hon. Members who participated in their effort to seek clarifications as to what the Government of India has been doing in terms of helping out the Tamil minority in Sri Lanka. I was particularly benefited by the perspectives that hon. Members, Shri Venkaiah Naidu, Shri D. Raja, Shri Tiruchi Siva, Shri T.K. Rangarajan, Shri K. Malaisamy, Shri B.B. Tiwari and Shri Rajniti Prasad and others that were able to paint a picture as to how pitiable it is, how pathetic it is that the Tamil minority in Sri Lanka are going through.

Sir, in my Statement, I gave the figures as to some of the steps that the Sri Lankan Government has taken in terms of rehabilitating the 3,00,000 Tamil-speaking IDPs, internally displaced persons. But, the question is whether what they have done is enough. Well, I would certainly go along with the assessment that it is not enough. But, at the same time, we are dealing with a friendly country with which we have had traditionally cordial relations; and, in terms of our security also, Sri Lanka is a very important country.

I did give the figures as to how many of them are still in the camps. I am given to understand that there are about 1,00,000 IDPs still in the camps. I think, the effort is to resettle them also, or at least get them out of the camps so that they could go back to their villages, they could go back to their hamlets and seek a living there. As I have mentioned in my Statement, India is giving substantial assistance for rehabilitation and reconstruction in northern Sri Lanka and it is our intention to continue to do so.

Doubts were expressed by some Members including Shri Tiruchi Siva, Shri Brij Bhushan Tiwari about whether our assistance was reaching the intended beneficiaries. Sir, Rs. 2.5 lakh family packages from Tamil Nadu were in fact, distributed through reputed international organisations like the International Red Cross and the UN High Commissioner for refugees and we have received extremely positive feedback about their distribution and our timely help. Let me assure you that other projects being taken up by India are also being monitored closely and there are robust mechanisms existing for monitoring all Government projects taken up abroad. Let me submit that it is incorrect, as was suggested by some Members, particularly Dr. Malaisamy that we had taken up projects only in so-called Sinhalese areas. Sir, our engagement with Sri Lanka has increased to embrace a range of such projects in various parts of Sri Lanka, including the Northern and the Eastern provinces where India has been generous in extending assistance. I

would like to assure Shri Natchiappan that we are actively involved in improving the welfare of the Indian origin Tamils. We are also taking up projects to support the widows, the unfortunate widows. They have become widows because of the tragic turn of events that have taken place in Sri Lanka. Hon. Member, Shri Raja, did mention about our defence cooperation. Sir, Sri Lanka is a close neighbour with whom our security is intertwined. India regularly maintains defence cooperation with Sri Lanka. Such cooperation is premised on our national interest. It is incorrect to impute that the Government had actively aided the Government of Sri Lanka against the Tamil community in the conflict. Even during the conflict, the security and safety of the IDPs received our highest priority. Hon. Members might recall that we had consistently impressed upon the Sri Lankan Government to ensure the security of the IDPs to strictly adhere to no-fight zones and to extend safe passage to the civilians to come out of the conflict area and to pause hostilities to give a chance to the IDPs to escape from the conflict zone. Hon. Members, Shri M. Venkaiah Naidu and Shri Tiruchi Siva and others have raised a question of human rights violation.

India condoned human rights violations regardless of where such violations take place. But, we would not like to politicise the issue, because it is very easy to politicise the human rights issues. We have taken up, whenever it has been brought to the notice of the Government of India, about human rights violations. We have always taken up with the Sri Lankan Government through diplomatic channels. I think, it is the unanimous opinion of this hon. House that the Sri Lankan Government, though victorious, as I said in the other House, the victors must be just and the weak protected. This is the *dharma* that we expect from the Sri Lankan Government. We have always conveyed to the Sri Lankan Government that it should, through a political process, settle the issue of Tamil minorities.

Sir, we are not stopping at the 13th Amendment. We want the Sri Lankan Government to go beyond the 13th Amendment. The political dialogue, which the Government of India expects Sri Lanka to involve itself, would be to find a permanent solution to this problem which is haunting Sri Lanka for quite some time.

Concerns have also been raised about the role of China, especially by Mr. Tiwari. Let me assure the hon. Members that we are confident about the strength of our ties with the Sri Lankan Government. And, our relations with Sri Lanka stand on its own and are not dependent on Sri Lanka's relations with a third country. Sri Lanka is aware of our security concerns and sensitivities and we hope they will continue to respond in a spirit of trust and understanding.

Hon. Shri Raja drew our attention to the plight of fishermen and Katchativu Island. Let me reiterate that the international maritime boundary line between India and Sri Lanka was settled by the Agreement of 1974 and 1976. The sovereignty over Katchativu Island is, now, according to

those Agreements, a settled matter. We do not propose to reopen or renegotiate this matter. However, the safety and security of fishermen are all utmost concern to the Government of India. Hence, we have proposed to the Sri Lankan Government that a Memorandum of Understanding on fishing cooperation with Sri Lanka is being attempted.

We have initiated the process, so that in the days to come we would be in a position to have an MoU with particular reference to the safety of fishermen, so that our fishermen, even if, by chance, go beyond our maritime territorial waters, are not harshly dealt with by the Sri Lankan Government. We are hoping that the Sri Lankan Government would see the rationale behind what we have proposed to them.

Some Members had talked about sending another Parliamentary delegation to Sri Lanka. Sir, the House may recall that at the invitation of the President of Sri Lanka to the hon. Chief Minister of Tamil Nadu, a delegation did go there. I think, some Members from this House also had gone there. They have come back and submitted a report.

DR. V. MAITREYAN (Tamil Nadu): But that was not an official delegation. We wanted an all-Party political delegation.

MR. DEPUTY CHAIRMAN: That is okay. Mr. Maitreyan, that point was taken up when you were not here.

DR. V. MAITREYAN: Sir, I did watch the proceedings. He is talking about a Parliamentary delegation.

MR. DEPUTY CHAIRMAN: You could not have participated by watching! Now, you cannot raise it again and again here.

SHRI S.M. KRISHNA: Members of Parliament went there.

DR. V. MAITREYAN: On their own!

SHRI S.M. KRISHNA: Members of Parliament went there on invitation. Is that okay?...*(Interruptions)*...

DR. V. MAITREYAN: Sir, Government of India cannot take a partisan stand on that. They did not go there on their own. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Mr. Maitreyan, I am afraid that I won't be able to allow any further clarification on clarifications.

SHRI S.M. KRISHNA: Anyway, some Members of Parliament belonging to some political parties went there on invitation, and it was not a Parliamentary delegation. But, nonetheless, they were hon. Members of this House. They did go to Sri Lanka. They did visit camps and they have come back with their impressions.

DR. V. MAITREYAN: And the report is not official still.

SHRI S.M. KRISHNA: Those impressions have been conveyed to the Prime Minister through their report...*(Interruptions)*...

DR. V. MAITREYAN: So, it is a personal communication.

SHRI S.M. KRISHNA: In their report to the Prime Minister ...*(Interruptions)*...

DR. V. MAITREYAN: But the report has not been made public. It is a personal communication to the Prime Minister, not to the Parliament. *(Interruptions)*

SHRI TIRUCHI SIVA (Tamil Nadu): If it has been addressed to the hon. Prime Minister, how can he call it personal? They are responsible Members of Parliament. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Mr. Maitreyan, if you want to ...*(Interruptions)*... They had gone there. The Minister is giving clarification. Please. *(Interruptions)*

DR. V. MAITREYAN: They are responsible Members of Parliament, but the report has not been made public. It has not been tabled in the Parliament. As long as it is not tabled in the Parliament, it cannot be communicated. *(Interruptions)*

MR. DEPUTY CHAIRMAN: No. It cannot be tabled in the Parliament. ... *(Interruptions)*

SHRI S.M. KRISHNA: Technically speaking, you are correct. The hon. Member is technically correct that the report, or whatever you may call it, has not been tabled in Parliament, but nonetheless, they have gone there and visited the camps, not one camp but a few camps.

DR. V. MAITREYAN: Sorry to interrupt you, Sir..*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. Mr. Maitreyan, I will not be...*(Interruptions)*...

DR. V. MAITREYAN: We want to know whether the opinion given in the report was unanimous or there were different...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Maitreyan, you cannot get up without the permission of the Chair. You are a senior Member.

SHRI RAVI SHANKAR PRASAD (Bihar): Sir, with your permission...

MR. DEPUTY CHAIRMAN: Let him complete.

SHRI RAVI SHANKAR PRASAD: Sir, I hope, you will appreciate that the Tamil problem is more political and less technical. I think, that important distinction requires to be made. The Tamil issue is more of a political than a technical issue.

MR. DEPUTY CHAIRMAN: He did not say that; he told the Member that he was technically right.

SHRI RAVI SHANKAR PRASAD: Sir, I know that. The punch was for the consideration of the hon. Minister!

DR. V. MAITREYAN: Sir, my point is, one member of the delegation had given a different report. That is why, I would like to know whether it was a unanimous report or...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Maitreyan, that is not the subject matter of discussion here.

DR. V. MAITREYAN: He has referred...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He has referred to it during discussion on the Calling Attention Motion also. You were not present. You could have asked it then. A Member of your Party had participated. Please. *(Interruptions)* I am not allowing you; he has not completed.

SHRI D. RAJA (Tamil Nadu) : Sir, he has not completed. If you allow me, I would like to ask a few questions.

MR. DEPUTY CHAIRMAN: Let us understand the rules. It was a *suo motu* Statement made by the hon. Minister. On that, it was decided that sufficient time would be given to the hon. Members to participate and seek clarification. Hon. Members took almost two hours for seeking clarifications. Now when the hon. Minister is giving replies to clarifications, I cannot open another debate and allow clarification on clarifications. I respect the hon. Members. The matter may be very sensitive but the House has its own business to do.

DR. V. MAITREYAN: It is as sensitive as Telangana. *..(Interruptions)..*

MR. DEPUTY CHAIRMAN: It is all right. Mr. Maitreyan, you need not remind us. *..(Interruptions)..*

SHRI D. RAJA: I understand that and that is why I am asking this because the hon. Minister is again and again referring to that delegation and it was a delegation of a few parties. *..(Interruptions)..*

MR. DEPUTY CHAIRMAN: Mr. Raja, please bear in mind that *..(Interruptions)..* I would like to recall, the Minister has made that as a part of his statement, then you could have raised that issue. *..(Interruptions)..*

DR. V. MAITREYAN: But he is telling that. *..(Interruptions)..*

MR. DEPUTY CHAIRMAN: Mr. Maitreyan, you are trying to mislead the House. *..(Interruptions)..*

DR. V. MAITREYAN: He mentioned about delegation; he mentioned about report. *..(Interruptions)..*

MR. DEPUTY CHAIRMAN: Mr. Maitreyan, it is not correct. While making the *suo motu* statement the hon. Minister has referred to the delegation, whatever it may be, that went there. At that time, you had sufficient time to question that. Again I will not allow the same thing to raise when it has already been raised, may not be by Maitreyan but others have raised it.

DR. V. MAITREYAN: He is telling the same old story. *..(Interruptions)..*

MR. DEPUTY CHAIRMAN: Please sit down. *..(Interruptions)..* Please sit down. *..(Interruptions)..*

SHRI TIRUCHI SIVA: What is this? ..(*Interruptions*).. We are obliging but he is not. ..(*Interruptions*)..

MR. DEPUTY CHAIRMAN: I have made it very clear, Mr. Siva. ..(*Interruptions*).. I have made it clear. ..(*Interruptions*)..

SHRI TIRUCHI SIVA: He is directing the Minister. ..(*Interruptions*)..

MR. DEPUTY CHAIRMAN: He cannot. ..(*Interruptions*).. Nobody can direct anybody. ..(*Interruptions*)..

DR. V. MAITREYAN: I cannot direct but I can point out. ..(*Interruptions*)..

MR. DEPUTY CHAIRMAN: Nothing will go on record what Mr. Maitreyan says unless he takes the permission of the Chair. ..(*Interruptions*) .. If the hon. Members are not allowing the Minister to complete and getting up in between, it is bad. ..(*Interruptions*)...

SHRI S.M. KRISHNA: Mr. Deputy Chairman, Sir, we are impressing upon the Sri Lankan Government for the political process of consultations with Tamil minorities there and then a durable solution to this problem keeping the Thirteenth Amendment in view and a formula, which would be acceptable to the minorities particularly the Tamil minorities, would be desirable. It would be in the interest of Sri Lanka and it would be in the interest of India so that this problem will not come to haunt that island country of Sri Lanka. I hope that they will be able to go through this political process. Thank you. ..(*Interruptions*)..

SHRI M. VENKAIAH NAIDU (Karnataka): Some important points remain to be answered. Normally, we do agree with you that this is a suo motu statement given by the hon. Minister. As an after-thought after we gave notice of Calling Attention..(*Interruptions*)...

SHRI D. RAJA: For Short Duration ..(*Interruptions*)..

SHRI M. VENKAIAH NAIDU: For both Calling Attention and Short Duration, I am not going into the technicalities. Three points remained unanswered. One is that this is going on for years together. Since 1987, when late Shri Rajiv Gandhiji was there, there was an agreement entered upon and both the Parliaments have ratified it. Afterwards, the 13th Constitution Amendment took place there. That has not been followed. What we are trying to impress upon the Government is what the Sri Lanka is telling us about what they are doing for devolution to see that the Tamils, the Muslims and other minorities also feel that they are part of the Government, part of the system and part of the Administration there. That question is not yet answered.

Secondly, the hon. Minister, in his general remarks, said, "A Parliamentary delegation has gone there."

MR. DEPUTY CHAIRMAN: He has clarified that point.

SHRI M. VENKAIAH NAIDU: I am coming to that. I am not finding fault with the DMK Party, or the Congress Party. Anybody can go. There is nothing wrong in that. But, my point is that the hon. Minister cannot quote it as an official visit and then say that Members have gone and they have given some report. So, naturally, the House would be interested to know if the Members have gone there and if they are satisfied about the conditions in the camps, about the resettlement. Okay. That is one argument. At least, we believe our hon. Members of Parliament.

SHRI TIRUCHI SIVA: Why do you get carried away by media reports? Why don't you rely on the report given by... (*Interruptions*).

MR. DEPUTY CHAIRMAN: No, Mr. Siva, that is not the point.

SHRI M. VENKAIAH NAIDU: Sir, I do agree with Mr. Siva that we should not be carried away by the media reports. I will be happy if the 'Parliamentary delegation' which has gone there, which has given a report to the Prime Minister and the External Affairs Minister, if they can make available a copy to us, we will be more than happy. If not the Government, at least, the Members give us a copy so that we can also get enlightened because our impression, our feedback from the Island is that conditions there in camps are horrible, to say the least. This is not my opinion. It is also the opinion of the United Nations' human rights agencies. It is the opinion of the Red Cross. It is the opinion of lot of other people, who have gone there, and even Tamil MPs of that country also.

Sir, the last point is that it is a delicate issue, very sensitive issue. Sri Lanka is a friendly nation. We do not want to hurt Sri Lanka. We do not want to cause any discomfiture to Sri Lanka. We want to maintain best relations with Sri Lanka for variety of reasons including our ancestral, civilisational and historical bond. At the same time, they should reciprocate. My people are weeping there, they are dying there, and they are treated less than human beings. Being a neighbour and having a historical connection, it is our duty to express concern about the plight of those people. (*Time-bell rings*) And, the hon. Minister, I am sorry to say, has not given anything concrete, and now the minimum demand, that is made is, impress upon the Sri Lankan Government to have an all-party delegation of all Parliamentary parties, have a first-hand information on what is happening and let us be satisfied. If something good is happening, we will also be happy. After all, it is not Congress *versus* BJP, or DMK *versus* AIADMK. It is an issue concerning our people there in that country. Our persons of Indian origin also are there. I am not going to warn anybody, but I can say that it will have disastrous consequences if somebody concludes that LTTE is finished and the issue is over. If that is the conclusion you are going to reach, our friends in Sri Lanka reach, it will have a very negative effect and history will not excuse us.

So, I would like specific replies from the hon. Minister on what is going on regarding all-party delegation. Secondly, what is the stage of devolution of powers as agreed upon



by the hon. President Mahinda Rajapaksa? What is the information with the Government of India?

SHRI D. RAJA: I have only three questions. Will our Government ask the Sri Lankan Government pointedly to release the IDPs immediately and allow them to go back to their places of living? Number two, considering the friendly ties with the Sri Lanka, considering our wish that we want Sri Lanka to be secure and prosperous, considering all these things, will our Government ask Sri Lankan Government to expedite the political process in which the devolution of powers to Sri Lankan Tamils takes place? Thirdly, the Minister has mentioned about Kachchatheevu. You said that sovereignty is there. Now, we do not have sovereignty on that Island. Now, sovereignty lies with Sri Lanka. You are saying that access to Indian fishermen is available for rest and for drying the nets. If our fishermen do not have right to go there because we do not have sovereignty, how can they go and rest in Kachchatheevu Island? What is the point in going and resting in Kachchatheevu? And, our fishermen are not allowed to spread their nets around Kachchatheevu, what is the point in going there and trying to dry the nets? I do not understand this point. My question is: will the Government consider reopening of this agreement? You said, 'no'. But, I think, there is a need. Bilateral treaties can be reopened, can be renegotiated. No law prevents us from doing so. That is my understanding. Thank you.

SHRI T.K. RANGARAJAN (Tamil Nadu): Sir, I have three points. Sir, my first point is...  
...(Interruptions)...

MR. DEPUTY CHAIRMAN: No. No. Not at all. (Interruptions) Please cooperate. (Interruptions) Mr. Maitreya, please cooperate. (Interruptions) Whatever maybe the seriousness, please cooperate. (Interruptions)

SHRI T.K. RANGARAJAN: It was said that the displaced people would be sent to their homes within 180 days. Now, 180 days are going to be over. It is a sovereign country. It is a friendly country. What happened to that assurance? Second point is about the human rights violation. You have represented, or, you have said something, all those things are right. But nothing concrete has emerged. The violations are still there.

My third point, Sir, is about Kachchatheevu agreement. You said that after 1974-76, it was over. After 1976 till 1983, our fishermen were able to catch fish in and around Kachchatheevu. Nobody stopped them. Please consider the period from 1976 to 1983. Dispute started in Sri Lanka only after... (Interruptions)...

MR. DEPUTY CHAIRMAN: No. Please put pointed questions. ... (Interruptions)

SHRI T.K. RANGARAJAN: Can you restore the position in which our fishermen were there up to 1983. It is a friendly country. Our friendship should not be... (Interruptions)

MR. DEPUTY CHAIRMAN: No. No. Please don't go on elaborating.... (Interruptions)

SHRI T.K. RANGARAJAN: Our friendship should be for human rights also. That is very important.

MR. DEPUTY CHAIRMAN: Okay. Now, Mr. Malaisamy. Please put only pointed question.

DR. K. MALAISAMY (Tamil Nadu): Mr. Deputy Chairman, Sir...

MR. DEPUTY CHAIRMAN: No preface.

DR. K. MALAISAMY: I may not take more than two minutes. *(Interruptions)*

MR. DEPUTY CHAIRMAN: No, no. No two minutes. Put only pointed question.

DR. K. MALAISAMY: Sir, I have three questions. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Put pointed questions. *(Interruptions)* No preface and no foreword. *(Interruptions)*

DR. K. MALAISAMY: Sir, the Sri Lankan problem basically depends upon the rights and privileges envisaged in the Sri Lankan Constitution, which are being enjoyed by the Sri Lankan people. I would like to ask the Minister as to what is the strategy of the Government to see that our Sri Lankan Tamils have also the same rights and privileges to be extended to them. If so, can you afford to give a time-frame?

Secondly, Sir, as far as rehabilitation is concerned, the Minister has said in his statement and also in his reply that the rehabilitation process is going on. Are you able to give a time-frame, or, are you able to insist upon the Sri Lankan Government to do it within a time-frame? This is my second question. Now, I come to my third question, the most important question, last question, final question. I want to endorse what Mr. Raja and Mr. Rangarajan... *(Interruptions)*...

MR. DEPUTY CHAIRMAN: Endorsement. Okay. It is over. ...*(Interruptions)*

DR. K. MALAISAMY: Sir, I am telling the hon. Minister that it is going to be a severe headache not only for now but it will be so till the problem of our Indian fishermen is solved. The problem of our fishermen is the real problem. It has to be solved some way or the other. You have to take it seriously. It has been rightly said about the 1974 agreement, the Chair knows it; the entire House knows it. ...*(Interruptions)*

MR. DEPUTY CHAIRMAN: Please put pointed question. ...*(Interruptions)*... You say, fishermen problem. It is over. ...*(Interruptions)*

DR. K. MALAISAMY: Sir, the 1974 agreement should be nullified, and, Katchatheevu restored. That is one way of looking at it. If you are not doing that, I underline, if you are not doing that... *(Interruptions)*... What is the strategy to ensure that the Indian fishermen can freely go in for fishing from places like Rameshwaram, Ramanathapuram? Unless they go around Katchatheevu, into deep waters, they cannot earn their livelihood. Whatever law you are going to enact today, it will be violated, consciously or unconsciously. So, please find a permanent solution.

SHRI TIRUCHI SIVA: The issue does not end with resettling the IDPs who are in camps. As I said the other day, moving out of camps does not amount to resettlement. Even if the Government of India takes initiative and after that they resettle, the war might have been said to be over, but the reasons still remain the same. The Tamil people who are there should have the legitimate rights they are asking for and the Government of India should see that the constitutional rights which they deserve should be given to them.

Secondly, Katchatheevu problem is not just about the Indian fishermen. As the hon. Minister himself said, Sri Lanka is an area in the southern end of India, and from the security point of view, Katchatheevu must be taken into consideration very seriously. As he said, it cannot be reopened, as the issue of sovereignty is settled with Sri Lanka. The rights, which have been ensured to the Tamil fisherman, of going around Katchatheevu, drying their nets, and others, have not been given to them till date. I would ask the Government to see that the genuine rights of Indian fishermen should be restored to them and you should also take this into consideration from the security point of our country.

DR. E.M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Whether the Government will take into confidence the fisherman federation before going for MoU and during the process of MoU.

DR. V. MAITREYAN: Sir, one line.

MR. DEPUTY CHAIRMAN: Dr. Maitreyan, however genuine your question may be, I don't want to create new precedents. *(Interruptions)*

DR. V. MAITREYAN: Sir, I am affected..*(Interruptions)*..

MR. DEPUTY CHAIRMAN: You are not affected. *(Interruptions)* Don't say that. *(Interruptions)*

DR. V. MAITREYAN: Sir, I am from affected State. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Your party has been given the opportunity. *(Interruptions)* Please. *(Interruptions)* Okay, only one line.

DR. V. MAITREYAN: Sir, \*

MR. DEPUTY CHAIRMAN: This is not related to the matter. *(Interruptions)* I am not allowing that. *(Interruptions)* I am not allowing that. *(Interruptions)* I am removing that. *(Interruptions)*

SHRI S.M. KRISHNA: Let me first address the clarification sought by the hon. Member, Shri Venkaiah Naidu. Mr. Venkaiah Naidu's position is that India should insist on devolution of powers. Well, we are entirely going along with that proposition. That is what we have been doing all the time, and we will continue to do so. About delegation, Sir, here, I would like the House to

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\* Not recorded.

3.00 P.M.

seriously consider the situation in which we are placed. The Presidential Election is going to take place in Sri Lanka in the end of January. I think the polling date is fixed for the end of January. Now, would this time be appropriate for a Parliamentary Delegation from this country to Sri Lanka? I would leave this decision to the wisdom of the House. Personally, I don't think that this would have been an appropriate time for us to think in terms of sending a delegation.

Hon. Member, Shri Raja, raised three queries. He wanted IDPs to go out of camps. I think the Government of India has been insisting on the Sri Lankan Government for that. Somebody mentioned about 180 days. I think within 180 days they should be out of camps, so that they could get back to their villages, to their familiar surroundings. This is the concern of the Government of India. And we will continue to impress upon the Sri Lankan Government through our channels that they should go through this process.

Next is the political process. I think it should be expedited. I entirely agree with you that the political process has to be expedited.

That would only provide a lasting solution to this ethnic problem in Sri Lanka. I think, that will be helpful to Sri Lanka also. Shri Rangarajan mentioned about 180 days. Well, we insist on 180 days. The time is running out. As we run a Government here, they also run a Government there and I can imagine the kind of problems that they would be facing. So, within the constraints of the Government that are placed there, we will continuously insist on the 180-day deadline. Mr. Malaisamy mentioned about equal status. Yes, the Tamilian minorities in Sri Lanka should be equal citizens along with Sinhalese. I think, that is Government of India's proposition. We entirely agree with that. We go along with that and insist on that. Then, the fishermen's problem. Sir, one suggestion has come from our friend, Mr. Natchiappan. I think, the fishermen's federation has to be taken into consideration. They should be taken into confidence. I think, I am inclined to go along with this suggestion which has been made by Mr. Natchiappan. We will sound them out and see if we can get into an MoU so that there could be a permanent basis. But, the only problem is Katchatheevu. One of the hon. Members mentioned that agreement should be abrogated. Well, if an agreement between two sovereign countries has to be abrogated, then, there should be some reasons. ...*(Interruptions)* Well, short of re-opening that, we are negotiating so that our fishermen could be helped out. This is the time for both countries to find a creative solution to put in place institutional arrangements for regularising fishing activities by our fishermen in these waters. So, we will work towards this objective of helping the fishermen.

Sir, with these explanations, I am sure that the purpose for which I made my *suo motu* statement would have been served.

SHRI M. VENKAIAH NAIDU: I am not asking any question or going to do anything like that. I would like to submit to the House and to the countrymen that we are very unhappy the way in which Sri Lanka is responding to the situation. We are also equally unhappy with the Government of India's attitude because mere sympathetic words are not going to solve the problem. The hon. Minister said, "I leave it to the wisdom of the Parliament". I feel that this is the right time for Members of Parliament to visit, see the situation themselves, come back and then discuss with the Government of India. I lodge a protest about the inaction on the part of the Indian Government. ...*(Interruptions)*

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## GOVERNMENT BILL

### **The Central Universities (Amendment) Bill, 2009**

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI KAPIL SIBAL): Sir, I beg to move:

□ That the Bill to amend the Central Universities Act 2009, as passed by Lok Sabha, be taken into consideration.

Sir, the Government of India, the UPA Government, over the years, has been emphasising not just on the expansion of higher education, but also improving the quality of higher education and to remove the regional imbalances that have occurred over the years. As you are aware, there were several States which did not have a Central University and there were demands from some States that the State Universities should be upgraded into Central Universities. And it is unthinkable that in a country like India, large State should not have a Central University. So, to actually remove the regional imbalances, we decided through the Central Universities Ordinance 2009 which is promulgated by the President on the 15th of January 2009 the conversion of some State Universities into Central Universities in the State of Madhya Pradesh, Uttarakhand and Chhattisgarh, and by deciding to establish 12 new Central Universities, Jammu and Kashmir was one such State where we decided to establish Central University. Now, the methodology that has been followed by the Government of India is that the State gives to the Government of India free of cost 500 acres of land. Then we have set up within the Government of India a Site Selection Committee. When the particulars of the lands are given to us, normally there is a choice given. The Site Selection Committee actually visits various States, comes back and gives a report, and on the basis of that, we take a decision as to what would be most appropriate.

Now, in some States, the sites were given. But in the case of Jammu and Kashmir, they told us that there are 3 sites in Jammu that they wanted to be considered for the setting up of a Central University, but they never gave us any particulars. In the meantime, the previous UPA

Government, and the then Minister for Human Resource Development appointed Vice-Chancellors to these Universities, and the Vice-Chancellor was also appointed by Jammu and Kashmir, but because the site was not firmed up, he set up office, and this is the normal practice that he set up office in the capital, in Srinagar, and in the meantime, in Jammu region, there was a feeling that because the Vice-Chancellor was in Srinagar, Jammu is not going to get a Central University, and as you know, in situations of this nature, we have seen it in the past, some vested interests get into the act and try and vitiate the atmosphere, and we saw the beginnings of that, and we saw the beginnings of negative sentiment within Jammu, based on the feeling that they were being discriminated against and that a Central University is going to be set up in the Kashmir region. In the meantime, because the Vice-Chancellor was located in Srinagar, the people in Srinagar thought that the University was going to be set up in the Kashmir area, and therefore, any displacement of that would amount to discrimination to the people of Kashmir. So, the atmosphere was getting vitiated at both ends. We thought in the peculiar circumstances of the case, especially, in the context of Jammu and Kashmir being a very sensitive area, we decided that we would. But as you know, Sir, the original announcement was that there was going to be an IIM for the Kashmir region and the Central University for the Jammu region. We said, it is not possible. If we want to change the decision, it is not possible for us to give you an IIM. What we can do, of course, is to give you a University as well. So, the original Central University in the State of Jammu and Kashmir was split into two separate Central Universities, one for the Jammu area having jurisdiction in the Jammu region, and another for Kashmir area having jurisdiction in the Kashmir region, which includes Leh and Kargil. It is in these circumstances that this decision was taken and we decided to promulgate an Ordinance because, in the meantime, the business of setting up Universities must go on. We do not want to delay it, and therefore, we promulgated an Ordinance, and that is how the Bill has come before you.

There is only one issue that I want to mention here, and that is the financial requirement of the new Central University of Jammu during the 11th Plan period is estimated at Rs. 240 crores, Rs. 160 crores non-recurring and Rs. 78 crores recurring. The expenditure would be met by the Central Government through the University Grants Commission. The Bill seeks to replace the Central Universities Amendment Ordinance, 2009.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: Now, Shri Balwant *alias* Bal Apte. Your Party has 23 minutes and there are two speakers.

SHRI BALAVANT *alias* BAL APTE (Maharashtra): Sir, this Bill seeks to split the Jammu and Kashmir University into two. Somebody will feel the more the merrier as we say here अधिकस्य अधिकं फलम्, but the way this has been done speaks volumes about the functioning of this

Government. We are talking about the need for strengthening our higher education infrastructure. The Eleventh Plan contemplates that we should have 30 universities and 14 internationally recognised institutions during this period. The Knowledge Commission contemplates that we should have 1,500 universities! The present Bill, or the original Act which is now sought to be amended, proposes 15 universities; out of them, 3 existing. That Bill also was brought in a hurry even though a Bill was pending in the Rajya Sabha. An Ordinance was brought, and that Bill was brought and passed hurriedly. Now, this Bill also is preceded by an Ordinance. Nothing happened between the Ordinance and the Bill. Nothing happened between this Ordinance and this Bill. But a different kind of urgency seems to be working here.

Sir, insofar as increasing the number of Universities is concerned, there is no homework done, there is no ground laid. When I had an occasion to speak on the earlier Bill, I mentioned that unless you have a sound school system, establishing a number of universities is not going to strengthen our higher education system. By neglecting that, you cannot emphasise on this. That position continues to be so today. We are talking about the GER to be risen to 20, the General Enrolment ratio, and we are at eleven. But that is only insofar as establishment of these universities is concerned. When the Jammu and Kashmir University was decided to be set up, and when sites were chosen, 'Jammu' area was the site chosen, with the concurrence of the Jammu and Kashmir Government. In the meanwhile, hands changed in Kashmir and the policy, here, also had a method in its madness.

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair]

Therefore, the enactment of the Central University Act was criticised for giving all the powers to the Central Government initially, and rightly, because the moment the Act was passed, one of the last acts of the last Minister was to appoint 15 Vice-Chancellors to non-existing universities with all perks. This Vice-Chancellor started functioning; I don't know from where. None of the other universities has any level of preparation. And as mentioned by the hon. Minister, a Vice-Chancellor was appointed for the University, even though the University had no site! And he started functioning from Sri Nagar. A Kashmiri was appointed there deliberately, and the idea was: 'Even though we have initially chosen 'Jammu', let us now transfer it to 'Sri Nagar'!' Therefore, the agitation in Jammu started. Sir, Jammu agitation is not a response only to this but it is also an expression of pent-up feelings because of years of injustice done to the region of Jammu. All the Government corporations have their headquarters in Kashmir. Most of the Central Government offices are in Srinagar. Out of the Central grants, only eight per cent goes to the Jammu region; majority of those grants goes to the Kashmir region. I have all the lists. All the professional institutions, the Post-Graduate Institute of Medical Sciences, the Regional Engineering College, the Veterinary College, etc., are in Srinagar, not one in Jammu.

The sense of injustice is such that the students in Jammu were angry and the united agitation of the Jammuites because of the injustice has been seen in its climactic way in the recent Amarnath agitation. Therefore, the Government thought it wise to shift the University to Jammu. That would have been a reasonable way of responding to the people, but it is not. How can we give to Jammu which we have not given to Kashmir? It will be discrimination. Therefore, as I have said, there is a method in the madness of giving two Universities, splitting a small University into two, to small regions, when States with large areas and large population have been awarded only one University. This splitting may be helpful to the students, I believe and hope. But there is no logic except that the discrimination of Jammu has to be fought every time and still there has to be a preference to the Kashmir region. Therefore, I want to place before this House this particular socio-political situation in Jammu and Kashmir for further steps to redress this grievance of injustice to Jammu.

Splitting of Jammu and Kashmir University into two Universities raises one more question. It is regarding the number of Universities to be established by the Centre in States, apart from these 15 or 30. Is there a policy? Will the Government have a policy? How many Universities for a State? Where are they going to be situated? States have regions and regions have differences; sometimes, regions have varying differences. Are we going to select regions in that manner? If it is Uttar Pradesh, is it western UP or eastern UP? If it is Maharashtra, is it Vidarbha or western Maharashtra? If it is Andhra Pradesh, is it Telengana or coastal Andhra? Will there be a policy for establishing more Universities? Or, will Jammu and Kashmir be an exceptional case because we have kept an exception, most unnecessarily, under article 370 of the Constitution? Is there going to be a policy for establishment of more Universities? Will there be any homework on that? I believe that *ad hoc* approach, in any case, will not help education. When Universities are being established, let them be given sufficient funds early because in the earlier Bill financial assistance was provided only for three Universities which were already established. Insofar as other 12 Universities are concerned, there was no provision. The Bill did not talk about how they would be financed because those who foot the bill were aware that nothing was going to happen, they didn't have to spend and it was only on paper. Therefore, let these Universities be provided for and let there be a broader policy for establishing Universities equitably throughout the country, not in response to agitations alone, as had happened in the south. This agitation, and establishment of a Central University, is all a history. Therefore, I am saying this. So, will it be on an equitable, regional, logical and educational basis, or, will it be for extraneous considerations?

With these questions, which are uppermost in my mind, I support this Bill.

DR. KARAN SINGH (NCT of Delhi): Mr. Vice-Chairman, Sir, the importance of Universities in our public life cannot be underestimated. It is true that there has been a tremendous growth of



universities over the last 20 years or so. But we are still far behind the requirements of an international standard of university education. Therefore, the importance of Central Universities becomes crucial. Let us not forget that education, basically, is a State subject. The States can set up universities. It is open to the States to set up universities. In fact, the bulk of universities in the country are State Universities. There are only a small number of Central Universities. I happened to be the Chancellor of two of them. I am now the Chancellor of the Banaras Hindu University, and I was, for five years, the Chancellor of the JNU. So, I am aware of the functioning of the Central University. Therefore, even though the number may not be terribly impressive, I, warmly, welcome the fact that 15 or 16 new Central Universities are being flagged. They will be in addition to the universities that the States are going to set up. And I would congratulate the Prime Minister and the Minister for having taken a positive decision in this regard.

As has been mentioned, and as you are aware, Jammu and Kashmir is a bi-focal State. It is not like any other region. It is the only State where the Government moves, for six months, from Srinagar to Jammu. Since the State was founded in 1856 by my ancestor, it has been called Jammu and Kashmir. It has always been a bi-focal State. Therefore, if we have one Central University in each region, it is nothing very surprising. In fact, that is something which could have, perhaps, been thought of right in the beginning. I am not going now into this question of regional discrimination. We have tried for many years, and I was responsible for setting up the Gajendragadkar Commission headed by a Chief Justice of India. Then, we had the Sikri Commission headed by another Chief Justice of India. So, many Commissions have been set up. I am not going into that problem. This is an endemic problem there which will have to be tackled at some point or the other.

As far as this particular Bill is concerned, I would like to congratulate the hon. Minister for not being rigid, for not saying, "No; we have taken this decision and nothing is going to change now." He did take cognisance of the fact that there was confusion. And the confusion, perhaps, lies in the fact that his predecessor — I do not want to mention any names — appointed a lot of Vice-Chancellors without any universities there. And the Vice-Chancellor started functioning from Srinagar and started recruiting people from Srinagar. Naturally, there was an explosion. People asked: "What is this? You have made an announcement that the University will be in Jammu, and your Vice-Chancellor opened an office in Srinagar and has started recruiting people." So, there was some problem which was brewing. But the Government of India, the UPA Government, has always said, "We are aware of these problems. We do not want the problems to snowball into some disaster before we take action." Therefore, the result has been one additional University to the country, one additional University to Jammu and Kashmir, and, I think, that is something which we should all welcome.

Sir, let me give a little background. I was the Chancellor of the Jammu and Kashmir University for 18 years. It was a combined university. I was responsible, at that time, for opening a campus of the Jammu and Kashmir University in Jammu, and then, very peacefully, two universities were set up. In Srinagar, Mr. Minister, the University is on my orchard, the land which I donated to the University. On the 120 acres of prime land is where the Kashmir University stands today. There is also the Jammu University. Both are flourishing.

A few things I would like to point out. Firstly, I would submit that the location of these two new universities should be very carefully thought out. Let us not make the mistake of putting them on top of the head of the existing universities. Both universities, Jammu University and Kashmir University are now flourishing. If you build two Central universities on top of them or next door to them, you will be sucking out all energy and talent from those universities. It is a large State; it may not have a lot of people, but it is a large State. You can spread yourself out a bit. You can choose locations that are environmentally beautiful. For example, in the Jammu region, you have got a lot of land in the Bhadrawah-Kishtwar area. It is a beautiful landscape. There is a road, the Bhadrawah Chamba road, coming in from Himachal Pradesh now, If you were to put the university somewhere in these areas, you would open up a whole new area of the State and the people who are backward in the area, who are in the far flung areas would also be able to get opportunities. Otherwise, what you are doing is putting everything in these urban clusters which are already overpopulated, which are already over-crowded and which already have a large number of educational institutions. So, I would like to suggest that because of the confusion with regard to the three sites, your site committees should again visit the State and now look for new appropriate sites for the new Jammu University and the new Kashmir University.

The second point that I would like to make is that the Vice-Chancellors should be chosen very carefully. I do not know what can be done with the ones already chosen. But, the Vice-Chancellor is the key and critical element in the setting up of any institution, particularly the first Vice-Chancellor. Therefore, it is very important that a lot of energy and a lot of time should go into choosing the right person who will spearhead these universities. Otherwise, if you get a mediocre person or, worse than that, if you get someone whose integrity is doubtful, then the whole thing will collapse from the beginning.

Also, Sir, let me very briefly say that the new Central universities are opportunities to make some innovative changes in our whole curriculum, in our whole approach towards education. The Minister has already done a great deal in the short time that he has been in office. But what we need to do is to breakaway from the old compartmentalised system of higher education—the old departments, the old system where a teacher comes in and for 35 years he moves his way

up and retires as professor whether he performs or does not perform; that is no longer a paradigm for the present age. Sir, today, the world is moving very rapidly. We need constant upgradation of skills. Even the teaching staff cannot continue to teach the same chemistry for 30 years. This is all out of date. Therefore, you need new holistic structures. You have got to get in subjects like the natural environment. You have got to get in subjects like conflict resolution and peace studies. You have got to involve new ideas and new subjects in these universities.

Let us not make these universities only carbon copies of the ones that we already have and let each university specialise in the region where they are placed. The idea that every university everywhere must teach exactly the same curriculum, I am afraid, is not correct in a country like ours. For example, a coastal university in one of the coastal regions of the country should not necessarily teach what the mountain university teaches. The topography is different, the environment is different, the ethnicity is different, the food is different, the customs are different. Therefore, obviously, whereas they will have common subjects, there must be some specialisation in these universities also, particularly in research. I am afraid, generally, the research outputs of our universities are well below par. There are very few of our universities that are producing research monographs that are considered to be of peer condition by the international community.

So, Sir, this is an excellent opportunity. I very warmly congratulate the Government for setting up these universities on behalf of the people of Kashmir and on behalf of the people of Jammu, with whom I have been closely associated, although I am now elected from Delhi. Really, I should have more interest in a Delhi university. We already have several Central universities in Delhi. I would like to warmly congratulate him and hope that these two new universities will become models for a new kind of educational breakthrough in our country. Thank you, Sir.

SHRI MOINUL HASSAN (West Bengal): Sir, while I am supporting the Bill, I wish to say something regarding Central Universities and higher education of our country. I feel it is a special case for Jammu and Kashmir. It is the speciality of that particular State. So, not only I, perhaps everyone have no objection for setting up a Central University in Kashmir and another university in Jammu region. Sir, it is an undeniable fact that university has a great role to improve the education situation of our country and particularly, the Central University's growth for the quality and betterment of educational system of our nation. I am not going into the details about the different recommendations of the different commissions or committees since independence. But I would like to say something about the problem we are facing. In this particular Bill, I would like to know from the hon. Minister in Bill No. 101-C. In line no. 10, Section 2, sub-section 2, I would like to read out, "There shall be established a university, which shall be a body corporate". My

point is, it is for Jammu and in the same paragraph it is also for Jammu and Kashmir, “which shall be body corporate”. I would like to clarify as to why we are using these three to four words. Secondly, as far as the financial memorandum is concerned, Minister has already said that “Rs. 240 crores for each to meet the expenditure”. It is perhaps the 11th Planning which is up to 2012. He has given the break up for recurring and non-recurring. My submission is, in a modern and equipped university, in an up to a mark university, with a good established curriculum, a modern university, it is not possible within this financial limitation. So, it should be enhanced in a big way. Another question which I would like to ask the Minister is, is it a duplication of one? My opinion is, the two should not duplicate each other, as far the Jammu University and Kashmir University are concerned. My other point is, the policy of the Government to establish a university should be widely expressed. I know there is an act. But, in different times, different demands have come up as to when Government will bring in a comprehensive policy. In connection with this, Sir, I would like to say with a heavy heart, Sir, that I am also a Member of a court of a Central University. Many of my esteemed colleagues are also members of different courts of the different central universities. I am Member of the Aligarh Muslim University. Another person is a Member of Visva Bharati University. I would like to say that the law and order situation in different Central Universities are worsening day-by-day. Our students are suffering. In the last one month AMU was closed.

In the last three or four years, four or five students were murdered within the campus or just outside the campus. What is the role of the Government? Is there any intervention? What the Government is doing? As a Member of the Court, I had written a letter to the hon. Minister and also to hon. Prime Minister. I have raised the issue in Parliament. What is going on? We are talking of quality education. But, our own wards and students are suffering. The situation is very vulnerable. I am mentioning just about the AMU. It is also happening in other parts of the country. In my State, West Bengal, the Vice Chancellor himself is on a hunger strike under *chatamtola*. I came to know through newspapers that the hon. Prime Minister is the Chancellor of that university. Hon. Prime Minister intervened in the issue. Sir, everybody is against this Vice Chancellor. So, what is happening?

Sir, I come to Tripura University which is situated in a remote part of our country. It is located in Tripura in the North-Eastern Region. There is no elected students union in the University. There is no elected Teachers union. Everything is nominated. No democratic process is upheld there. If there is no democratic process in an institution, I suppose, there will be a bar on the quality of education. So, elections should be introduced.

So far as curriculum is concerned, Dr. Karan Singh has already mentioned about it. The Government has to lay emphasis on curriculum, because the paradigm has been changed. Sir,

not only science and humanities but also new technologies should be taken up for teaching. I would like to know from the hon. Minister as to what is the vision of the Government on this.

Sir, finally, for a Central University, 500 acres of land is required. It is very difficult in a contiguous area to acquire such a huge land. I wanted to know from the hon. Minister whether there is any second thinking in the Government on this aspect.

**श्री जनेश्वर मिश्र (उत्तर प्रदेश) :** धन्यवाद उपसभाध्यक्ष जी, मैं मानव संसाधन मंत्री जी को धन्यवाद दे रहा हूँ। इनके बारे में देश भर की राय थी कि ये कानून के विशेषज्ञ हैं। कानून का विशेषज्ञ शिक्षा का विशेषज्ञ भी होगा, यह अलग विषय हो जाता है। यह भी हो सकता है कि इनके अधिकारी तय करके बताते हों या सरकार बताती हो, लेकिन इनकी पकड़ ठीक जा रही है। जम्मू और कश्मीर के विश्वविद्यालय के बारे में इन्होंने जो निर्णय लिया, हम समझते हैं कि वह सराहनीय निर्णय है। देश में अभी भी बहुत से इलाके हैं जहाँ पाँच सौ किलोमीटर की आबादी के बाद भी कोई विश्वविद्यालय नहीं है। मैं उच्च शिक्षा के हिसाब से कह रहा हूँ कि जब तक देश के उस नक्शे को हम पकड़ने की कोशिश नहीं करेंगे, तो हम लोगों के बच्चे बड़े होने के बाद, थोड़ा ज्यादा समझदार होने के बाद बहुत विद्वान हो जाएंगे, यह कहना मुश्किल पड़ेगा। वैसे भी हमारे बच्चे बहुत विद्वान नहीं बन रहे हैं, क्योंकि दुनिया की एक एजेंसी ने यह रिपोर्ट दी है कि हिंदुस्तान में सो सैकड़ों में केवल दस ग्रेजुएट्स की डिमांड है। सैलियत के लड़के होते हैं, बाकी सब बेकार हैं। मैं चाहूँगा कि मंत्री जी उस एजेंसी की रिपोर्ट को जरूर पढ़ लेंगे। शिक्षा में गुणवत्ता लाने का प्रयास नहीं हो रहा है। मुझे अफसोस के साथ कहना पड़ता है कि इसको टेक्निकल चाल से चलाने की कोशिश की जा रही है, जैसे कचहरी में कानून की बहस करते समय कई पुरानी नज़ीर देते हुए अपनी बात को जीतने का प्रयास होता है। यह टेक्निकल चीज नहीं रह गई है, क्योंकि सच तो यह है कि आज हमारी तालीम प्रतिभा नहीं दे रही है। गुणवत्ता तो छोटी चीज है, प्रतिभा नहीं दे रही है, किसी भी विषय में नहीं दे रही है। सर, मैं जान-बूझकर कह रहा हूँ। अब बंगला साहित्य में कोई रविन्द्रनाथ टैगोर पैदा होगा! ये लोग कोई पुराने नहीं हैं, मैं तुलसीदास, सूरदास की बात नहीं करता, ये अंग्रेजों के जमाने में पैदा हुए लोग हैं, जब प्रतिभाएँ विकसित होती थीं। क्या अब हिन्दी साहित्य में महादेवी वर्मा, निराला और पन्त पैदा होंगे? शिक्षा से ही प्रतिभा आती है, यह हम नहीं मानते, लेकिन इतना तो मान कर चलना पड़ता है कि एक माहौल होता है प्रतिभा का। मुझे दुख के साथ कहना पड़ता है कि देश का कोई भी विश्वविद्यालय, चाहे राज्य सरकारें चलाती हों, चाहे केन्द्र सरकार चलाती हो, केवल संचालन के लिए वे विश्वविद्यालय चल रहे हैं। मानव संसाधन मंत्री जी, सच तो यह है कि जब सरकार बनी थी, तो अबुल कलाम आज़ाद साहब शिक्षा मंत्री बने थे, उनके बाद हुमायूँ कबीर साहब बने थे, उनके बाद वी.के.आर.वी राव साहब बने थे। लगता था कि a series of विद्वान लोग मानव संसाधन मंत्री थे। अब हम लोग कामचलाऊ इंतजाम कर रहे हैं। जनता पार्टी के जमाने में भी एक कामचलाऊ इंतजाम था, डा. सुन्दर को हम लोगों ने शिक्षा मंत्री बनाया था, पढ़े-लिखे आदमी थे। आपका जो विषय है, आप जानते हैं, लेकिन आप कभी भी पेंटिंग के टीचर को गणित पढ़ाने के लिए भेज दीजिए, तो बड़ी मुश्किल हो जाएगी। इस समय कामचलाऊ इंतजाम चल रहा है और कामचलाऊ इंतजाम में आदमी के हाथ सख्त हो जाते हैं। हाथ की सख्ती मैं इस तरह से बता रहा हूँ कि जब हाथ की सख्ती कड़ी होती है, तो उसमें छोटी-छोटी भावनाएँ बहुत उभरती हैं। डा. कर्ण सिंह जी ने ठीक कहा था कि कैसे जम्मू में वह भावना फैल गई है। भाजपा के माननीय नेता ने ठीक कहा था कि जम्मू को दो नम्बर का दर्जा नहीं दिया जा सकता। सर, हिन्दुस्तान का आदमी दो नम्बर का होता जा रहा है, इस तरह से कि आप जितना ही कसोंगे, उतना ही बच्चों में असंतोष होगा। अलीगढ़ यूनिवर्सिटी के वाइस चांसलर अलीगढ़ शहर का नक्शा नहीं जानते हैं, वे तमिलनाडु या किसी और जगह से आए हैं और अपने साथ वहाँ से एक रजिस्ट्रार भी

लेकर आए हैं। न वहाँ के अध्यापक, न वहाँ के विद्यार्थी, कोई उनसे ठीक से परिचित नहीं है। जबर्दस्ती कसने के लिए इंतजाम मत बनाइए। इलाहाबाद यूनिवर्सिटी को भी आपने केन्द्रीय विश्वविद्यालय का दर्जा दे दिया है। बनारस विश्वविद्यालय केन्द्रीय विश्वविद्यालय है। ये तीनों विश्वविद्यालय हैं, जहाँ पर लड़कों की यूनियन नहीं चला करती। सर, बनारस विश्वविद्यालय में अंग्रेजों के जमाने में छात्र संघ चलता था और लड़के अपनी यूनिवर्सिटी छोड़ कर पूरे उत्तर प्रदेश में फैल गए थे और एक तरह से लगता था कि अंग्रेजों का झंडा उखड़ जाएगा। 18-20 दिनों के लिए बलिया से उखड़ भी गया था, केवल हिन्दुस्तानियों की हुकूमत थी। वह यूनियन भी एक छोटा सा learning democracy का platform थी। एक छोटा सा प्लेटफॉर्म, जहाँ लड़के सीखते थे, आपस में झगड़ते थे, बहस करते थे और बहस करते-करते वे बड़े नेता हो जाते थे। यही इलाहाबाद यूनिवर्सिटी है, जहाँ सन् 1942 के आन्दोलन में लड़के गोлияँ खा लेते थे। अब हम तीनों सेंट्रल यूनिवर्सिटीज़ में देखते हैं कि छात्र संघ है ही नहीं। अगर सेंट्रल यूनिवर्सिटी पंगु किस्म के लड़कों को पैदा करने के लिए है, जो हिम्मत और हौसले के साथ सीना तान कर अपनी बात न कह सकें, आज की विद्या का मतलब केवल एक बुजदिल पैदा करना है, तो मैं कहूँगा कि यह दुकान बन्द कीजिए। इसकी जरूरत नहीं है।

पहले शिक्षा का मतलब विद्वान पैदा करना होता था, लेकिन मुझे दुःख के साथ कहना पड़ता है कि आज शिक्षा का मतलब हो गया है, बेईमान पैदा करना। इस पर बहस होगी। जितनी ऊँची शिक्षा, उतना ही बड़ा बेईमान। पहले जितनी बड़ी और जितनी मेहनत की पढ़ाई होती थी, उतना ही बड़ा विद्वान होता था, चाहे तीरंदाज़ी में हो, चाहे गदाधारी में हो और चाहे बहस में हो। अब कहीं पर बहस रह ही नहीं गई है, इसलिए इस दुकान को बंद करना पड़ेगा। यह ठीक से नहीं चल पा रही है, क्योंकि केवल बच्चों का समय बहलाने के लिए यह किया जा रहा है। हो यह रहा है कि बच्चे इस लायक बन जाएं कि रुपया कमाएं, दो रुपया खर्च करके पच्चीस रुपया कमाएं। यह ठीक नहीं होगा।

सर, मैं जानता हूँ कि मेरा समय खत्म हो गया है। हमने सुना है कि इस सरकार ने कुछ नये किस्म के विश्वविद्यालय खोलने का निर्णय लिया है - Innovative विश्वविद्यालय। ये नये ढंग के 14 नये विश्वविद्यालय खोले जा रहे हैं। इन विश्वविद्यालयों में निजी पूंजी लगाई जा रही है, विदेशी पूंजी लगाई जा रही है। अब उनको भी खर्चा करने की इजाज़त दी जा रही है। अगर ये विश्वविद्यालय आ जाएंगे, तो जम्मू-कश्मीर के विश्वविद्यालय का क्या होगा? हमारे इलाहाबाद के विश्वविद्यालय का क्या होगा? ये विश्वविद्यालय पूंजीपति घरानों की दौलत बन जाएंगे। हमारी सरकार यह भी सोच रही है कि विदेश में कहीं किसी कैम्पस में विश्वविद्यालय के लिए जगह ले ले। लेकिन कैम्पस में जगह ले लेने से ही काम नहीं चलेगा, असल चीज़ है-ब्रेन। इसको हम कैसे साफ करें? इसे साफ करने की ताकत हममें या आपमें है कि नहीं, मैं नहीं जानता हूँ, लेकिन मैं यह जानता हूँ कि वर्तमान सरकार में नहीं है। पूरे देश में इसकी ताकत नहीं है, क्योंकि अंग्रेजी वाला यह रोग जो लगा हुआ है, जो कि एक तरह का दिमागी कोढ़ है। जब तक यह पकड़े रहेगा, हिन्दुस्तान को हम स्वस्थ शिक्षा पद्धति दे सकेंगे, ऐसा संभव नहीं। सर, एक-दो विश्वविद्यालय खोलने से यह काम नहीं हुआ करता है।

मैं माननीय मानव संसाधन मंत्री जी से निवेदन करूँगा कि अगर शिक्षा की सफाई की योजना ... यहां मैं 'सफाई' शब्द जान-बूझकर कह रहा हूँ, क्योंकि मैं जानता हूँ कि सफाई आपके अकेले के बस की बात नहीं है। शायद आपकी सरकार इसमें रुकावट डालेगी। शिक्षा की सफाई की योजना में अकेले आपकी सरकार ही नहीं, पूरी जो व्यवस्था चल रही है, साथ ही दूसरे लोग, जो समाज और देश के मालिक हैं, वे सब अड़ंगाबाज़ी करेंगे। अगर आप शिक्षा की सफाई की योजना शुरू करेंगे, तो मेरे जैसा छोटी हैसियत का आदमी भी आपकी मदद करेगा।

आपने पहाड़ी इलाके में विश्वविद्यालय खोला है, यह एक बहुत बढ़िया पहल की है, लेकिन कुछ-एक जंगली इलाकों में भी यह होना चाहिए। कुछ ऐसे इलाकों में भी होना चाहिए, जहां के लोगों ने विश्वविद्यालय तो क्या स्कूल भी नहीं देखा है। बंगाल में जहां पर कुछ लोग अपनी जमीन बचाने के लिए हथियार उठाए हुए हैं, वहां पर भी विश्वविद्यालय खोलने की बात आप सोचिए। अगर आपमें यह सोचने की ताकत नहीं है और केवल कश्मीर के लिए ... वे महाराज कहां चले गए, जिन्होंने कहा कि उन्होंने इतनी जमीन दी है उस विश्वविद्यालय को और हजार एकड़ में वह विश्वविद्यालय बना है। सर, यह तो मुकामी सेंटिमेंट्स या जज़्बात हैं।

**उपसभाध्यक्ष (प्रो. पी.जे. कुरियन):** ओके मिश्र जी, समाप्त कीजिए।

**श्री जनेश्वर मिश्र:** उन्होंने क्यों नहीं इलाहाबाद यूनिवर्सिटी को कुछ दिया और क्यों नहीं कानपुर विश्वविद्यालय को कुछ दिया? यह तो उनका निजी मामला है कि उन्होंने वहां पर दिया, लेकिन हमारे कानपुर और इलाहाबाद में इतना बड़ा आदमी नहीं है कि इतनी सारी जमीन दे दे। उसके लिए तो आपको अपनी तरफ से पहल करनी पड़ेगी।

हम चाहेंगे कि विश्वविद्यालयों के दरवाजों पर जो काई, जाले और गंदगी लगी हुई है, साथ ही पूरी की पूरी शिक्षा पद्धति में अंग्रेजी भाषा के नाम से जो एक कुष्ठ रोग लगा हुआ है, इन दोनों की सफाई में आप आगे बढ़ कर प्रयास करें। हम लोग आपके साथ रहेंगे। अलीगढ़, बनारस और इलाहाबाद यूनिवर्सिटी में Statutory Order करके वहां के छात्र संघ का चुनाव कराया जाए, क्योंकि आजादी की लड़ाई के जमाने से वह छात्र संघ है और तब से आज तक चलता आ रहा है। उनके लिए आज दरवाजे बंद हैं।

**उपसभाध्यक्ष (प्रो. पी.जे. कुरियन):** मिश्र जी, समाप्त कीजिए।

**श्री जनेश्वर मिश्र:** बीच में मायावती जी की सरकार ने भी कुछ छात्र संघों को रोका था, लेकिन लड़कों ने हल्ला मचाया तो उन्होंने कहा कि चुनाव होंगे, हालांकि चुनाव हो नहीं रहे हैं। हम चाहेंगे कि वादा-खिलाफी न की जाए। चाहे सूबे की सरकार हो या दिल्ली की सरकार हो, बच्चों के लिए दरवाजा खुला रहना चाहिए। धन्यवाद।

DR. JANARDHAN WAGHMARE (Maharashtra): Mr. Vice-Chairman, Sir, I thank you for this opportunity to speak on the Central Universities (Amendment) Bill, 2009. I really support this Bill and congratulate Shri Kapil Sibal. He has put his heart into the HRD Ministry. He has decided to reform the whole education system and we welcome that. While supporting this Bill, I would like to make a few observations. My first observation is that it seems that we have not prepared any roadmap for the growth and development of higher education in this country. Of course, the Knowledge Commission has recommended 50 National Universities to be established. Last time, I think, we established nearly 12 Universities, and we are going ahead in that particular direction. The Central Universities are really important because in addition to teaching, they emphasise on research. And, research is an important component of universities. In State Universities, I mean, affiliated Universities, research is not seriously taken up. Many colleges are affiliated to the State University. And, the whole energy, time, money is spent on managing the colleges. We have to reconsider this. We have to decide whether we should continue with the system of affiliating universities in the country or not. Sir, most of the countries have discarded the principle of affiliating universities. There are universities and there are colleges which are autonomous. The U.G.C. is trying to give autonomy to colleges, but colleges are not coming forward to take autonomy. This autonomy will solve the problem of research. Our, universities have failed in

doing research, I mean, worthwhile research. Therefore, Central Universities are needed and I do not know why they have not given a Central University to Maharashtra, such a big State. There is one Hindi University at Wardha which has no building, no office, this and that. Infrastructure of the university is a very important aspect, and we have to give emphasis on research. Along with teaching, there is one more objective of the university and that is extension. Universities and colleges, in the advanced countries, have this component of extension. We do not have extension. Whatever research we do, whatever innovations we do in higher education, they have to be taken to the people there, and extension is the only channel to take the new knowledge to the people there. So, why not introduce the principle of de-centralisation in academic growth so that you can solve the problem of land. We did this experiment in Maharashtra. I was the Vice-Chancellor of a university and we did this. Instead of concentrating all activities, all the departments in one campus, they can be decentralised. They can be located at other places in the jurisdiction of that particular university. That is how you can solve this particular problem.

Therefore, now, we have to think very seriously about giving autonomy to the colleges. Our universities are autonomous; they enjoy more autonomy than that of colleges. Our colleges do not have any autonomy at all. In spite of our efforts, the percentage of higher education in our country has not gone beyond ten per cent whereas in the advanced countries, Sir, it is nearly 50 per cent. So, we are far behind, and, unless you take a very long stride in the direction of higher education, I think, the future of the country will not be very bright. This is the need of the time. Thank you very much.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you, Dr. Waghmare. You always stick to the time.

SHRI SYED AZEEZ PASHA (Andhra Pradesh): Sir, I am also one of those who stick to the allotted time.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri Syed Azeez Pasha. Mr. Pasha, your Party's time is only three minutes. You can take five minutes.

AN HON. MEMBER: Sir, you are very generous. (*Interruptions*)

SHRI SYED AZEEZ PASHA: Sir, on behalf of my party, I rise to support the Central Universities (Amendment) Bill, 2009. Sir, by creating two separate universities, one in Jammu region, and, one in Kashmir region, you have fulfilled the long-standing demand and aspirations of people of both the regions. As has been correctly said, you have tried to cover up the regional imbalances by creating these two universities in these two regions. As such, the level of education and literacy is far from satisfaction in Jammu and Kashmir region, if we compare it with other advanced States. Of late, people of Jammu have started feeling that they have been discriminated in each and every field. Had you gone in for only one university in Srinagar, this feeling would have become more distinct? That way, it is good that you have established two



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separate universities. Once you establish these universities, the need of the hour is to grant funds generously. You have seen the universities suffering due to paucity of funds.

I just want to remind you that the Common Minimum Programme of the UPA Government talked about enhancing the funds for the education sector by 5 to 6 per cent; which is yet to take place. We have to strive in that direction. Once you are going to establish fifteen universities, I think, we should not fall into the trap of complacency because we have to go a long way. If we compare ourselves with the developed countries, this figure is far from satisfaction. We have to strive to establish more universities, and, then, deemed universities also. While talking about deemed universities, I really appreciate the Ministry of HRD, which is taking proper care to see that the deemed universities which are coming forward as applicants should follow certain criteria. In this way, you are going to uphold the quality of the education.

Once again, I support the Central Universities (Amendment) Bill, 2009, and, congratulate the hon. Minister for establishing two separate universities in two separate regions. Thank you.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you Mr. Pasha. Very good. You adhered to your three minutes. I am very happy. Now, Shri Sabir Ali. You have five minutes.

SHRI SABIR ALI (Bihar): That is enough for me, Sir. मंत्री जी, आपने बहुत सराहनीय कदम उठाया है, जम्मू और कश्मीर में दो यूनिवर्सिटीज़ लगाने के लिए आप जो बिल लाए हैं, मैं उसको सपोर्ट करता हूँ। साथ ही साथ मैं कहना चाहता हूँ कि मैं जिस प्रदेश से आता हूँ, बिहार, मैं समझता हूँ कि इस देश के गरीब प्रदेशों में से वह भी एक गरीब प्रदेश है। वहाँ यूनिवर्सिटी लगाने की बात आपने पहले कही थी। बिहार सरकार से आपने जमीन भी मांगी थी, किन्तु मुझे लगता है और जो हमारी जानकारी है, शायद आपको अभी तक वह जमीन उपलब्ध नहीं हुई है, आपका क्राइटेरिया 500 एकड़ जमीन का है, वहाँ पर 100 एकड़ की उपलब्धता की बात की गई थी। उसमें क्या आपने पहल की है, वहाँ पर क्या प्रगति है, यह मैं जानना चाहता हूँ? अभी तक हम लोगों को इसका पता नहीं चला है। मैं कहना चाहता हूँ कि अभी तक आप जमीन ढूँढ रहे हैं, किन्तु बिहार में एक-दो ऐसी यूनिवर्सिटीज़ हैं जो आपके क्राइटेरिया को फुल-फिल कर सकती हैं। Why not take over those Universities and make a Central University? अगर आपको इतनी बड़ी जमीन उपलब्ध नहीं हो रही है, तो कम से कम आप यह कर सकते हैं कि पटना यूनिवर्सिटी, बहुत पुरानी यूनिवर्सिटी है, लेकिन अगर वह आपका क्राइटेरिया फुल-फिल नहीं करती तो बिहार यूनिवर्सिटी के पास बहुत लम्बी-चौड़ी जमीन है, मगध यूनिवर्सिटी है, कम से कम आप यहां से अपनी पहल को शुरू सकते हैं। बिहार सरकार बिहार के बंटवारे के बाद बहुत गरीबी में डूबी जा रही है और झारखंड के बंटवारे के बाद बिहार के पास केवल सूखी जमीन और बाढ़ के अलावा बाकी कुछ नहीं बचा। एक बिहार ही ऐसा प्रदेश है, जिसमें एक भी सिंगल इंडस्ट्री नहीं है। इसलिए कम से कम आपकी पहल जोरदार होनी चाहिए। साथ ही साथ मैं आपसे एक आग्रह करना चाहता हूँ कि मैंने 20 नवम्बर को एक क्वेश्चन पूछा था, आपके मंत्रालय के जरिए उसका जवाब मिला था, क्वेश्चन नं० 209, कि दो यूनिवर्सिटीज़ हैं पूरे हिन्दुस्तान में जो माइनोंरिटीज़ के नाम से जानी जाती हैं - एक जामिया यूनिवर्सिटी। अलीगढ़ यूनिवर्सिटी और दूसरी जामिया यूनिवर्सिटी। अलीगढ़ यूनिवर्सिटी में मैं समझता हूँ कि चूंकि उसका मामला सुप्रीम कोर्ट में लम्बित है, आप उसमें अपना फैसला नहीं ले सकते हैं, लेकिन दूसरी जामिया यूनिवर्सिटी आपके ज्यूरिस्ट्रिकशन में है, आपने उस केस को रेफर भी किया है माइनोंरिटी कमीशन को, लेकिन मैं आपके माध्यम से कहना चाहता हूँ कि यह कितना बड़ा मज़ाक है। मंत्रालय को इस बात की

जानकारी है कि माइनोंरिटी कमीशन के पास इतने अख्तियारात नहीं हैं और उनके ज्यूरिस्टिकशन में यह नहीं है कि वे फैसला ले लें किसी यूनिवर्सिटी की शकल-सूरत को बदलने का, लेकिन वहां उसको रेफर किया जाता है! बड़ी विडम्बना की बात यह है कि माइनोंरिटी कमीशन कालेज की सूरत बदल सकती है, न कि यूनिवर्सिटी की, लेकिन उसको वहां पर रेफर करके मामले को लम्बित कर दिया जाता है। इसलिए आपसे विनती है और मुझे उम्मीद है कि आप जवाब भी देंगे। जामिया का मामला 1920 में उस वक्त बना, जब गांधी जी का बड़ा ऐलान हुआ था कि सरकारी स्कूलों का हम लोग फायदा नहीं लेंगे और अपनी यूनिवर्सिटीज़ बनाएंगे और मुसलमानों के एक बहुत बड़े तबके ने इसकी फाउंडेशन डाली, इतनी बड़ी यूनिवर्सिटी बनाकर दी। इसलिए, उसका हक बनता है कि आप कम से कम जामिया यूनिवर्सिटी को, आप अपनी ईमानदारी यहां दिखाइए कि जामिया यूनिवर्सिटी, जो कि मुसलमानों की, माइनोंरिटी यूनिवर्सिटी है, उसको आप डिक्लेअर कीजिए कि जामिया माइनोंरिटी इंस्टिट्यूशन है और यह आपके अंदर रहेगी। मैं आपसे इतनी ही मांग करता हूं।

बहुत कुछ न कहकर मुझे इतना ही कहना है कि आप ईमानदारी बरत कर इसमें जरूर पहल करेंगे, ताकि litigation न हो। इसकी पहल करके जामिया को आप अवगत कराएंगे और हमको भी खुश होने का मौका देंगे, जामिया यूनिवर्सिटी को एक माइनोंरिटी यूनिवर्सिटी डिक्लेअर किया जाए। धन्यवाद।

DR. E.M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Thank you, Mr. Vice-Chairman, Sir. Sir, I fully support the Central University (Amendment) Bill 2009, which is brought forward for making two Universities, one for Kashmir and another for Jammu, and making a provision of Rs. 240 crores for each. It is a very welcome step because Jammu and Kashmir is the crown jewel of India. We are proud to make any investment for Jammu and Kashmir. The investment in the field of intellectual research and teaching is very much needed. Students who hail from different parts of India will be very happy and proud to study in these universities. But, at the same time, I would like to recollect the request, for local people's participation in each and every aspect, made by the hon. Chief Minister of Tamil Nadu to the hon. Minister, Shri Kapil Sibal, when he attended the inauguration of one of the Central Universities in Thiruvaur. He demanded that at least 50 per cent of the local people, including students and staff, should be accommodated in these universities. Then only the local culture will be there and also the feeling will be there that this is the University created by the Central Government for the development of these areas. We are creating universities at many places. But many among staff and students are from different parts of the country. No doubt, we want to have an integrated society by way of universities and also Navodaya Vidyalayas. These Navodaya Vidyalayas were created with the vision of our youthful leader Rajiv Gandhi and they successfully made unification of national mind among youths.

When the Central Universities are created, two things are taken into consideration. One is that there will not be any scarcity of funds like State Universities are facing. Many State Universities and colleges are expecting only the UGC grants. They cannot generate any fund on

their own. Certain universities, which have a distance education system, are earning huge money. Others are not having such type of earning. When you compare them with autonomous universities, which are now allowed to be conducted by private people, they are charging exorbitant fee. But, at the same time, there is no link between their production of intellectuals and the need of the society.

Second point regarding the demand of the Central University is national stature, and so to say international stature. Even 45 years ago when I tried to study at the Jawaharlal Nehru University, getting education from a reputed university was the motivation at that time for a person coming from a remote place like Sivaganga to Delhi. Similarly, a Central University in each and every State has to be utilised for the purpose of research. Culturally, architecturally and from several aspects, we are an ancient civilisation. We have got our own knowledge. We have never studied those issues from research aspect. We are always looking at the Western countries, or the USA, and saying that this is the type of research that we have to take up. We have forgotten one aspect that the research is also based on certain demands. Now we have to compete with China in the international market. When we want to capture that market, why do we have to bring China into this aspect? I am just quoting one paragraph from Amartya Sen's book. "Making good use of global trade opportunities is among the lessons that China offers to India and the lessons here can be critically important for India's economic progress. A similar message had already emerged from the economic success of other South-East Asian economies, including South Korea. But given China's size and intensity of its pre-existing poverty, China's experience are particularly relevant for India's economic policy making."

In this matter, I would like to suggest that two aspects have to be taken into consideration when the Central Universities go for research. One is, we have to see that industry, corporate bodies, business bodies and service organisations should have access to the research which has been done in universities.

What is the need for it? The research should be oriented to these commercial aspects, international demand, etc. It should not be a research for making a book or reading a paper or putting a patent and waiting for the person to come and occupy that space. We have to see that it is marketed immediately and a person who has done the research should get benefit immediately so that the demand for more research increases. In this respect, Sir, we have to see that professors and heads of the departments should have the same mindset. Now, we are putting the persons who are more managerial or administratively-oriented as the Vice-Chancellors and the heads of the departments. Those persons have much ego about how to control their lecturers and students. That is their aspect. They are not worried that they are doing a research in part and when they are doing a research, some more people will join along. I would

like to quote Shri Chandrasekhar, the Nobel laureate from Tamil Nadu. When he won the Nobel prize he said, “I have not won the Nobel prize, but my team of students have won the Nobel prize.” That is the attitude of a professor who is a Nobel laureate. That attitude has to be brought in every professor. Our professors are more politically-oriented leaders. They are creating more products for the politics rather than for the scientific field and international global trade.

Therefore, I request that the focus should be clear in the Central Universities. We know that the Indira Gandhi National Open University is creating a very great thing after Shri Kapil Sibal has taken over as the Minister. He has made it so efficient that even a person who, sitting in any part of the world, can just click into the IGNOU website, start reading it and write an examination and get a certificate. That should be the way of teaching. Persons at the age of 70 should have a capacity to learn if they want to. The flexibility should also be there. Now, our academic system is not having the flexibility. We feel that the youthful days from 21 to 35 have to be drained away by going in for this type of university education. Our students don't know how to run the family, how to go about it, etc. Instead of that, the person who is working should also have the capacity to develop his own skill by having a flexible curriculum, by which he can go, and enhance and develop his skill and go for better jobs. This is the thing which is attracting the youth towards western universities, more so of the USA. Sir, in the USA, I know many of the people who, after their engineering studies here, have gone there and switched over to some other jobs. They have gone there for a particular university as a science research scholar but they switched over to some other field because they felt that to be more attractive. So, the flexibility of education has to be brought in when Shri Kapil Sibalji is leading this particular Ministry. *(Time-bell rings)* Sir, he is bringing in a new thinking regarding the international universities to have their location in India. We welcome it. We need the competition. But, at the same time, those universities should not come up in the cities; they should go to the rural areas. They have to put their investment in the rural areas and develop them. If they are mustering their strength and having a joint sector position in the cities....*(Interruptions)*... I know your position. Kindly don't interfere. *(Interruptions)* I am arguing for you also. Kindly hear me. Therefore, my submission is, when you are opening any university or private university, there should be some regulation. It is not for producing certain degree holders. Its effects should be afterwards and how they are marketed in the public. Whether they have got the jobs; whether this university has produced such people; whether he has done a research; whether it is useful for having such a university at all. That should be the ultimatum. There should be a regular body to oversee whether the diplomas are useful for jobs or for society at large. Thank you, Sir.

**डा. (श्रीमती) नजमा ए. हेपतुल्ला** (राजस्थान) : सर, इसमें कोई दो रायें नहीं हैं कि जो अमेंडमेंट बिल मंत्री जी हमारे सामने लाए हैं, उसको हम सपोर्ट करें, तो मैं पहले ही कहती हूं कि we support the Bill. Having said that, यहां नाच्चीयप्पन साहब ने अभी मुझे पहले बोलते हुए बहुत विस्तार से बताया कि यूनिवर्सिटीज का स्टैंडर्ड ऊंचा होना चाहिए। मैंने अपना career यूनिवर्सिटी में पढ़ाने से शुरू किया, इसलिए मैं समझती हूं कि इससे ज्यादा noble profession कोई दूसरा नहीं होगा। सर, हमारी जो यूनिवर्सिटीज हैं, वे एक रिसर्च इंस्टीट्यूट के तौर पर भी हैं। उनका मकसद केवल कागज़ की डिग्री देने का ही नहीं हो, बल्कि उनका मकसद यह भी हो कि laboratories से, बैंच से मार्केट तक उनकी रिसर्च की जो applicability होती है, वह होना बहुत ज़रूरी है और उनका स्टैंडर्ड बढ़ाना चाहिए।

अभी हमारे जनेश्वर मिश्र जी यहां बोल रहे थे। उन्होंने मौलाना आज़ाद साहब का जिक्र किया, जो भारत के पहले शिक्षा मंत्री थे और जिन्होंने आज़ाद हिंदुस्तान की शिक्षा नीति की बुनियाद रखी। मुझे उनकी तकरीर का एक हिस्सा याद आ रहा है। उन्होंने यह कहा था कि मुझे इसमें कोई एतराज़ नहीं है कि मेरे students बाहर की दुनिया में जाकर तालीम हासिल करें, मगर मैं यह चाहूंगा कि एक दिन मेरे मुल्क की यूनिवर्सिटीज, मेरे मुल्क के इंस्टीट्यूशन्स इतनी आला तालीम दें कि हिंदुस्तान में बाहर से लोग नॉलेज हासिल करने के लिए, इल्म हासिल करने के लिए आएंगे। जैसे प्राचीन काल में हमारी नालन्दा और तक्षशिला यूनिवर्सिटीज थीं, उस level के इंस्टीट्यूशन्स मैं देखना चाहता हूं।

मुझे उम्मीद है कि हमारे एच.आर.डी. मिनिस्टर, जो खुद पढ़े-लिखे हैं और हाऊस में बहुत अच्छा बोलते हैं, वे इस चीज़ को ध्यान में रखेंगे कि केवल the number of universities should not be increased कि हम गिनती गिनें कि सौ हैं, दो सौ हैं या एक हजार हैं, मगर उनमें से जो पढ़कर निकलते हैं, वे कैसा दिमाग लेकर निकलते हैं, कैसा पढ़ते हैं, यह ज़रूरी है। A country's development is not going to be measured by how many institutions we have, but the quality of mind created in those universities will be most important. That is what I want to say.

सर, अभी मेरे एक और साथी बोलने वाले हैं, इसलिए मैं ज्यादा समय नहीं लूंगा। मंत्री जी, आपने अपनी पिछली किसी announcement में अलीगढ़ मुस्लिम यूनिवर्सिटी के पांच कैम्पस खोलने की बात कही थी। उनमें से एक पश्चिमी बंगाल में खुल रहा है, एक बिहार में खुल रहा है, एक केरल में है, एक मध्य प्रदेश में है और एक शायद पुणे, महाराष्ट्र में है। मुझे इस बात की खुशी है कि आपने एक सेंट्रल यूनिवर्सिटी के कैम्पस खोलने की कोशिश की है, मगर क्या ये कैम्पस खोलने से पहले, क्योंकि कैम्पस खोलने के लिए सैकड़ों एकड़ ज़मीन की ज़रूरत पड़ती है, तो क्या आपने वहां की स्टेट गवर्नमेंट से पहले इस सिलसिले में बात की थी? क्या उनका मशवरा लेकर आपने यह बात कही थी? कहीं ऐसा न हो कि ज़मीन न मिले और वे कैम्पस सिर्फ पेपर पर ही रह जाएं, क्योंकि आपने खुद ही कहा कि जम्मू में ज़मीन की बात थी और ज़मीन आपको मुहैया नहीं हुई, तो वाइस चांसलर साहब श्रीनगर में appoint हो गए। बिना यूनिवर्सिटी के वाइस चांसलर कैसे appoint हो गए, यह भी अपने में अजूबा ही है। इसलिए मुझे यह पूछना है कि क्या आपने मध्य प्रदेश गवर्नमेंट, वेस्ट बंगाल गवर्नमेंट, बिहार गवर्नमेंट आदि से ज़मीन के बारे में बात की है? क्या वे सौ-सवा सौ एकड़ ज़मीन आपको दे सकते हैं? यदि नहीं, तो ये यूनिवर्सिटीज सिर्फ कागज़ पर ही रह जाएंगी।

सर, हमारी एक और बहुत अच्छी यूनिवर्सिटी है - बनारस हिन्दू यूनिवर्सिटी, जिसका आज़ादी की लड़ाई में बहुत अहम रोल रहा है। क्या सरकार कुछ सोच रही है कि जिस तरीके से देश में अलीगढ़ मुस्लिम यूनिवर्सिटी के और कैम्पस खोले जाएंगे, उसी तरीके से बनारस हिन्दू यूनिवर्सिटी के कैम्पस भी आप पूरे हिंदुस्तान में खोलने की कोशिश करेंगे? और अगर आपके कैम्पस ऑलरेडी हैं, जो अच्छे चल रहे होंगे - ऐसा मुझे यक़ीन है, तो क्या उनकी संख्या बढ़ाने का आपका कोई इरादा है?

सर, आखिरी बात मैं यह कहना चाहती हूँ कि अलीगढ़ मुस्लिम यूनिवर्सिटी का बार-बार जिक्र हुआ। अलीगढ़ मुस्लिम यूनिवर्सिटी के जो वाइस चांसलर appoint हुए हैं, मैं उनका नाम नहीं लेना चाहती, क्योंकि वे अपने आप को defend नहीं कर सकते, तो सवाल यह है कि वे सिवाय अंग्रेजी के या अपनी मादरी ज़बान के कोई ज़बान बोल नहीं सकते।

अलीगढ़, जो हमारे यूपी में है, जहाँ की भाषा उर्दू और हिन्दी हो, वहाँ पर वे अपने students से communicate कैसे कर पाएँगे, यह बात मेरी समझ में नहीं आयी। अगर आप कभी Vice-Chancellor को appoint करते हैं, तो यह भी सोचना चाहिए कि उनका background क्या है। खाली यह देखना कि कोई काबिल आदमी है and that educated man cannot communicate with his own students, how can it be possible? मैंने यह बात इसलिए महसूस की कि अलीगढ़ यूनिवर्सिटी में, जैसा आपको भी मालूम है, agitation चल रहा था। मुझे स्टूडेंट्स से मिलने का मौका मिला क्योंकि वे मेरे पास आए। मैंने उन्हें समझा-बुझाकर भेजा कि अगर पहली दिसम्बर को यूनिवर्सिटी खुलनी है तो आप लोग अपने हित के लिए - क्योंकि अगर आप agitation करेंगे तो नुकसान आपका होगा, और किसी का नहीं होगा, आपका semester खत्म हो जाएगा, exams में आपको कोई मौका नहीं मिलेगा, इसलिए बेहतर यह है कि अपनी डिमांड्स को रखते हुए भी आप यूनिवर्सिटी खोलने में मदद करें। महोदय, लड़कों की एक डिमांड है। अलीगढ़ मुस्लिम यूनिवर्सिटी और अन्य जो हमारी यूनिवर्सिटीज़ हैं - अभी हमारे माननीय साथी जनेश्वर मिश्र जी ने कहा, बनारस यूनिवर्सिटी है, इलाहाबाद यूनिवर्सिटी है - इन सब यूनिवर्सिटीज़ में पार्लियामेंट के एक्ट के थ्रू यूनियन का क्रयाम होना, यूनियन का बनना एक्ट के अंदर आता है। अगर यह एक्ट के अंदर आता है तो किसी भी यूनिवर्सिटी का Vice-Chancellor उस एक्ट का उल्लंघन कैसे कर सकता है? मैं आपके सामने यह बात रखना चाहती हूँ कि अलीगढ़ मुस्लिम यूनिवर्सिटी के स्टूडेंट्स और दूसरी यूनिवर्सिटीज़ के स्टूडेंट्स, जिनके यहां पार्लियामेंट के एक्ट से यूनियन गवर्न होती हैं - मैंने subordinate legislation में यह बात देखी, उनके रूल्स मंगाकर पढ़ें - तो अलीगढ़ यूनिवर्सिटी के अंदर और दूसरी यूनिवर्सिटीज़ के अंदर यूनियन के इलेक्शन क्यों नहीं होते? वहाँ स्टूडेंट्स को participate करने का मौका नहीं मिलता। हम किसी स्कूल की बात नहीं कर रहे हैं। हम समझदार लड़कों की यूनिवर्सिटी की बात कर रहे हैं। उनको एक हेड-मास्टर की जरूरत नहीं है, एक पुलिसमैन की जरूरत नहीं है। उन्हें हमारे भारत की जो परम्परा है, गुरु शिष्य परम्परा के अनुसार अपने बच्चों के साथ व्यवहार करना चाहिए। यह हमारे यहाँ की एक पुरानी परम्परा है, यह वहाँ पर लागू क्यों नहीं होती? आज के टीचर्स, आज के Vice-Chancellor एक हेड-मास्टर और पुलिसमैन की तरह अपने अख्तियारात का इस्तेमाल करते हैं। मैं इस ओर आपका ध्यान दिलाना चाहूँगी कि आप इसके ऊपर जरूर गौर करें। धन्यवाद।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay. Thank you, Madam Najmaji. Now, Mr. Rahul Bajaj.

SHRI RAHUL BAJAJ (Maharashtra): Thank you, Mr. Vice-Chairman.

At the outset, may I declare my interest? I do not know whether it is relevant. But I happen to be President of an organisation in Wardha, near Nagpur, called [Shiksha Mandal] which was started over 90 years ago by my grandfather at the request of the Father of the Nation, Mahatma Gandhi.

I have two points to make through you, Mr. Vice-Chairman, to the hon. Minister of HRD. One is, I heard a couple of speakers, but I was not clear what Najmaji meant. I realise that you don't have to have a Central University in every State. We have 30 States, and very few Universities; that is understandable. Sir, in Maharashtra, we have excellent Universities, in

Mumbai, Pune and other places, but we do not have a Central University except something called “Valmiki”, in Nagpur, but nobody has ever heard of it, and I do not see what it has done. But I would like to convey through you, Mr. Vice-Chairman, to the Minister that there is a Hindi University in my hometown, Wardha, but it is never functioning to the best of my knowledge. Again the question of land, premises, funds arises. If I remember correctly, the first Vice-Chancellor did not want to be in Wardha. He wanted to operate from Allahabad, and there was some proposal, Mr. Vice-Chairman, to shift it to Allahabad. At that time, I wrote a letter to Madam, I think, Prabha Rao—she used to represent, in the Lok Sabha, Wardha—saying that it should not be shifted. She replied back that it would not be shifted, etcetera, etcetera. But it is, to the best of my knowledge, not really functioning. If you have a Hindi University, you don’t want it to be closed down; otherwise, .....(*Interruptions*)...

DR. (SHRIMATI) NAJMA A. HEPTULLA: I did not mention about Urdu University. ...(*Interruptions*)... I said, the Vice-Chancellor does not know the language.

SHRI RAHUL BAJAJ: That is fine; I have no comment. I am talking about a Central University, Najmaji, that in Maharashtra, though I myself say, you don’t have to have a Central University in every State.....

...there is one Central University. I believe it is in Wardha. It is a Hindi University, not a Hindu University. But *de facto* for the last few years nothing is happening. Now, there is another Vice-Chancellor. But I don’t know what his limitations of funding, land, etc., are. That is one point.

My second and main point is this. I would like, if I am permitted, Mr. Vice-Chairman, Sir, to give the example of my own institution without being personal. It is a public charitable trust and is under the Societies Act. So, there is no question of capitation fee; there is no question of making money or anything of that sort. But I can’t charge the fees I want. I can’t pay the salaries I want. Two major constituents in our educational institutions which we have all mentioned in this House from time to time are the students and the faculty. I was the Chairman of the Indian Institute of Technology in Mumbai which has, at least, full academic freedom. But then fees and salaries, because the Government strongly financially supports the IIT, Mumbai and it used to be Rs.100 crores or so, are obviously controlled. I don’t have time to go into the details. But if we want to give good education and especially when it is charitable trust organisation — again I know that every charitable trust is not functioning honestly and with integrity; that is the duty of the Government and Ministry — and we have over 90 years’ track record, we should be allowed. We don’t have the freedom to charge the fees we want. If I charge too high a fee — this is in Wardha, not in Mumbai — nobody will come there to study. So, I have to charge reasonably and I to get good teachers I have to pay. In that connection, for example, Mr. Vice-Chairman, I want to start an engineering college. I don’t want to go into the details. But because of the regulations

because I have to take permission from the All India Council for Technical Education, there are technical hitches. With my own money, with our money, the private sector, a charitable organisation wants to start an engineering college, I should be able to get the permission just by writing a letter. I am not a foreigner. We need hundreds of such quality educational institutions. So, I would like to say that you allow affiliation of colleges to Central Universities. There is no provision for that. You allow only very good colleges. I am told the affiliation part is going to disappear. No problem. Then you give me autonomy. I am not talking about the deemed university status. I know that the Minister does not like that concept. Fair enough. Why can't we be allowed to function where there is a track record; where there is a public charitable trust, where there has never been capitation fee, where there is no complaint? We don't give salaries to teachers and take back ten per cent and all that. Today, the situation is ethical educational institutions are finding it difficult to make both ends meet and those who take black money and capitation fee are all right. They don't mind the control by anybody because they don't follow the rules. So, hon. Minister, the right thing to do, and I would like to request him, through you, Mr. Vice-Chairman, is to enable the educational institutions, in this case colleges. We should have freedom of action. We should be able to start new engineering colleges with our own money. We don't want the Government money. Still we have difficulties in being able to provide good quality education to the students of India. Thank you.

**श्री राजनीति प्रसाद (बिहार) :** सर, मैं इस बिल के समर्थन में खड़ा हूँ। मैं माननीय मंत्री जी को धन्यवाद देना चाहता हूँ कि इन्होंने दो यूनिवर्सिटी जम्मू एंड कश्मीर में खोली हैं, जिससे वहां के लोगों की तथा वहां के विद्यार्थियों की समस्याओं का समाधान होगा। लेकिन, सर, मैं एक निवेदन यह करना चाहूंगा कि हिन्दुस्तान में जितनी भी यूनिवर्सिटी हैं, चाहे वह सेंट्रल यूनिवर्सिटीज हो, चाहे वह स्टेट से कंसर्न्ड यूनिवर्सिटी हो, सर, उसकी कुछ मर्यादा होनी चाहिए और मैं तो चाहता हूँ कि ऐसी यूनिवर्सिटी खोली जाए, ऐसी रिसर्च यूनिवर्सिटी खोली जाए, जिसमें कपिल सिब्बल जैसे वकील और राहुल बजाज की तरह इण्डस्ट्री के लोग वहां पैदा हों। कपिल सिब्बल कोई मामूली नहीं हैं, इनको तो एजुकेशन मिनिस्टर बना दिया। सर, हमारे स्टेट बिहार में इनका नाम है। ये बहुत बड़े विधिवेत्ता हैं, बहुत बड़े एडवोकेट हैं, पता नहीं एजुकेशन में कैसे चले आए।

He is a wonderful advocate; I have heard him in the hon. High Court of Patna. Sir, I am sorry to say. I wonder why this thing has happened...*(Interruptions)* सर, मैं यह दूसरी बात कह रहा हूँ। I am not getting into any controversy. I am just expressing my feelings. सर, श्री जनेश्वर मिश्र जी ने बहुत बढ़िया बात कही कि एजुकेशन में सुधार की जरूरत है, रिसर्च की जरूरत है और ऐसे विद्यार्थी की जरूरत है जो यूनिवर्सिटी में पढ़ें और आज जो global atmosphere है, जो बड़ी-बड़ी इंडस्ट्रीज खुल रही हैं, बड़े-बड़े संस्थान खुल रहे हैं, उनमें विद्यार्थी का यूनिवर्सिटी से सलेक्शन हो जाए। यह कोई जरूरी है कि Symbiosis में ही लड़के का सलेक्शन होगा। यूनिवर्सिटी में ही रिसर्च करने वाले लड़के पैदा हों, वे ऐसी पढ़ाई करें जिससे कि उनका वहीं से सलेक्शन कर लिया जाए। ऐसा तभी होगा, जब आप कोई भी यूनिवर्सिटी खोलेंगे, तो उसका इंफ्रास्ट्रक्चर बढ़िया रखेंगे, उसमें वाइस-चांसलर बढ़िया रखेंगे, उसमें टीचर्स बढ़िया रखेंगे। आप पता नहीं कहां से वाइस-चांसलर लाते हैं। आप कश्मीर यूनिवर्सिटी में वाइस-चांसलर बनायेंगे, तो पता नहीं कि आप साउथ से वाइस-चांसलर ले जायेंगे। हमारी यूनिवर्सिटी में ऐसा ही है। हमारे यहां साउथ का आदमी चला आया, अलीगढ़ यूनिवर्सिटी के बारे में बता रहे थे..*(व्यवधान)*..



THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You kindly address the Chair.

**श्री राजनीति प्रसाद :** सर, मैं यह कह रहा हूँ कि जो यूनिवर्सिटी का वाइस-चांसलर होगा, वह वाइस-चांसलर वही हो, जिसको कि वहाँ के atmosphere का, उसके Geography का ज्ञान होना चाहिए। ऐसा नहीं होना चाहिए कि उत्तर प्रदेश में आप कहीं का वाइस-चांसलर ले आए, उनको हिन्दी आती नहीं है, वह अंग्रेजी के अलावा कुछ जानते नहीं हैं, तो कैसे काम चलेगा। ... (व्यवधान)...

DR. KARAN SINGH: I would like to intervene for a minute. The greatest Vice-Chancellor of the Banaras Hindu University was Dr. Radhakrishnan, who was from the South.

**श्री राजनीति प्रसाद :** सर, मैं आप को बताना चाहता हूँ कि पटना यूनिवर्सिटी में दो बार से ऐसे वाइस-चांसलर आए, जिनको हिन्दी नहीं आती है। अब बताइए, कैसे काम चलेगा? सर, उनको हिन्दी भाषा आती नहीं है और वह दूसरी भाषा जानते नहीं हैं, दूसरे लोग अंग्रेजी जानते नहीं हैं, इससे बहुत दिक्कत होती है। सर, मैं आपसे यह निवेदन करना चाहूँगा कि आप यूनिवर्सिटी जरूर खोलें, आपने जम्मू-कश्मीर में जम्मू यूनिवर्सिटी और कश्मीर यूनिवर्सिटी खोल दी है, लेकिन मैं मंत्री महोदय से निवेदन करना चाहूँगा कि हिन्दुस्तान में अगर कोई बहुत पुरानी यूनिवर्सिटी है, तो वह पटना यूनिवर्सिटी है। हमारे देश के प्रथम राष्ट्रपति स्वर्गीय राजेन्द्र बाबू की भी एक यूनिवर्सिटी है, जिसका नाम पटना यूनिवर्सिटी है। पटना यूनिवर्सिटी कोई मामूली यूनिवर्सिटी नहीं है, बल्कि वह यूनिवर्सिटी रेजिडेंशियल यूनिवर्सिटी है। वहाँ पर इंजीनियरिंग कालेज है, वहाँ पर मेडिकल कालेज है, वहाँ पर सारी चीजें हैं और वहाँ पर लोगों के लिए रहने की व्यवस्था भी है। मैं आपसे इस बिल का समर्थन करते हुए, यह निवेदन करना चाहूँगा कि Patna University is one of the oldest universities ever known in India... उसको भी आप जरूर सेंट्रल यूनिवर्सिटी में कन्वर्ट करेंगे। यह हमारे लोगों की 10-15 साल से मांग है। इस मांग को यहाँ पर भी कई सदस्यों ने उठाया है, क्योंकि अगर पटना की यूनिवर्सिटी को सेंट्रल यूनिवर्सिटी बनायेंगे, तो वहाँ के बच्चों का, वहाँ की बच्चियों का, वहाँ की पढ़ाई के सिस्टम का, वहाँ के अध्यापकों का बहुत कल्याण होगा। इसलिए मैं पुनः इस बिल का निवेदन करते हुए, यह निवेदन करना चाहूँगा कि आप इसके बारे में जरूर विचार करेंगे। धन्यवाद।

**श्री प्रकाश जावडेकर (महाराष्ट्र) :** उपसभाध्यक्ष महोदय, मैं मंत्री जी के प्रस्ताव पर केवल दो सुझाव देने के लिए खड़ा हुआ हूँ। मैंने परसों सवाल-जवाब के समय एक सवाल पूछा था कि हम innovation में lack करते हैं, दुनिया के कुछ देशों ने नेचुरल संसाधनों के आधार पर तरक्की की है, दुनिया के कुछ देशों ने लूट के आधार पर तरक्की की है, जैसे साम्राज्यवादी देशों ने की है। कुछ देशों ने adaptation के आधार पर तरक्की की है, जैसे भारत तथा चाइना की है। बहुत से देश sustainable progress कर सकते हैं, जब innovation होता है। हमारा देश innovation में पिछड़ गया है। मुझे लगता है कि universities जब तक innovation का मूल केन्द्र नहीं बनेंगी, तब तक हमारी उच्च शिक्षा निरर्थक ही रहेगी। यह innovation कब होता है? आज अगर इतनी universities बनाओ, तो faculties कहां से लाओगे? आप किसी भी क्लास में जाकर पूछोगे कि कौन टीचर बनना चाहता है, तो कोई भी अपना हाथ ऊपर नहीं उठाएगा। We do not have a system of recognising and honouring scholars. हम scholars को आजादी भी नहीं दे रहे हैं। हमने रिसर्च और एजुकेशन को अलग करके बहुत बड़ी भूल की है और हम इसकी सजा भी भुगत रहे हैं। इसलिए मेरा यह मानना है कि जब तक हम faculty तैयार करने का कार्यक्रम तैयार नहीं करते, तब तक हम चाहे कितनी भी universities बनाएं और एक जगह से दूसरी जगह, आप अच्छे-अच्छे टीचर्स को बुला लेंगे, हमारी उच्च शिक्षा निरर्थक रहेगी मैं भी एजुकेशन से ताल्लुक रखता हूँ। अगर एक अच्छा प्रिंसिपल चाहिए, तो university में सेलरी 40 हजार रुपए है, लेकिन यहाँ पर जितने भी एजुकेशन से ताल्लुक रखने वाले हैं, किसी को भी लाख, डेढ़ लाख रुपए तनखाह दिए बगैर, आपके कॉलेज में अच्छी faculty नहीं आएगी। आज लोग जब तक चार

गुना ज्यादा नहीं देंगे, तब तक faculty नहीं आएगी, यही वास्तविकता है। इसका मतलब यह है कि faculties कम हैं। अगर faculties कम हैं, तो क्यों कम हैं? इसके तीन-चार कारण मेरी समझ में आते हैं। पहला कारण यह है कि हमारी सामाजिक व्यवस्था में टीचर्स का सम्मान नहीं है। हम गुरु पूर्णिमा मनाते हैं, लेकिन गुरुजनों का सम्मान नहीं करते हैं। So, there is no real honour for the scholars. There is no real system for the scholars to innovate, to have नए-नए तरीके से पढ़ाने की क्या टीचर्स को आजादी है? आज की स्थिति में टीचर्स को इस तरह की कोई आजादी नहीं है। वह रिसर्च भी नहीं कर सकता और वह पढ़ाने के नए तरीके को नहीं अपना सकता है। यदि वह कोई अच्छा शोध का कार्य करे, तो उसका कोई पार्टनरशिप भी नहीं है। आज हमारे देश के पांच लाख cream of the cream स्टूडेंट्स अगर विदेश में जाकर पढ़ रहे हैं, तो दो-ढ़ाई ऐसे होंगे जिनके पास पैसे हैं, वे इसलिए वहां जा रहे हैं। लेकिन दो-ढ़ाई लाख ऐसे बच्चे जा रहे हैं, जो सचमुच पढ़ना चाहते हैं, जो cream of the cream हैं। वे क्यों जा रहे हैं? वे इसलिए जा रहे हैं क्योंकि वहां टीचर्स हैं, वहां faculties हैं, एजुकेशन है, इन्वायरन्मेंट है और वहां पर रिसर्च है। आज हमारे देश की शिक्षा में यह परेशानी है कि इन्फ्रास्ट्रक्चर है, पोस्ट है, लेकिन वह इन्वायरन्मेंट नहीं है, वह रिसर्च नहीं है, वह आजादी नहीं है, वह innovation नहीं है और उस scholars का सम्मान नहीं है। हमें यूनिवर्सिटीज तैयार करने से पहले यह चाहिए कि हम faculty को डेवेलप करने का प्रोग्राम तैयार करें। हम लोगों को विदेश से बुला रहे हैं। परसों हमारे प्राइम मिनिस्टर साहब विदेश में गए थे और इन्होंने कहा कि आप लोग वापस अपने देश में आइए। वे यहां कैसे वापस आएंगे और क्यों आएंगे? यह केवल पैसे की बात नहीं है, पैसा तो है ही, क्या उनको आजादी है और क्या उनको रिसर्च करने की पूरी सुविधा है, यही मुख्य सवाल है। जब तक हम इस मूल सवाल पर काम नहीं करेंगे, तब तक शिक्षा के बारे में भले ही बहुत सारा इन्फ्रास्ट्रक्चर तैयार करें, लेकिन उसमें प्राण तब तक नहीं आएगा जब तक हम अच्छी faculties तैयार नहीं करेंगे। इसके लिए ये तीन-चार चीजें जरूरी हैं, इस बारे में बिल लाएं तथा इस बारे में नए सुधार लाएं। आप सुधार के बारे में कह रहे हैं, हमें बहुत अच्छा लग रहा है। मैं यह मानता हूं कि जब तक इस देश में उच्च शिक्षा में सुधार नहीं होता, We need a second educational revolution that should evolve and revolve around research and freedom of expression, that revolves around our entrepreneurship and development of science and real technologies. Unless we achieve that, unless we are able to achieve all these things, we will not pass the test of real progress.

इसलिए मैं मानता हूं कि शुरुआत जहां से करनी है, वह फैकल्टी से करनी है और हमें यह देखना है उस फैकल्टी के लिए आप क्या करेंगे। आपने मुझे बोलने का समय दिया, बहुत-बहुत धन्यवाद।

**डा. राम प्रकाश (हरियाणा) :** उपसभाध्यक्ष जी, मैं आपका आभारी हूं कि आपने मुझे इस विधेयक पर बात करने का समय दिया है। जम्मू-कश्मीर की एक सांझी केंद्रीय विश्वविद्यालय की स्थापना हुई थी। उसका कार्य क्षेत्र समूचा जम्मू तथा कश्मीर था। जम्मू का अलग केंद्रीय विश्वविद्यालय हो, यह मांग स्वाभाविक थी और न्यायसंगत भी थी, क्योंकि जो केंद्रीय विश्वविद्यालय हैं और विभिन्न प्रदेशों में जो स्टेट यूनिवर्सिटीज हैं, उन दोनों में काफी अंतर है। केंद्रीय विश्वविद्यालय का सारा फंड मानव संसाधन मंत्रालय विश्वविद्यालय, अनुदान आयोग के माध्यम से देता है, जबकि स्टेट यूनिवर्सिटीज को केंद्र से केवल मात्र Development Grant के अतिरिक्त और कोई फंड नहीं मिलता है। उसे केवल Development Grant मिलती है। एक समय ऐसा भी था जब बीएचयू, दिल्ली यूनिवर्सिटी, जवाहर लाल नेहरू, यूनिवर्सिटी को जितनी Grants मिलती थीं, उतना तमाम भारत के विश्वविद्यालयों की Development Grants नहीं थी, इसलिए अगर यह मांग की गई है तो मैं इसे न्यायसंगत मांग कहूंगा। मैं इसे इसलिए भी न्यायसंगत मांग कहूंगा कि केंद्रीय विश्वविद्यालय में प्राध्यापकों की सेवा निवृत्ति की आयु 65 साल है या जितना मानव संसाधन मंत्रालय तय करे, पर स्टेट्स में 60 साल है

और किसी सुझाव को प्रायः वे इस बारे में मानें या न मानें यह उनकी छूट है। तीसरी बात यह है कि स्थानीय, भौगोलिक परिस्थितियों और जरूरतों के अनुसार जो Innovative पाठ्यक्रम बनाने की बात है कि तटीय क्षेत्रों के लिए कैसा हो, मैदानी क्षेत्रों के लिए कैसा हो, पहाड़ी क्षेत्रों के लिए कैसा हो, जहां उद्योग-धंधे ज्यादा हैं, उनके लिए कैसा हो, जब यह बात कही जा रही है कि हम इस तरह के Courses तय करेंगे तो जम्मू के लोगों ने जो बात कही, मैं उसकी सराहना करता हूँ, उसका समर्थन करता हूँ। यू.पी.ए. सरकार ने उनकी इस बात को स्वीकार किया, मैं इसके लिए भी सरकार का समर्थन करता हूँ। एक बात मेरी समझ में नहीं आई कि किसी Vice Chancellor ने बिना प्रदेश सरकार के, बिना केंद्र सरकार के, कौन सी यूनिवर्सिटी कहां लोकेट होगी, अगर उसके बारे में काम करना शुरू कर दिया, तब यह एक गंभीर प्रश्न है, क्योंकि सारे जम्मू क्षेत्र में उन्हें अपना कार्यालय खोलने के लिए जगह न मिली हो, यह समझ से बाहर है। इसलिए जब आप कोई भी केंद्रीय विश्वविद्यालय स्थापित करने लगे तो प्रदेश सरकार के साथ बात करके, उसकी जो location site है, जरूर तय कर लें। आपको उसके साथ घोषणा करनी चाहिए कि यह विश्वविद्यालय फलां जगह पर स्थापित किया जाएगा। जो अगले दो विश्वविद्यालय बनेंगे, मैं उस प्रसंग में यह जानना चाहूंगा कि सरकार कब तक यह निश्चित कर लेगी कि जम्मू विश्वविद्यालय की स्थापना कहां होगी? मैं जानना चाहूंगा कि क्या प्रदेश सरकार ने इस काम के लिए पांच सौ एकड़ भूमि चिह्नित कर ली है? क्या कुलपति का चयन हो चुका है? क्या अगले सत्र से पूर्व infrastructure और पाठ्यक्रम तय हो जाएंगे? क्या पाठ्यक्रम विश्वविद्यालय स्वयं तय करेगा या वह इस विषय में यू.जी.सी. के साथ विचार-विमर्श करेगा? जम्मू यूनिवर्सिटी में कौन से भिन्न कोर्स शुरू किए जाने का विचार है? यह कब functional हो जाएगी? क्या अगले session अर्थात्, जो अकादमिक सत्र प्रारंभ होगा, तब तक तैयार हो जाएगी या नहीं? इसका परिसर अगले साल किसी किराए की building में होगा या अस्थायी जगह पर होगा या स्थायी तौर पर इसे शुरू किया जाएगा? मैं यह समझता हूँ कि किसी भी यूनिवर्सिटी को बनाने के लिए वहां सबसे पहले Vice Chancellor की जरूरत है ताकि वह वहां दिशा-निर्देश दे और जब तक यह काम नहीं होगा, तब तक बाकी विश्वविद्यालय का काम नहीं हो पाएगा।

साथ ही आपके माध्यम से मेरा सरकार से यह निवेदन है कि जो पुराने विश्वविद्यालय हैं, उनकी अवहेलना नहीं होनी चाहिए। ऐसा न हो कि मान लीजिए जम्मू में दो विश्वविद्यालय हो जाएँ और एक जो पुराना विश्वविद्यालय है -- (समय की घंटी) सर, मैं एकाध मिनट में अपनी बात समाप्त कर लूँगा — उसकी अवहेलना नहीं होनी चाहिए। वहाँ के टीचर्स को भी कुछ incentives मिलनी चाहिए, ताकि वे बाकी लोगों के साथ compete कर सकें।

इसके साथ ही यहाँ जिस बात की चर्चा की गई है, प्राध्यापकों की भर्ती पर सबसे ज्यादा ध्यान देना चाहिए। मैं अपने माननीय साथी के साथ सहमत हूँ। कोई विश्वविद्यालय ईंट और पत्थर से नहीं बनता, अध्यापकों से बनता है, इसलिए Common Entrance Test तो संभवतः हमारी जरूरत को पूरा कर पाए या न कर पाए, लेकिन अगर हम अच्छी क्वालिटी के टीचर्स भर्ती करें, उसके लिए कोई पॉलिसी तय करें, तब किसी यूनिवर्सिटी को खोलने का फायदा होगा, अन्यथा वह निरर्थक सिद्ध हो जाएगी। इन्हीं शब्दों के साथ मैं आपका धन्यवाद करता हूँ। इस विधेयक का समर्थन करता हूँ और उम्मीद करता हूँ कि यह जम्मू के लोगों की आकांक्षाओं और आशाओं को पूरा करेगी। धन्यवाद।

SHRIMATI VASANTHI STANLEY (Tamil Nadu): Mr. Vice-Chairman, Sir, I rise to welcome this Bill.

At the outset, I would like to thank the hon. Minister not only for establishing the first Central University in Tamil Nadu at Tiruvarur but also for having come to Tamil Nadu for its inauguration.

Here, I would like the hon. Minister to recollect the request made by our Chief Minister that 50 per cent reservation may be given to the local students wherever the Central Universities are established.

[MR. DEPUTY CHAIRMAN in the Chair]

This will not only benefit the students of Tamil Nadu but, if implemented, also helpful to students all over the country. I request the hon. Minister to consider the request of our Chief Minister for 50 per cent reservation to local students in each Central University.

The next point is, the hon. Minister has announced another Central University at Coimbatore and also a Central Classical University at Trichi. Like Nalanda, Tamil Nadu is also well known for its seat of learning at Kancheepuram. Tamil Nadu will always welcome any reforms in education and we adopt and implement them. So, I request that the hon. Minister should immediately extend help to Central Universities. He has come out with a lot of vision in education. And, he should also provide provisions without any delay. Under his leadership I hope that India would retain its lost glory of yester years through universities like Nalanda and Kancheepuram. I also request the hon. Minister to provide the necessary funds to already announced universities. Thank you.

DR. N. JANARDHANA REDDY (Andhra Pradesh): Mr. Deputy Chairman, Sir, I was listening to the speeches made here. Mr. Bajaj has particularly spoken about his own institutions and his institutions not being permitted to start engineering colleges. Then, I thought of speaking on this with your kind permission. Mr. Bajaj has mentioned a very important point. The Central Universities Bill may help to remove and eradicate barriers. In the year 1978 I was a Member of this House.

My Party had asked me to go to Andhra Pradesh, as a Minister. I went there. At that time, there was this craze for joining Engineering colleges among the students, in other States, but not in Andhra Pradesh. There were no private Engineering colleges in Andhra Pradesh. They were there in Tamil Nadu and Karnataka and there was this craze. Students paid huge capitation fee. Separately, they used to pay huge amounts towards tuition fee too. This was the situation. Dr. Chenna Reddy was the Chief Minister then. As a Minister, I suggested that some Engineering colleges or Medical colleges could be started, whether private or Government-sponsored. He asked me to study the matter and come back to the Cabinet with a report. We carried out a study and started the first three Engineering colleges, one each at Vijayawada, at Tirupathi and at Hyderabad. At that time many people criticized it, but it was an excellent programme. The students of Andhra Pradesh were able to study in Andhra Pradesh itself, with their money. They got the benefits. Later, when N.T. Rama Rao became the Chief Minister, he said — I do not like these people's thinking. "*Vidyanu ammukonunnaru*", he said in Telugu, meaning, education is being sold by the Government. The next year, Chandrababu Naidu became the Chief Minister and he started 120 Engineering colleges. Nowhere in the world is a State Government running so

many colleges. Shrimati Purandeswari, the Education Minister, knows pretty well about it. But nobody criticized it because students were getting seats. The only thing was that they used to seek permission from the CAT. There has been some dissatisfaction in Andhra Pradesh as the Central Government have not carried out a proper study there. The present Ministry, particularly, Shri Kapil Sibal and Shrimati Purandeswari, are trying to do something about it. They could regularise these colleges and a new system could be introduced so that philanthropic people could come forward and start private colleges. I do not wish to dwell further in the matter. We shall watch out for what the Government is doing, what the State Governments are doing, the outcome of it and then go back to our Government. Thank you.

SHRI BHARATKUMAR RAUT (Maharashtra): Sir, given a choice, I would have opposed the Bill, but I would not do that because I don't want to deprive the resident people of Jammu of a great Central University. But let me submit at this stage that this Bill and the Ordinance which was promulgated before this seem to be a political compromise, a political adjustment. The Statement of Objects and Reasons in the Bill says that when it was decided to have the Jammu and Kashmir Central University, the Government was asked to finalise the location in Jammu.

But the location was not found. Therefore, the University was established in Srinagar. Now, what is the point in having two Universities in the same State? The Statement of Objects and Reasons says that the purpose of the University is teaching and research in the various States. I would request the hon. Minister in his reply to mention what type of research they are going to handle in the Central University of Jammu which will be different from the Central University of Kashmir. Let us not play with the fate of students. It is for the political compromise that we are doing this. I think we must have a second look at this attitude. Each State has one Central University. Here, as an exception, you are giving two Universities. I checked with the HRD Ministry: Can there be a Central University in Maharashtra? Why is there no Central University in Maharashtra? I was told that since there is a Hindi University in Maharashtra, about which Mr. Rahul Bajaj has already mentioned, therefore, they could not give Maharashtra another Central University. In this case, Central University is for one purpose and University for Hindi is for another purpose. If a separate yardstick is used for Jammu and Kashmir for whatever political reason, why can't a similar yardstick be used for other States like Maharashtra? If there is a Hindi University, why can't there be a general Central University in Maharashtra? I would like the Minister to answer this. Here we are opening the Pandora's box. If we allow two separate Universities, one for Jammu and one for Kashmir, tomorrow various regions in the country will come out with the same demand. For example, in Maharashtra Vidarbha will come out with the demand for a separate University for Vidarbha, Marathwada will come out with the demand for a

separate Central University for Marathwada, then in Gujarat Saurashtra will come out with the demand for a separate University for Saurashtra and Telangana will ask for a separate University. Where do you stop this? Therefore, Sir, my request to you is: Why don't you shift the venue of the Central University of Jammu and Kashmir to Jammu? In Srinagar, there is another University. So, why don't you shift? Take the bold step and shift the University to Jammu if you have got the location and start the University there. Don't separate the universities.

Sir, this issue was also raised by some other hon. Members. When are you actually starting the academics of the University? If you are saying that you are going to start this from the next academic year, that is not correct. Now, we are in December and the University Bill is still pending. After passing the Bill, the University will be established. If, within five months, you are starting the academics, it means that it will be a hotch-potch thing and it will be a half-baked cake. Neither the students, nor the teachers, nor the State will be benefited by this. So, wait for a year, have good academics, as Shri Prakash Javadekar said, get good faculty in order and get a good syllabus. If you really mean research, think about the type of research which is useful for Jammu region, and then start the academics. If it is delayed by a year, I don't think the heaven will fall. Therefore, my request to you is that let us sit back, think about it and let us see that India is not divided further. Jammu and Kashmir should remain one State, and if you want it to be one State, then there should be one Central University. If this goes on ..(*Interruptions*)..

DR. KARAN SINGH: There are already seven universities. ...(*Interruptions*)...

SHRI BHARATKUMAR RAUT: I am talking about the Central University. In Maharashtra, if you ask for more Central Universities there will be five Central Universities and I am sure in many States there will be more Universities. In this case, the country will be further divided emotionally and that is my fear. Thank you.

SHRI KISHORE KUMAR MOHANTY (Orissa): Sir, I do support the Central Universities (Amendment) Bill, 2009, and I want to say something on the Bill. I do hope that by bifurcating the University in Jammu and Kashmir into two universities through this Bill, you are not starting a process of division of the people of Jammu and Kashmir. I hope that this is not a step to satisfy the aspirations of the separatists. Sir, if you are taking this decision to extend the higher education in the country and in the Jammu and Kashmir State, I welcome it. At the same time, I request the Government to see that there are similar places and regions in our country like Vidarbha, Western Orissa, Telangana, etc. Will they get Central Universities over and above

5.00 P.M.

allotted to the respective States? In case of Orissa, you have opened a new Central University in Koraput District, that is, in KBK area. But, Western Orissa, which has a distinct culture and identity, has been left out from this benefit. I would strongly argue that a new Central University be started in Sambhalpur and Sundargarh region of the Western Orissa. A proposal, in this regard, was almost finalised by the HRD Ministry in the NDA Government to convert the existing Sambhalpur University into a Central University. That may be considered favourably. Sir, with this submission, I welcome and support the Bill.

MR. DEPUTY CHAIRMAN: Now, Shri Mohammad Shafi. You have three minutes.

**श्री मोहम्मद शफी** (जम्मू और कश्मीर) : शुक्रिया, डिप्टी चेयरमैन सर। तीन मिनट तो काफी नहीं हैं, क्योंकि ये..

**श्री उपसभापति** : नहीं-नहीं, ये काफी हो जाएंगे, अगर आप इसको प्वायंट्स पर confine करें, क्योंकि आपने पहले अपना नाम नहीं दिया था।

**श्री मोहम्मद शफी** : सबसे पहले तो मैं जनाब वजीर-ए-तालीम का शुक्रिया अदा करता हूँ कि जब रियासत जम्मू-कश्मीर की हुकूमत ने इन दो सेंट्रल यूनिवर्सिटीज़ का मामला मरकज़ी हुकूमत के सामने लाया तो इन्होंने उस वक्त यह वादा दिया कि हम जल्द ही इस मामले का हल निकालेंगे। जहाँ तक मेरी अपनी याददाश्त का ताल्लुक है, क्योंकि मैं गुज़ारिश्ता दो-तीन दहाइयों से मरकज़ और रियासत के मामलात को देखता रहा। पहली बार ऐसा हुआ कि किसी मुतालबे पर इतनी जल्दी अमल हुआ। इसके लिए मरकज़ी हुकूमत मुबारकबाद के मुस्तहिक है। यहाँ पर कई मैम्बरान ने एक-दो बातें उठायीं। किसी ने जम्मू में यूनिवर्सिटी के कयाम को मुल्क की तकसीम के साथ जोड़ने की बात की ....

**श्री उपसभापति** : आप उस बहस में मत जाइए।...(व्यवधान)...

**श्री मोहम्मद शफी** : ..और कई मैम्बरान ने इसको सिर्फ जम्मू का मसला करार देते हुए बात की। मैं दोनों बातों के तई एक-दो बातें गुज़ारिश करना चाहूँगा। इसे मुल्क की बदकिस्मती ही समझिए कि जब भी कोई आवामी मुतालिबा पेश हुआ मरकज़ के सामने, अगर वह वादी-ए-कश्मीर के आवाम ने पेश किया तो यहां कुछ जमातों ने, कुछ लोगों ने उसका जवाब देने के लिए या उसको रद्द करने के लिए जम्मू के हवाले दिए और जब कहीं जम्मू का कोई मामला पेश हुआ और उसको मंजूर नहीं किया जाना था, तो कश्मीर के हवाले से उसको न मानने की बात हुई। इस माइंड सेट को बदलने की जरूरत है, इस सोच को बदलने की जरूरत है। जब तक आप जम्मू, कश्मीर, लद्दाख को एक रियासत नहीं मानेंगे, इसके समाजी, इक्तिसादी, तालीमी मामलात को आप एडजेस्ट नहीं करेंगे, पोलराइजेशन बढ़ेगी और फिर इस ऐवान में बैठकर न किसी को जम्मूक श्मीर की geography का मालूम है, न वहां की तहज़ीब और तारीख का किसी को पता है और यह कहने जा रहे हैं कि अगर वहां यूनिवर्सिटी हुई तो इससे भी जो अलेहदगीपसंद हैं, उनकी अलेहदगीपसंदी को बढ़ावा मिलेगा। यह काबिले अफसोस बात है। राज्य सभा में बैठे हुए मैम्बर्स को अपने मुल्क की किसी रियासत की तारीख और geography के बारे में भी इल्मियत न हो और वे इस तरह के issues यहां उभारने की कोशिश करें, यह काबिले अफसोस बात है। एक दो बातें और यहां कही गईं।

सर, यूनिवर्सिटीज तो आप बना रहे हैं, सुना होगा, क्योंकि अखबारों में भी ये बातें आती रहीं कि वहां पर आप यूनिवर्सिटीज के लिए जमीन कैसे हासिल करेंगे या आज तक क्यों नहीं जमीन हासिल की। मैं गुजरािश करना चाहता हूं कि जब सेंट्रल यूनिवर्सिटी बनती है तो यह बात किसने लिखी है कि सारी जमीन एक ही जगह पर होनी चाहिए? अगर जम्मू डिवीजन के लिए यूनिवर्सिटी बन रही है तो जम्मू डिवीजन के कई इलाके हैं, पसमान्दा इलाके हैं, वहां पर भी उनके campus बनाए जा सकते हैं। कश्मीर में अगर यूनिवर्सिटी बन रही है तो कश्मीर में भी कई ऐसे इलाके हैं, कई ऐसे एरियाज हैं, जहां पर यूनिवर्सिटी बन सकती है। इस यूनिवर्सिटी के मामले को तवालत देने के लिए यह मामला जमीन के हसूल के मामले के साथ नहीं जोड़ा जाना चाहिए, एक बात तो मैं यह गुजरािश करना चाहता हूं। दूसरी बात faculty की है। यूनिवर्सिटी सिर्फ बनाने से या बोर्ड लगाने से ही नहीं बन सकती है। मेरा भी ताल्लुक रहा है रियासत की तालीम, निजाम की बेहतरी के हवाले से हमने भी काम किया है, अपना हिस्सा जितना कुछ कर सकते थे अदा किया है, 70 की दहाई में भी, 80 की दहाई में भी, बतौरे वजीर-ए-तालीम। जो बाकी लवाजमात हैं, faculty को डील करने के हवाले से, laboratories को डील करने के हवाले से, अच्छे असातिजा की तैनाती के हवाले से .....

MR. DEPUTY CHAIRMAN: Please conclude.

**श्री मोहम्मद शफी :** उसके लिए मेरी यह गुजरािश होगी मोहतरम वजीर-ए-तालीम से कि इन बातों की तरफ भी खास तवज्जो दी जाए। इब्दिता तो कहीं से करनी है। यह कहना कि आप प्राइवेट मुकाम नहीं शुरू करेंगे या किस जगह से शुरू करेंगे, कहीं से शुरूआत तो होगी। लेकिन हम यह तवक्को रखते हैं और रियासत जम्मू-कश्मीर इस बारे में बिल्कुल वायदाबंद है कि इसके लिए जल्द से जल्द रुपए-पैसे फराहम किए जाएंगे, जमीन के हसूल की भी बात हो सकती है और फिर यह इनका काम है कि वे जल्दी से जल्दी इसके लिए इन्फ्रास्ट्रक्चर बनाएं और अमल करें।

एक बात और इसी के साथ जुड़ी हुई है और वह यह है कि जब इस यूनिवर्सिटी का मामला, यह नहीं है कि आज किसी वाइस चांसलर ने खुद यह बात उठाई और यह फैसला कर लिया कि आप इसे जम्मू में मत रखिए। यह अभी फैसला ही नहीं हुआ कि इस यूनिवर्सिटी को कहां शुरू किया जाए। जम्मू में शुरू किया जाए या कश्मीर में शुरू किया जाए, उससे पहले ही चूंकि एक मुतालबा पेश हुआ, अवाम भी शामिल हुई और इसका हल निकाला गया और हल निकालने का मतलब यह हरगिज नहीं है कि किसी तरह से रियासत की हुकूमत इसमें मुलव्वस थी कि वे दफ्तर को जम्मू से उठाकर कश्मीर ले गए और उस यूनिवर्सिटी के जो वाइस-चांसलर थे, उन्होंने ऐसा किया, ऐसा हरगिज नहीं है। हमारे ऑनरेबल एजुकेशन मिनिस्टर इन सारी बातों से आगाह हैं, क्योंकि ये सवालात यहां पर उठाए गए हैं और इनसे कई तरह के खदशात, कई तरह के अंदेशे लोगों के मन में पैदा हुए हैं।

**श्री उपसभापति :** उन्होंने सभी खदशात दूर कर दिए हैं।

**श्री मोहम्मद शफी :** मुझे उम्मीद है कि एजुकेशन मिनिस्टर साहब इन बातों की वजाहत करेंगे। मिनिस्टर साहब यह जो बिल लाए हैं, मैं इस बिल की हिमायत में खड़ा हुआ हूं और मैं फिर एक बार उनके इस कदम को, जो एक मुतालबा था जम्मू में सेंट्रल यूनिवर्सिटी बनाने का और कश्मीर में सेंट्रल यूनिवर्सिटी बनाने का, मिनिस्टर साहब ने जल्दी से इस पर अमल किया है, इसके लिए हम दिल की गहराइयों से उन्हें मुबारकबाद देते हैं। धन्यवाद।



**جناب محمد شفیع (جموں اور کشمیر):** شکریہ، ڈپٹی چیئرمین سر۔ تین منٹ تو کافی نہیں ہیں، کیوں کہ ۔۔

جناب اپ سبھا پتی: نہیں نہیں، یہ کافی ہو جائیں گے، اگر آپ اس کو پوائنٹس پر confine کریں، کیوں کہ آپ نے پہلے اپنا نام نہیں دیا تھا۔

**جناب محمد شفیع :** سب سے پہلے تو میں جناب وزیر تعلیم کا شکریہ ادا کرتا ہوں کہ جب ریاست جموں کشمیر کی حکومت کو ان دو سینٹرل یونیورسٹیز کا معاملہ مرکزی حکومت کے سامنے لایا تو انہوں نے اس وقت یہ وعدہ دیا کہ ہم جلد ہی اس معاملے کا حل نکالیں گے۔ جہاں تک میری اپنی یادداشت کا تعلق ہے، کیوں کہ میں گزشتہ دو تین دہائیوں سے مرکز اور ریاست کے معاملات کو دیکھتا رہا۔ پہلی بار ایسا ہوا کہ کسی مطالبے پر اتنی جلدی عمل ہوا۔ اس کے لئے مرکزی حکومت مبارکباد کی مستحق ہے۔ یہاں پر کئی ممبران نے ایک دو باتیں اٹھائیں۔ کسی نے جموں میں یونیورسٹی کے قیام کو ملک کی تقسیم کے ساتھ جوڑنے کی بات کی۔۔

**جناب اپ سبھا پتی:** آپ اس بحث میں مت جائیے۔۔(مداخلت)۔۔

**جناب محمد شفیع :**۔۔اور کئی ممبران نے اس کو صرف جموں کا مسئلہ قرار دیتے ہوئے بات کی۔ میں دونوں باتوں کے تئیں ایک دو باتیں گزارش کرنا چاہوں گا۔

اسے ملک کی بدقسمتی ہی سمجھئے کہ جب بھی کوئی عوامی مطالبہ پیش ہوا مرکز کے سامنے، اگر وادی کشمیر کے عوام نے پیش کیا تو یہاں کچھ جماعتوں نے، کچھ لوگوں نے اس کا جواب دینے کے لئے یا اس کو رد کرنے کے لئے جموں کے حوالے دئے اور جب کہیں جموں کا کوئی معاملہ پیش ہوا اور اس کو منظور نہیں کیا جاتا تھا، تو کشمیر کے حوالے سے اس کو نہ ماننے کی بات ہوتی۔ اس مانڈ سیٹ کو بدلنے کی ضرورت ہے، اس سوچ کو بدلنے کی ضرورت ہے۔ جب تک آپ جموں، کشمیر، لڈاخ کو ایک ریاست نہیں مانیں گے۔ اس کے سماجی، اقتصادی، تعلیمی معاملات کو آپ ایڈجسٹ نہیں کریں گے، پولرائزیشن بڑھے گی اور پھر اس

ایوان میں بیٹھ کر نہ کسی کو جموں کشمیر کی جغرافیہ کا معلوم ہے، نہ وہاں کی تہذیب اور تاریخ کا کسی کو پتہ ہے اور یہ کہنے جا رہے ہیں کہ اگر وہاں یونیورسٹی ہوئی تو اس سے بھی جو علیحدگی پسند ہیں، ان کی علیحدگی پسندگی کو بڑھاوا ملے گا۔ یہ قابل افسوس بات ہے۔ راجیہ سبھا میں بیٹھے ہوئے ممبرز کو اپنے ملک کی کسی ریاست کی تاریخ اور جغرافیہ کے بارے میں بھی علمیت نہ ہو اور وہ اس طرح کے ایشوز یہاں ابھارنے کی کوشش کریں، یہ قابل افسوس بات ہے۔ ایک دو باتیں اور یہاں کہی گئیں۔

سر، یونیورسٹیز تو آپ بنا رہے ہیں، سنا ہوگا، کیوں کہ اخبارات میں بھی یہ باتیں آتی رہیں کہ وہاں پر آپ یونیورسٹیز کے لئے زمین کیسے حاصل کریں گے یا آج تک کیوں نہیں زمین حاصل کی۔ میں گزارش کرنا چاہتا ہوں کہ جب سینٹرل یونیورسٹی بنتی ہے تو یہ بات کس نے لکھی ہے کہ ساری زمین ایک ہی جگہ پر ہونی چاہئے؟ اگر جموں ڈویژن کے لئے یونیورسٹی بن رہی ہے تو جموں ڈویژن کے کئی علاقے ہیں، پسماندہ علاقے ہیں، وہاں پر بھی ان کے کیمپس بنائے جا سکتے ہیں۔ کشمیر میں اگر یونیورسٹی بن رہی ہے تو کشمیر میں بھی ایسے کئی علاقے ہیں، کئی ایسے ایریاز ہیں، جہاں پر یونیورسٹی بن سکتی ہے۔ اس یونیورسٹی کے معاملے کو طوالت دینے کے لئے یہ معاملہ زمین کے حصول کے معاملے کے ساتھ نہیں جوڑا جانا چاہئے، ایک بات تو میں یہ گزارش کرنا چاہتا ہوں۔ دوسری بات فیکلٹی کی ہے۔ یونیورسٹی صرف بنانے سے یا بورڈ لگانے سے ہی نہیں بن سکتی ہے۔ میرا بھی تعلق رہا ہے ریاست کی تعلیم، نظام کی بہتری کے حوالے سے ہم نے بھی کام کیا ہے، اپنا حصہ جتنا کچھ کر سکتے تھے ادا کیا ہے، 70 کی دہائی میں بھی، 80 کی دہائی میں بھی، بطور وزیر تعلیم۔ جو باقی لوازمات ہیں، فیکلٹی کی ڈیل کرنے کے حوالے سے، لیبارٹریز کو ڈیل کرنے کے حوالے سے، اچھے اساتذہ کی تعیناتی کے حوالے سے۔

**جناب محمد شفیع :** اس کے لئے میری یہ گزارش ہوگی محترم وزیر تعلیم سے، کہ ان باتوں کی طرف بھی خاص توجہ دی جائے۔ ابتداء تو کہیں سے کرنی ہے۔ یہ کہنا کہ آپ پرائیویٹ مقام شروع کریں گے یا کس جگہ سے شروع کریں گے، کہیں شروعات تو ہوگی۔ لیکن ہم یہ توقع رکھتے ہیں اور ریاست جموں کشمیر اس بارے میں بالکل وعدہ بند ہے کہ اس کے لئے جلد سے جلد روپے پیسے فراہم کئے جائیں گے، زمین کے حصول کی بھی بات ہو سکتی ہے اور پھر یہ ان کا کام ہے کہ وہ جلدی سے جلدی اس کے لئے انفراسٹرکچر بنائیں اور عمل کریں۔

ایک بات اور اسی کے ساتھ جڑی ہوئی ہے اور وہ یہ ہے کہ جب اس یونیورسٹی کا معاملہ، یہ نہیں ہے کہ آج کسی وائس چانسلر نے خود یہ بات اٹھائی اور یہ فیصلہ کر لیا کہ آپ اسے جموں میں مت رکھئیے۔ یہ ابھی فیصلہ ہی نہیں ہوا کہ اس یونیورسٹی کو کہاں شروع کیا جائے۔ جموں میں شروع کیا جائے، اس سے پہلے ہی چونکہ ایک مطالبہ پیش ہوا، عوام بھی شامل ہوئے اور اس کا حل نکالا گیا اور حل نکالنے کا مطلب یہ ہرگز نہیں ہے کہ کسی طرح سے ریاست کی حکومت اس میں ملوث تھی کہ وہ دفتر کو جموں سے اٹھا کر کشمیر لے گئے اور اس یونیورسٹی کے جو وائس چانسلر تھے، انہوں نے ایسا کیا، ایسا ہرگز نہیں ہے۔ ہمارے انریبل ایجوکیشن منسٹر ان ساری باتوں سے آگاہ ہیں، کیوں کہ یہ سوالات یہاں پر اٹھائے گئے ہیں اور ان سے کئی طرح کے خدشات، کئی طرح کے اندیشے، لوگوں کے من میں پیدا ہوئے ہیں۔

**جناب اپ سبھا پتی:** انہوں نے سبھی خدشات دور کر دئے ہیں۔

**جناب محمد شفیع :** مجھے امید ہے کہ ایجوکیشن منسٹر صاحب ان باتوں کی وضاحت کریں گے۔ منسٹر صاحب یہ جو بل لائے ہیں، میں اس بل کی حمایت میں کھڑا ہوا ہوں اور میں پھر ایک بار ان کے اس قدم کو، جو ایک مطالبہ تھا جموں میں سینٹرل

† [ ] Transliteration in Urdu Script.

یونیورسٹی بنانے کا اور کشمیر میں سینٹرل یونیورسٹی بنانے کا، منسٹر صاحب نے جلدی سے اس پر عمل کیا ہے، اس کے لئے ہم دل کی گہرائیوں سے انہیں مبارکباد دیتے ہیں۔ دھنیوادی۔

SHRI P. RAJEEVE: Sir, I want to say.. *(Interruptions)*..

MR. DEPUTY CHAIRMAN: No, no. You see, there are several requests. I cannot allow only you and leave them. ..*(Interruptions)*..

SHRI P. RAJEEVE: Sir, My name is there.

MR. DEPUTY CHAIRMAN: No your name is not there. ..*(Interruptions)*.. No, no, it is not that just a Party gives the name. It is not that if a Party has four minutes and it gives three names. We cannot take it.

SHRI P. RAJEEVE: Sir, I just want to ..*(Interruptions)*..

MR. DEPUTY CHAIRMAN: No. ..*(Interruptions)*.. Please try to understand. I have seven requests. What can I do? ..*(Interruptions)*..

SHRI P. RAJEEVE: I expect the Chair to give some time. ..*(Interruptions)*..

MR. DEPUTY CHAIRMAN: No, no. Please ..*(Interruptions)*.. You take some other opportunity. It is not that you could speak only here.

SHRI P. RAJEEVE: Sir, my point relates to this issue. ..*(Interruptions)*.. I have to raise two more important points. I have ..*(Interruptions)*..

MR. DEPUTY CHAIRMAN: I have called the Minister, Mr. Rajeev.

SHRI P. RAJEEVE: The Chair has already given four or five minutes to the earlier speaker. ..*(Interruptions)*..

MR. DEPUTY CHAIRMAN: I told you, he is from Jammu and Kashmir. It was my moral responsibility when he says that ..*(Interruptions)*.. Please don't say that somebody has been given time and you have not been given.

SHRI P. RAJEEVE: To participate in a legislative process, I have requested for only two minutes. ..*(Interruptions)*..

MR. DEPUTY CHAIRMAN: You see, then why are the timings given?

SHRI KAPIL SIBAL: Mr. Deputy Chairman, I thank all the hon. Members of this House who have participated in this debate to have, in a sense, displayed unanimity in supporting the Central Universities (Amendment) Bill, 2009. Before I seek to respond to some of the questions that have been posed, I just want to put in perspective, the challenges that confront India, and how important it is for us to develop an eco system of education that caters to quality and excellence and, at the same time, allows the expansion of the education sector at a pace which

is fast enough to meet the emerging demands of perhaps the youngest nation of the world.

Mr. Deputy Chairman, as I stand, there are about 220 million children who go to school, and millions actually do not go to school as well. But of the 220 million children who go to school, about 12.4 per cent reach college. If you calculate in terms of numbers, that is about 26 million out of 220 million. In other words, 194 million do not reach college. So, our GER is 12.4 per cent. If we compare ourselves to the developed world, in the United Kingdom, it is 43 per cent, the GER, that is, out of 100 children who reach class XII, 43 per cent move to higher education. The GER in a country like the United States is over 60 percent. So, you realise the connection between development, progress and education, the connection between economic growth and education.

The more our young children move into higher education, the greater the access they have to education, to institutions of excellence in higher education, the faster will be the economic growth of this country, because in the University wealth is created. You take any developed economy anywhere in the world, real wealth is created in the University system. So, as we move forward, implement the Right to Education Act, ensure that every child goes to school, this provides for elementary education, and as we move into secondary education and ensure that every child goes to school and passes class XII, we will have much greater demand for institutions of higher education. If we want to increase the gross enrolment ratio from 12.4 per cent to 30 per cent, which we hope to do by 2020, then the extra children that we have to cater to in terms of higher education will be over 40 million as opposed to the present 26 million because the total number will be over 66 million. That is only for institutions of higher education. There will still be 140 million children who will still not go to college. We have also to cater to their needs. Therefore, for the last six months, I have been publicly stating that perhaps the most important agenda before our country is rapid expansion of the education sector, radical reforms of the education sector, embracing excellence and quality and ensuring inclusion.

Now, in this context, the question to be asked is: Can the Central Government alone serve the needs of an expanding education sector? And we have to answer that question whether we like it or not. Will 12 or 15 new universities — 12 or 13 new and three State Universities which have been made into Central Universities — be enough to meet the demands of the education sector, as I have placed it before you? The answer is 'No'. There is no way in the world that any Government will be able to meet the growing demands in the education sector. That is point No.1. So, we will have to think of how to meet that demand. What kind of collaborations and cooperative efforts are required for the purposes of meeting that demand? Do we require the private sector to come in? Do we require public-private partnership? Do the State Governments

need to do more by investing in education? There are three kinds of universities in India. One is the Central University, which is constituted through an Act of Parliament. The larger number of universities are State Universities. That is the second category, which are also constituted but through the Acts of State Legislatures. And the third kind of university is the deemed-to-be university under the UGC Act. A private sector educational institution, which cannot be called a university, because it is not constituted by the State or the Central Government but which will get a deemed-to-be university status depending on the quality of the institution. We have over the years been seeing a mushrooming of deemed-to-be universities, and we have not really focussed on the quality of these institutions. Therefore, much of what is being said in criticism of higher education has been the result of our lack of vigil in ensuring that the institutions that come up in this country for higher education are quality institutions which cater to excellence. The issue is not whether I gave one extra university to Jammu and Kashmir. That is something, as I have already explained in my opening statement, that we had to do because of the peculiar circumstances that we were facing in Jammu and Kashmir and I want to say this categorically on the floor of the House that we do not intend to do that in any other State. So, for all those who are saying that give me a university in Vidarbha or in Western Orissa, it should be clear that this is a policy position that we have taken only in the context of Jammu and Kashmir and because of the peculiar situation that arose there.

That is point number one. Secondly, the universities are not built in a day just as relations are not built in a day. Even for a child, when he is born, you have to wait for twenty years for him to be an adult. But, you want the Government to say when will the university start, when will you have a quality institution, when will money be spent, when will all this happen, please give a time frame, etc. The University at Harvard was set up in 1636. It took 400 years for the University of Harvard to get the reputation that it has today, which it deserves. Now, we are going to build these universities and these will be centres of excellence. These will be benchmarks of excellence that other institutions, whether State institutions or private institutions, should follow. These will be centres of research. These will be centres of wealth creation. When I say centres of wealth creation, I mean, centres where through ideas wealth is created. That's why, if you look at the statute and if you look at the Central Universities Bill 2009, you will find that we have given complete freedom to the Academic Council to ensure that they are free to choose the subject they want to teach and they are free to choose the manner in which they want to teach those subjects. Essentially, these universities are going to be research universities. They are going to have a semester system and we are catering to an all-India competition through an examination for all the Central Universities, the idea being that the best should be recruited. So, any demand — and this is something that I responded even when I was in Tamil Nadu — you start reservation based on the location of the university, will be diluting the very concept through

which we have set up the university. So, please allow these institutions to be set up as benchmarks for the nation so that as we move along, others will follow suit.

Having said that, people raised the issue that we have not done any homework, what is our plan for the future, etc. Quite frankly, the markets will determine that plan. I mean India is not a 14-trillion dollar economy. The US has 280 million people and is 14-trillion dollar economy. We have a billion people with one-trillion dollar economy. We don't have the kind of surpluses that are available with other economies to invest in the educational sector to the extent that we wish to. I wish we had. But, those are the constraints of finance. Therefore, we have to move very meticulously and carefully to ensure that whatever we set up is a centre of excellence, is world-class and is a benchmark for the future. Someone raised the question of the 14 innovation universities that we are talking about. Yes, these innovation universities should be built through a cooperative and collaborative effort. I am just giving you an idea of what we think innovation university should be in the context of global warming, the kind of migration that is taking place in cities, the kind of energy saving that is required. We need a new kind of innovation in building our cities. Why can't you have a university which will actually look at the new modern urban city of the 21st century? What it should be like? This is something that the West has not done because their cities are built. It is something that the West will not do because they are not interested. But, we need for tomorrow a new kind of city which saves energy, where there are different kinds of transportation systems, which are sustainable cities, where water is conserved, where the migrants are taken care of, what should that architecture be, etc. This is the kind of innovation that we are looking at. And we were to tie up with an institution like Harvard or Cambridge or Yale or some institution like that and through, an international collaboration, look at what a new city should be. And, I think, we would have been successful in our attempt to start the process of the kind of innovations that we need to meet the challenges of tomorrow.

I gave you just this example only to show what is our mind, what is the thinking process in our mind because Apteji said, "Look, you have no plans, you have no thoughts, you have not done any home work." We have done a lot of home work. This is not something that we are doing without any thought process in place. Even for the Central Universities that we are talking about, and one of the issues that has been raised by Shri Prakash Javadekarji is very relevant, and he mentioned that he was to go out, he could not be here. He has raised a very relevant issue as to how you are going to get the faculty. Now, I think, it is a very, very serious issue. The other day, in this House, a question was asked as to how you are going to get the faculty and what are you doing about it? I mentioned that we had an M.M.Sharma Committee, a task force that was set up. And we hope in the next five years to increase our doctorates from a meagre 5,000, 6,000 to about 30,000. We are investing hugely in post docs. and docs. by giving them

incentives, and we have several schemes in place to ensure that this happens. The Ministry of Science and Technology has several unique programmes in all to move forward to ensure that we have a quality faculty. So, quality faculty is at the heart of building an institution of excellence, and I don't think that we should force our State Governments or force the Central Government to hurry up doing this. I think, we must be very careful to choose the right place. What is the point of choosing a marsy land 500 kms. away from the centre of any city and say, set up a university here where no faculty will go? Ultimately, why will faculty come and teach? They want to make sure that the infrastructure is strong, they want to make sure that when they go and teach, their children have schools to work, they want to make sure that there are basic amenities available there, the infrastructure is there. If you do not provide that environment, no faculty will go. So, in choosing a site, even the State Governments have to be exceptionally careful. Now, what I find is that the State Governments are looking inwards instead of looking at the challenges that we have to face and providing us with alternatives which is what we need to choose an appropriate site.

Then it was mentioned that look, we have no budgeting for this. There is no budgetary support for this. But the fact of the matter is that in the Eleventh Plan we have set aside Rs. 3,000 crores for the Central Universities, and during the annual plan 2008-09, a total of Rs. 290 crores has been allocated, but unfortunately, only Rs. 132 has been released so far and spent because the universities are not able to spend. What is the point of allocating budgets if you are not able to spend?

As far as the Central Government is concerned, we are clear in our objective that we intent to provide the monies that are required to set up these outstanding universities. Then, Shri Moinul Hassan mentioned that this 500 acres is too large. Well, you know again you have to think 50 years ahead. As the nature of your education system changes, as the nature of institution changes, you will need more platforms to work on. You will need to increase your infrastructure. But if a State cannot provide 500 acres of land, we have not said no to that State. It dñs not matter if it cannot provide. But we say it will be nice if you provide 500 acres of land. So, I think that this would serve the purpose. Of course, this is not really within the ambit of the Central Universities Amendment Bill, 2009. But several issues have been raised about the Aligarh Muslim University and the Jamia Milia University, and I just want to mention one fact, and that is that when I took over as Minister for Human Resource Development, what was the status of the Jamia and what was the status of Aligarh Muslim University? The statute did not regard Jamia as a minority university. I have not changed anything. The fact of the matter is that the issue is pending in the Supreme Court of India because the status of Aligarh Muslim University was



challenged before the High Court and the High Court gave a judgment that by virtue of a university incorporated by statute, it cannot through such incorporation, without anything more, be a minority institution. The matter went to the Supreme Court and it is pending there. Whether, through a statute, you can set up a minority institution or not, is a matter pending in Supreme Court. I, as a Minister in the Central Government, cannot pass orders till such time as the Supreme Court decides. I wish I could do, you know, what the community would like me to do. ...*(Interruptions)*...

SHRI SABIR ALI: We have asked for Jamia.

SHRI KAPIL SIBAL: I am talking about Jamia. Jamia was incorporated through a statute; I am giving you the answer for Jamia, Sir. Jamia Millia Islamia was incorporated through a statute; that is why the matter is pending in the Supreme Court. In UPA-I, the then HRD Minister filed an affidavit before the Commission saying that this is not an institution belonging to the minority. This is not a minority educational institution; this is the stand which I have inherited when I became a Minister. So, please let us not bring politics into all this. ...*(Interruptions)*...

SHRI SABIR ALI: Sir, the answer is not correct. ...*(Interruptions)*... The matter is not pending in the Supreme Court. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You see, Mr. Sabir Ali, it is not the Commission. ...*(Interruptions)*... It is not the Commission. ...*(Interruptions)*... It is not the Commission.

SHRI KAPIL SIBAL: Then, the hon. Member said, hon. Sabir Ali Saheb said, "The Government went to the Commission", which is factually incorrect. The Government never went to the Commission. ...*(Interruptions)*... The case has been filed.....*(Interruptions)*...

SHRI SABIR ALI: This is the answer given by the Ministry. ...*(Interruptions)*... Sir, the answer shows their decision... ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You meet the Minister in his chamber....*(Interruptions)*...

SHRI SABIR ALI: The answer was given by the Ministry. ...*(Interruptions)*...

SHRI KAPIL SIBAL: The case has been filed by a section... ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Sabir Ali, please listen to him. ...*(Interruptions)*...

SHRI SABIR ALI: He should not quote wrongly, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please listen to him. ...*(Interruptions)*... He is explaining it. Please listen to him. ...*(Interruptions)*... He is explaining; please listen to him.

SHRI KAPIL SIBAL: A case has been filed by the Jamia students and teachers, the Central Government, along with the University, Jamia Millia Islamia, are respondents. The case has not been filed by the Government. We are respondents in the case, and the Commission has been adjourning the matter from time to time. As for the question regarding establishing a Central University in AMU, the case is pending before the Supreme Court where the Government has

filed an SLP against the Allahabad High Court Judgment. Those are the facts. What can the Government do? We will await the decision of the Supreme Court.

Then, the question arose about campuses, about the Aligarh University campuses. May I also point out that that was not, again, a move of the Government? The decision to open five campuses in AMU has been taken by the University Executive Council, not by the Government of India; by the University Executive Council and the Court. The University Administration, in turn, has taken up the matter with the concerned State Governments for allotment of land. The State Governments of West Bengal, Kerala and Bihar have offered land at Murshidabad, Malappuram and Katihar respectively, and the University is presently assessing the suitability thereof. The Finance Minister, during his Budget speech, committed Rs.25 crores, each for West Bengal and Kerala. And the land has been offered by the Government of Bihar only recently. These are the facts about Aligarh Muslim University. So, I just wanted to place all these facts through you, Sir, before the hon. Members of this House.

Now, the new Central Universities that are going to come up, I believe, — and I think, Dr. Karan Singh, hon. Member, is absolutely right — should not be on the top of existing Universities. In fact, these should be set up with courses of study, which are different, both qualitatively and otherwise, and, then, are being taught in the existing State University of Jamia and in the State University of Kashmir. And this is exactly what I have told the Vice-Chancellors that what the new Universities that are being set up in Koraput as well as in Thiruvār, I think, should do is, not only create these as ‘Research Centres’ but also look into the local area, the local environment and see the problems of local environment. Then create an architecture of education which deals with solving those problems of the local environment. Then each university will have some special focus which will be related to the State in which it is really located. It should be solution oriented. So, it will be different from other universities. So, all that thinking process has gone into our concept of what a university should look like.

Someone has mentioned that you choose Vice-Chancellors and you choose any Vice-Chancellor you want to choose. This is one of the things that I have been talking about that the Government should remove itself from the appointment of Vice-Chancellors and as part of the reform process what we want to do, and I hope it passes muster, is to set up a collegium of people of excellence in the fields to which they belong. Let the collegium suggest a set of names, three, four or five, for the Vice-Chancellor of any University, and in that collegium the Government will not be a member. The Government will be entitled to choose only from the names that are suggested by the collegium of experts. That is the maximum any Government can do and we are willing to do that. We are willing to move along with that reform process. But we want the support of this House. Education is not a sectarian issue. It is not at all a sectarian

issue. Education is not a political issue. Education for our future generations is at the heart of the progress of India and at the heart of what India will look like 20 or 25 or 30 years from now. We have a national concern and we should have a national concern about it. Therefore, the House should, in fact, stand united and together on any issue of education that comes for debate in this House. But what I would like the Opposition to tell me is what their suggestions are so that I can learn and absorb their suggestions to make the future better for our own children. That is the way I look at it and that is the way I think that we should look at all these issues.

DR. (SHRIMATI) NAJMA A. HEPTULLA: I had raised the issue about the appointment of Vice-Chancellors. I am happy that you have to come out with a suggestion. I have put this question of appointment of Vice-Chancellors. It was not just anybody raised it. It is I who raised it as Member of Parliament and I have experience in education. I have been a teacher all my life.

SHRI KAPIL SIBAL: Others had raised it, not in the past. I have made this public statement, not for the first time in this House. But I have been saying it for the last four months. Thank you very much for actually bringing it to the notice of the hon. Members of this House. Now, the fact of the matter is that श्री जनेश्वर मिश्र जी ने बहुत अच्छी बातें हमारे सामने रखीं। लेकिन हमें दुनिया के साथ बदलना होगा। हमारी जो तालीम का दायरा है, वह भी बदलना होगा। किस तरह से हम अपने बच्चों को पढ़ाते हैं, किस किस की तालीम उन्हें देनी है, वह भी बदलनी होगी, क्योंकि What we need to do is to find out the inherent intelligence of the child, not his ability to learn and regurgitate what he has learnt in an examination. That does not test the inherent intelligence of the child. So, we need to change the way in which we teach. We need to change the curriculum. This is a national issue. I would like to have the support hon. Members of this House, as I move forward in this direction.

Others talked about democracy within the university system and the role of the union. Again, the Government of India is not directly concerned with any of it. The Government of India does not give a directive to any university. आप यूनियन को चलने दो या न चलने दो, उसके इलेक्शन होने दो या न होने दो, इसमें सरकार की कोई दखलअंदाजी नहीं होती है। अभी लिंगदोह कमेटी की रिपोर्ट आई है, उसके अनुसार ...(व्यवधान)..

**श्री वृजभूषण तिवारी (उत्तर प्रदेश) :** सर, अगर वहां के इंस्टीट्यूशन में यह प्रॉविजन है कि वहां पर स्टूडेंट यूनियन हो। ...(व्यवधान)..

**श्री कपिल सिब्बल :** जो भी हो। ...(व्यवधान).. देखिए। यूनिवर्सिटी को स्वायत्तता है। अगर स्वायत्तता के आधार पर कुछ होना है, तो वह यूनिवर्सिटी को करना चाहिए। ..(व्यवधान).. इसमें हम कोई डायरेक्शन नहीं देना चाहते हैं और ना हम देना चाहेंगे, क्योंकि हम ऐसे किसी विवाद में नहीं पड़ना चाहते हैं। ...(व्यवधान)..

**डा० (श्रीमती) नजमा ए० हेपतुल्ला :** मंत्री जी, अगर पार्लियामेंट के statute के अंदर किसी यूनिवर्सिटी का गठन हुआ है, तो क्या पार्लियामेंट की जिम्मेदारी नहीं है कि वह उस पर बोले। ..(व्यवधान)..

**श्री कपिल सिब्बल :** नहीं, नहीं।

**श्री बृजभूषण तिवारी :** यह किसकी जिम्मेदारी है ? ..(व्यवधान)...

**श्री कपिल सिब्बल :** देखिए, जब एक statute बन जाता है, तो वह एक Law होता है और उस Law को लागू करना पड़ता है। अगर उस Law को कोई लागू नहीं कर रहा है, तो आप कोर्ट में जाइए। कोर्ट में कहिए कि वह इसको लागू करे। ..(व्यवधान)...

**डा० (श्रीमती) नजमा ए० हेपतुल्ला :** सर, यह गलत बात है। ..(व्यवधान)...

**श्री कपिल सिब्बल :** हम जानते हैं कि आज के दिन कुछ यूनिवर्सिटीज में क्या हो रहा है, कुछ हमें भी इल्म है। किस तरह से vitiate का सारा सिस्टम politicise हो रहा है, उसका हमें भी थोड़ा-बहुत इल्म है। अलीगढ़ मुस्लिम यूनिवर्सिटी की ग्लोबली कितनी रेंसपैक्ट होती थी और आज उसकी हालत क्या है, उसका थोड़ा-बहुत इल्म हमें भी है। क्यों हो रहा है, इसका भी हमें थोड़ा-बहुत इल्म है ? ..(व्यवधान)...

**श्री बृजभूषण तिवारी :** सारे इंस्टिट्यूशन्स का है। ...(व्यवधान)...

**श्री कपिल सिब्बल :** हम चाहते हैं कि अलीगढ़ मुस्लिम यूनिवर्सिटी उसी स्तर तक पहुंचे, जैसा कि उसका विश्व में नाम था। हम चाहते हैं कि जो हमसे मदद हो पाएगी, हम वह करने को तैयार हैं। कुछ लोगों ने कहा है कि पटना यूनिवर्सिटी को सैन्ट्रल यूनिवर्सिटी का स्टेटस दे दीजिए, यह काम तो हम नहीं कर सकते, क्योंकि हमने जिनको सैन्ट्रल यूनिवर्सिटी का स्टेटस देना था, हम दे चुके हैं। हमें यह तीन स्टेट यूनिवर्सिटीज को देना था। अब हर कोई ऐसी मांग करेगा, तो सैन्ट्रल गवर्नमेंट कैसे उसको निभा पाएगी। मैंने लगभग अपनी पूरी कोशिश करके सभी सवाल का जवाब दे दिया है। अगर मैंने किसी के सवाल का जवाब नहीं दिया है, तो मैं इसके लिए तैयार हूँ। I thank you ... (Interruptions)

**श्री साबिर अली :** आपने जवाब घुमाकर दे दिया है। आपने अपने क्वेश्चन में खुद यह लिखा हुआ है और आप यदि कहें, तो मैं उसको पढ़कर सुना देता हूँ। आप अलीगढ़ की बात को लेकर चले गए, मैं जामिया की बात कर रहा हूँ। मैंने आपकी बात मान ली कि आपका अलीगढ़ का क्वेश्चन सुप्रीम कोर्ट में है, लेकिन मैंने जामिया के बारे में कहा था। आप इसको घुमाकर ले गए। आपने इसमें लिखा है कि National Commission for Minority Educational Institutions को आपने सुपुर्द किया है, आपने उसको सुपुर्द किया है, जिसकी अथॉरिटी में नहीं है, आप उसको सुपुर्द कर रहे हैं। ...(व्यवधान)...

**श्री उपसभापति :** साबिर अली साहब, आपने उनका जवाब पूरी तरह से नहीं सुना है। ..(व्यवधान) आप सुनिए। आप सुन ही नहीं रहे हैं। ...(व्यवधान) आप सुनना ही नहीं चाहते हैं। ..(व्यवधान) देखिए, वहां पर आपका सवाल था कि ...(व्यवधान)...

**श्री साबिर अली :** इन्होंने यह कहा कि हम लोग राजनीति कर रहे हैं। इसमें राजनीति क्या है? ये डायरेक्ट कोर्ट से आ रहे हैं। क्या राजनीति हम लोग कर रहे हैं, राजनीति तो ये कर रहे हैं। ...(व्यवधान) जामिया के मामले को अलीगढ़ पर लाकर खत्म कर रहे हैं। मैं जामिया के बारे में बात कर रहा हूँ। ...(व्यवधान)...

**श्री उपसभापति :** जामिया का भी जवाब दिया है। ...(व्यवधान) उस क्वेश्चन का आन्सर दिया है।

**श्री साबिर अली :** सर, नहीं दिया है। ..(व्यवधान)...

**श्री उपसभापति :** उन्होंने कहा है कि ...(व्यवधान) आप जरा सुनिए। ...(व्यवधान) आप सुनना ही नहीं चाहते हैं। मैं चेयर से बात कर रहा हूँ। आप एक मिनट के लिए मेरी बात सुन लीजिए। आप बैठ जाइए। उन्होंने कहा है कि कोई दूसरे लोग कमीशन के पास गए हैं। उसमें Government is the respondent और कमीशन उन केसेज को नहीं ले रहा है, वह इसलिए कि अलीगढ़ का केस सुप्रीम कोर्ट में पेंडिंग है। जब तक वह सेटल नहीं हो सकता, इसको नहीं ले सकते। उन्होंने साफ जवाब दिया है।

**श्री साबिर अली :** सर, मैं यह कह रहा हूँ कि जिस इश्यु पर यह हुआ है, वह इश्यु अलग है। मैं सिर्फ इतना ही कहना चाहता हूँ कि आप करेंगे या नहीं? आप करना चाहते हैं या नहीं, इतना तो जवाब दे दीजिए।

**श्री उपसभापति :** उन्होंने कहा है कि ...(व्यवधान)..

**श्री कपिल सिब्बल :** मैं इनको एक बात और बता दूँ,.....(व्यवधान)..

**श्री साबिर अली :** माइनोरिटीज युनिवर्सिटी बनाने की बात ...(व्यवधान)..

**श्री उपसभापति :** आप सुनिए।

SHRI KAPIL SIBAL: Sir, I want to tell him another thing.

**श्री साबिर अली:** सर, यहां दोनों का कांटेक्स्ट अलग है।...(व्यवधान).. इन्होंने एक ही कांटेक्स्ट लाकर खड़ा कर दिया।..(व्यवधान)..

**श्री कपिल सिब्बल :** आप बोलते जाएंगे, तो मैं आपको कैसे जवाब दूंगा? ...(व्यवधान).. मैं आपको यहां भी जवाब दे दूंगा और बाहर भी जवाब दे दूंगा। आप यहां पर सुन लीजिए, उसके बाद बाहर सुन लेना। There is also the statute of 2006, the Central Education Institutions Act of 2006, under which a minority institution is defined. It says: “A minority institution is incorporated by a statute.” If the statute says that it is a minority institution, then only, it will be regarded as a minority institution. Jamia does not fit into that as well. We will, therefore, have to amend that statute in Parliament. That is another problem. But the point is that somebody should have the patience to hear the facts.

**श्री विजय कुमार रूपाणी (गुजरात) :** माननीय मंत्री जी ने जो बताया है कि तीन प्रकार की युनिवर्सिटीज हैं, डीम्ड युनिवर्सिटी, स्टेट युनिवर्सिटी और सेन्ट्रल युनिवर्सिटी। सभी प्रांतों में सेन्ट्रल युनिवर्सिटी की डिमांड इसलिए है कि इसका पूरा खर्चा HRD मिनिस्ट्री देती है और स्टेट युनिवर्सिटी में UGC से ग्रांट्स मिलती है तथा डीम्ड युनिवर्सिटी सेल्फ फाइनेंस होती है। सेन्ट्रल युनिवर्सिटी देने के लिए क्या कोई पॉलिसी है? जितना आप पर पॉलिटिकल दबाव रहता है और वहां पर वह युनिवर्सिटीज खोल देते हैं, बाकी स्टेटों को नहीं मिल रही है। इसके लिए क्या कोई पॉलिसी है?

**श्री उपसभापति :** पॉलिसी तो है।

SHRI KAPIL SIBAL: That is why, Sir, despite the fact that, for the first time, in the history of this country — after all, the NDA was in power for six years — we decided to make sure that there is no regional imbalance so that every State will have a Central University. Therefore, we have given it for the first time. No other Government thought of it. For the first time, in the history of this country, we thought of increasing it...(Interruptions)

**श्री उपसभापति :** बिहार में है तो ... (व्यवधान)..

**श्री राजनीति प्रसाद :** बिहार में कहां है? ...(व्यवधान)..

**श्री उपसभापति :** आप जरा सुन लीजिए।

For the first time in the history of the country, we have an allocation of Rs.31,000 crores to help the State universities. This has never been done in the history of the country and it is unprecedented. मतलब कि हम लोग जो चीजें कर रहे हैं, कम से कम उसकी तो शाबासी हमें दें। ..(व्यवधान).. I commend that the Bill be passed.

**श्री विजय कुमार रूपाणी :** आपकी पहले भी सत्तर थीं...(व्यवधान).. अभी भी हैं। यह imbalance है। इस imbalance को कैसे निबटाना चाहिए, इसके बारे में आपकी पॉलिसी होनी चाहिए।

MR. DEPUTY CHAIRMAN: Now, the question is:

That the Bill to amend the Central Universities Act, 2009, as passed by Lok Sabha, be taken into consideration.

*The motion was adopted.*

MR. DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

*Clauses 2 to 4 were added to the Bill.*

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

SHRI KAPIL SIBAL: Sir, I beg to move:

That the Bill be passed.

*The question was put and the motion was adopted.*

**श्री राम नारायण साहू (झारखंड)** : सर, आपसे एक रिक्वेस्ट है कि पचहत्तर साल के इतिहास में एक लक्ष्य प्राप्त किया है। जब कोई controversial बात होती है तो हम लोग बहुत बुराई करते हैं, लेकिन आज इन लोगों ने मुकाम हासिल किया है, इसलिए हमें कम से कम उन लोगों को बधाई देनी चाहिए। हमें इस मामले में उनको बधाई देनी चाहिए।

MR. DEPUTY CHAIRMAN: The House is adjourned to meet tomorrow at 11.00 o'clock.

The House, then, adjourned at forty-seven minutes past five of the clock till eleven of the clock on Tuesday, 8th December, 2009