

Vol. 220
No. 13



सत्यमेव जयते

PARLIAMENTARY DEBATES

RAJYA SABHA

OFFICIAL REPORT

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[P.T.O.]

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RAJYA SABHA

Wednesday, the 11th August, 2010/20th Sravana, 1932 (Saka)

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

RE: MAHARASHTRA ISSUE

MR. CHAIRMAN : Question No. 241.

DR. MANOHAR JOSHI (Maharashtra) : Sir before taking up the Question Hour I would say that I have given a notice again on the Maharashtra issue. The other day we had a discussion. I had requested that this matter may be taken up by keeping aside the Question Hour and other business of the House. Sir, the matter has become serious because there is no way out...

MR. CHAIRMAN : Could you give me just one minute please?

DR. MANOHAR JOSHI : Yes.

MR. CHAIRMAN : Your request has been considered very carefully. The Chair wishes to give a ruling on it.

DR. MANOHAR JOSHI : Before you give your ruling, let me argue my case. If you are giving a ruling, give me few minutes to argue my case and, thereafter, you can give your ruling, Sir, my only argument is : the other day when I spoke, I had no books with me. Today, fortunately, I have brought a book called, "Practice and Procedure of Parliament" by Shri M.N. Kaul and S.L. Shakdher.

MR. CHAIRMAN : Yes, we are all aware of it.

DR. MANOHAR JOSHI : Sir, this book has clearly said that if a matter is not started in the court, it can be discussed in the House. They have given a number of illustrations, I would not take them. But that is not the only thing. They have given two to three other reasons also.

MR. CHAIRMAN : Mr. Joshi, all this has been considered and in the light of it and the substantive arguments that you made in the Chairman's Chamber, this calls for a ruling and....

DR. MANOHAR JOSHI : Sir, I am sorry because....

MR. CHAIRMAN : You can't prevent me from giving a ruling on a matter which has been raised.

DR. MANOHAR JOSHI : Sir, the people are suffering in Maharashtra.

MR. CHAIRMAN : No, but you please listen to the ruling first.

DR. MANOHAR JOSHI : Sir, I represent the State of Maharashtra. Why can't it be discussed? ...*(Interruptions)*...

MR. CHAIRMAN : Please listen to the ruling.

DR. MANOHAR JOSHI : They have said the Right to Freedom is the most important freedom. It is...

MR. CHAIRMAN : There is a ruling which is the practice of the House...

SHRI BALWANT ALIAS BAL APTE (Maharashtra) : Fairness demands that before a ruling is given...

MR. CHAIRMAN : How are you anticipating? ...*(Interruptions)*... No, no, I am afraid...*(Interruptions)*... Please, I expect hon. Members.

DR. MANOHAR JOSHI : Once you give a ruling, I will not be able to speak.

SHRI BALWANT ALIAS BAL APTE : It is the right of a Member. It is not a privilege granted by you. It is a right of a Member to argue before you give a ruling.

MR. CHAIRMAN : The argument has been heard. Please...*(Interruptions)*... This is very unfair...*(Interruptions)*... Everybody, please ...*(Interruptions)*... Joshiji ...*(Interruptions)*...

श्री संजय राउत (महाराष्ट्र) : सर, हमारी बात तो सुन लीजिए...*(व्यवधान)*...

DR. MANOHAR JOSHI : Sir, entire Maharashtra is agitated for the last fifty years and injustice is done to Maharashtra...*(Interruptions)*... I am sorry to say ...*(Interruptions)*...

MR. CHAIRMAN : We are not pronouncing on that matter...*(Interruptions)*...

DR. MANOHAR JOSHI : Sir, *sub-judice* matters were discussed in this House a number of times.

MR. CHAIRMAN : We have very great respect for you. You have been the
presiding officer.
I urge upon you to resume your place and listen to the ruling and
please tell your colleagues to do

likewise...(Interruptions)...None of this is going on record....(Interruptions)... None of this is going on record....(Interruptions)... Look, if issues in this House are going to be argued on these terms, then, there is no need for a procedure. This has been argued very comprehensively. The hon. Member has been discussing this matter for sometime...(Interruptions)... We have gone over all that...(Interruptions)... If this is an effort to restrain the Chair from giving a ruling, then I am sorry it is a very sad day...(Interruptions)...

SHRI Y.P. TRIVEDI (Maharashtra) : *

MR. CHAIRMAN : I am sorry ...(Interruptions)... It cannot be ...(Interruptions)... Please resume your seats...(Interruptions)...No, no...(Interruptions)...

SHRI BHARATKUMAR RAUT (Maharashtra) : *

MR. CHAIRMAN : I am sorry. We have to go by my procedures ...(Interruptions)... We have received a firm advice on this...(Interruptions)...

SHRI M. VENKAIAH NAIDU (Karnataka) * :

MR. CHAIRMAN : You see, this is not the court of law. This matter is before a court of law the highest court in the country ...(Interruptions)...

SHRI M. VENKAIAH NAIDU (Karnataka) *

MR. CHAIRMAN : Is there a provision for converting this House into a court of law?...(Interruptions)... I am fully aware of the ruling given by my predecessors ...(Interruptions)... It is in the light of all that, a decision is being given ...(Interruptions)... I am sorry. I regret very much, but I have to say that you are constraining the Chair from giving a ruling which is absolutely unprecedented...(Interruptions)...

SHRI JESUDASU SEELAM (Andhra Pradesh) * :

MR. CHAIRMAN : I am afraid, you are exercising your right in a very improper manner ...(Interruptions)... I cannot hear anything ...(Interruptions)...

श्री प्रकाश जावडेकर (महाराष्ट्र) * :

SHRI VILASRAO DAGADOJIRAO DESHMUKH (Maharashtra) : Sir, we are worried about the atrocities on Marathi-speaking people in the border areas of Karnataka. So, some direction from the Chair is required.

* Not recorded.

MR. CHAIRMAN : I have been given to understand that this matter is under active consideration of the Supreme Court of India there is no higher court in the country...(Interruptions)... The argument is to be made in the court, not here ...(Interruptions)...

SHRI VILASRAO DAGADOJIRA DESHMUKH : Sir, the matter before the Supreme Court is regarding the dispute. They are talking about the atrocities issue which is not before the Supreme Court.

MR. CHAIRMAN : There is no information on the subject which has been raised...(Interruptions)...You give a notice. I will give you a Zero Hour submission...(Interruptions)...No, no. The Question Hour cannot be suspended. I am sorry...(Interruptions)... I am sorry, Joshiji...(Interruptions)...We have been discussing this matter for several days.

श्रम और रोजगार मंत्री : सर, वहां पर शांति है।...(व्यवधान)...

MR. CHAIRMAN : There is no information on the subject which has been raised...(Interruptions)... You give a notice. I will give you a Zero Hour Submission ...(Interruptions)...No, no. The Question Hour cannot be suspended. I am sorry...(Interruptions)... I am sorry, Joshiji ...(Interruptions)... We have been discussing this matter for several days.

श्रम और रोजगार मंत्री (श्री मल्लिकार्जुन खरगे) : सर, वहां पर शांति है।...(व्यवधान)...

MR. CHAIRMAN : Let us not start an unmanageable argument here ...(Interruptions)... Please, I plead with you. Go back to your places. Allow the Question Hour to run ...(Interruptions)... देखिए, हर चीज का एक तरीका होता है।...(व्यवधान)... The Chair is not pronouncing on that ...(Interruptions)... Look, that is a matter of some contention. There is another Member who is saying something different ...(Interruptions)... It cannot be done in the Question Hour. The Question Hour is for questions...(Interruptions)... I think, this has become the practice in this House that the rights of Members are trampled upon in the Question Hour(Interruptions)... You are entitled to your point of view...(Interruptions)...

THE MINISTER OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL) : Former hon. Speaker, Shri Joshi, is also rushing to the well of the House!...(Interruptions)...

MR. CHAIRMAN : Is it the wish of the House that the Question Hour
should not go?...(*Interruptions*)....

SOME HON. MEMBERS : No, No. ...(*Interruptions*)...

SHRI PAWAN KUMAR BANSAL : If every matter, arising between two States, is raised in the House and Members rush into the Well, then, it is not proper...(*Interruptions*)...It is an inter-State dispute ...(*Interruptions*)...The matter is in the court, then, why is it being raised here?...(*Interruptions*)...

SHRI JESUDASU SEELAM : There is no issue...(*Interruptions*)...It cannot be discussed here...(*Interruptions*)...

MR. CHAIRMAN : I am sorry it cannot be done...(*Interruptions*)...Question No. 241...(*Interruptions*)...

श्री नरेश चन्द्र अग्रवाल (उत्तर प्रदेश) : माननीय सभापति महोदय, मेरा व्यवस्था का प्रश्न है कि क्या सदन को इतनी देर अव्यवस्थित रखा जा सकता है...(*व्यवधान*)... आप इस पर कोई रूलिंग दे दीजिए...(*व्यवधान*)...

MR. CHAIRMAN : No argument can be debated from the place other than assigned to you...(*Interruptions*)... So, there is no locus for what you are saying ...(*Interruptions*)...The House is adjourned for fifteen minutes.

The House then adjourned at fourteen minutes past eleven of the clock.

The House reassembled at thirty minutes past eleven of the clock,

[MR. CHAIRMAN in the Chair.]

DR. MANOHAR JOSHI : Sir, I am thankful to you for the solution that we have found after going to your Chamber. My request is that in some way or the other this issue has to be discussed in the House. The suggestion that was made in your Chamber was to take it as a Calling Attention for which our Party has no objection. Sir, if you take this as a Calling Attention Notice, the matter will be thoroughly discussed.

MR. CHAIRMAN : You give a notice. It will be considered...(*Interruptions*)...

SHRI K.B. SHANAPPA (Karnataka) : Sir, Mahajan Commission...(*Interruptions*)...

DR. PRABHAKAR KORE (Karnataka) : Sir ...(*Interruptions*)...

MR. CHAIRMAN : Please don't raise another discussion...(*Interruptions*)... Please, please ...(*Interruptions*)...

DR. MANOHAR JOSHI : That is unnecessary ...(*Interruptions*)...

MR. CHAIRMAN : Hon. Members, please allow the Question Hour proceed
...(Interruptions)...

SHRI GOVINDRAO ADIK (Maharashtra) : The Chair has given the
ruling...(Interruptions)...

MR. CHAIRMAN : Thank you.

श्री रुद्रनारायण पाणि (उड़ीसा) : सभापति महोदय, इस आसन पर आज आपके तीन साल हो गए हैं। हम आपका अभिनंदन करते हैं।

श्री रवि शंकर प्रसाद (बिहार) : सर. पाणि जी ने कितनी अच्छी बात कही है।

MR. CHAIRMAN : He is good friend of mine. Thank you. Question No. 241.

ORAL ANSWERS TO QUESTIONS

Illegal funds from abroad

*241. SHRI MAHENDRA MOHAN : Will the Minister of HOME AFFAIRS be
pleased to state:

(a) whether Government is aware that several anti-national
organizations in the country have been receiving huge amount of illegal
funds from abroad through various channels and using the same for violent
activities;

(b) if so, the facts and the details thereof;

(c) whether the Central Government's efforts to check the flow of
funds have been inadequate; and

(d) if so, the latest strategies Government proposes to adopt to stop
the flow of illegal funds in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI
MULLAPPALLAY RAMACHANDRAN) : (a) to (d) A Statement is laid on the Table
of the House.

Statement

(a) and (b) Under Unlawful Activities (Prevention) Act, 34 terrorist
organisations have been banned. Apart from this, the ban order applies
also to organisations listed in the Schedule to the UN Prevention and
Suppression of Terrorism (Implementation of Security Council Resolution)

Order,

2007 made u/s 2 of the United Nations (Security Council) Act, 1947 as amended from time to time. No such banned organisations or their front organisations are given permission to receive foreign contribution under the Foreign Contribution (Regulation) Act, 1976.

(c) and (d) Central intelligence/security agencies work in close cooperation with their counterparts in the State to gather information regarding this matter. In the case of NGOs seeking 'prior permission' or 'registration' under FC(R) Act 1976, no permission is given without scrutiny. The FC(R) Act 1976 is proposed to be replaced by a new Act incorporating provisions for greater transparency and accountability. The regulatory mechanism would also get further strengthened. The Unlawful Activities (Prevention) Act, 1967 was amended in 2008 to reinforce the punitive provisions to combat the terrorism. The Prevention of Money Laundering Act, 2002 was amended in 2009, to *inter-alia*, expand the schedule of offences. Certain offences under the Unlawful Activities (Prevention) Act, 1967 have been included as scheduled offences under Prevention of Money Laundering Act. The FLU-IND is also assisting the law enforcement agencies by way of disseminating financial intelligence. The implementation of Foreign Exchange Management Act, 1999 is done by the Directorate of Enforcement and other concerned agencies. There has been close coordination between the agencies of Ministry of Home Affairs and Ministry of Finance, geared towards combating terror funding.

SHRI MAHENDRA MOHAN : Mr. Chairman, through you, I would like to inform the hon. Minister that in spite of all the laws which he has mentioned in his reply, anti-national organizations are getting funds and they are creating disturbances in day-to-day operations of the Government of India and in various States, especially, in Kashmir, Chhattisgarh, Jharkhand and West Bengal.

So, I would like to know whether he has the information that interpol has placed the size of *hawala* money in India to the size of 40 per cent of India's Gross Domestic Product, and, according to some figures available from Interpol Website, it can be to the tune of 680 billion dollars. According to the KPMG audit, it can be to the tune of 1.5 trillion dollars. Sir, this money is mostly going for anti-national activities. So, through you, Sir, I would like to know from the hon. Home Minister whether the Government has estimated this amount and identified groups which are laundering this money and whether our legislations have

been able to deal with such massive flow of funds.

SHRI P. CHIDAMBARAM : Sir, I think, the question has shifted from the unlawful organizations and anti-national organizations receiving money to money laundering. If a question is to be answered on money laundering, I respectfully submit that that has to be put to the Minister of Finance because money laundering falls under the Ministry Finance. Be that as it may, I am willing to answer the question to the best of my ability. I don't think we should be carried away by these estimates made by an audit organization. KPMG is a well known audit organization. Interpol is simply an international agency which is represented by the different Police organizations. These are estimates which are made. For what its worth, we can look into those estimates but I don't agree with these estimates. I think these are exaggerated estimates. Any specific case where it attracts the Unlawful Activities (Prevention) Act or the Foreign Contribution Regulation Act, I will certainly answer that. But if questions are raised about money laundering, I request the hon. Member to put it to the Minister of Finance who has the Enforcement Directorate under him as well as the Prevention of Money Laundering Act which was passed by this House.

SHRI MAHENDRA MOHAN : Sir, I hope the hon. Minister will agree that these anti-national activities are being conducted only by the funds which they are getting, and, as Home Minister, he has to control these anti-national activities. Sir, you must have also read today about fake currencies. The fake currency movement is there, and, because of all these things, the Maoist activities, the Naxalite activities, the terrorist activities are all happening. Ultimately, the Home Minister has to control them and it is the joint responsibility of the Government through the Finance Minister and the Home Minister to see how it is controlled. The reason why I am saying it is because as per our information, the Maoists are having a Budget to the tune of two thousand crore of rupees and this money is coming to them mostly through anti-national organizations. So, if these laws are not...

MR. CHAIRMAN : Question, please.

SHRI MAHENDRA MOHAN : Sir, my question is, how is he going to stop these anti-national organizations from damaging security of the country?

SHRI P. CHIDAMBARAM : Sir, anti-national organizations are able to raise money. Where there

is evidence that money is coming from abroad, we do take action against these organizations. In fact, the Unlawful Activities Prevention Act has a special section on funding of an unlawful association or a terrorist organization. Now, fake currency is a separate problem. All major currencies in the world are, to some extent, affected by counterfeit currency. The Indian rupee is no exception. We have investigated a number of cases of fake currency. We have interdicted a number of consignments of fake currency. I have answered questions in Parliament; I am willing to answer questions in Parliament on fake currency. Now, as far as raising resources is concerned -- you mentioned CPI (Maoists) -- you would do well to remember that the CPI (Maoists) is able to raise money within India. They raise money by looting banks. They raise money by levying amounts on businesses in their areas. For example, only a few days ago, in Orissa, a vehicle carrying 49 lakhs of rupees of the State Bank of India was waylaid, commandeered and the money was looted. The matter is under investigation. They are able to raise money within India. We have no evidence so far that the CPI (Maoists) is getting money from abroad, certainly not through legal channels some money is flowing in. There is no hard evidence of that. The CPI (Maoists) is able to raise money within India by coercion, extortion and by looting.

PROF. P.J. KURIEN : Sir, the hon. Minister has said in his reply that no permission is given under the FCR Act, 1976 without adequate scrutiny. Now, since a lot of money is coming from abroad and many agencies are receiving and spending it in the country, have you got any mechanism to monitor how this money is being spent by these agencies? If so, what is the mechanism for monitoring it and upon monitoring, in how many cases have you found out malpractices?

SHRI P. CHIDAMBARAM : Yes, Sir. There is mechanism to monitor use of money. Every organization that receives money under the FCRA is required to file an account. Some don't and, therefore, action is taken. I can give you a list of the broad category of cases. In nine cases, matter has been referred to the CBI and the CBI has filed chargesheets in some of those cases. Forty-one associations have been prevented from receiving

foreign contribution. Thirty-five associations, which were earlier in the registration category, have been moved to the prior permission category, and in

eleven cases, the accounts of the recipients have been frozen under section 12 of FCRA. So, we have taken action in nearly a hundred cases. Because the provisions of the law on use of funds are rather weak, we are now introducing the new Foreign Contribution Regulation Act. The old law will be replaced by a new law once Parliament approves it.

श्री अविनाश राय खन्ना : सभापति जी, मैं माननीय मंत्री जी से जानना चाहूंगा, इस काम के लिए तीन एजेंसीज़ एन्वॉल्व होती हैं, एक तो मिनिस्ट्री ऑफ़ फॉरेन अफेयर्स, दूसरा मिनिस्ट्री ऑफ़ होम अफेयर्स और तीसरा मिनिस्ट्री ऑफ़ फाइनांस। इन तीनों मिनिस्ट्रीज़ में अगर कोई इन्फॉर्मेशन किसी एक को मिलती है कि फॉरेन में पैसा भेजने के लिए कौन सी ऑर्गनाइज़ेशन काम कर रही है, तो क्या इन तीनों में ऐसा कोई कोऑर्डिनेशन है कि ये इन्फॉर्मेशन्स शेयर होती हों? क्या तीनों में कोई ऐसा मैकेनिज्म बनाया गया है?

SHRI P. CHIDAMBARAM : There is the Central Economic Intelligence Bureau under the Ministry of Finance. That is the nodal point at which all the agencies meet regularly and share information under the guidelines of the CEIB. Information that has to be acted upon peremptorily is shared immediately with the other agencies. CEIB is the clearing house for all this information.

DR. K.P. RAMALINGAM : Sir, can I know from the hon. Home Minister regarding the action taken against the person who received unauthorised huge funds from foreign country which have been deposited in the nationalised banks and utilised*and saying, "I don't know about the funds, where it has come from, who has sent us"? For how many days, or, how many years, the case will be dragged on? In Tamil Nadu, the then Chief Minister received unauthorised funds...(Interruptions)...

DR. V. MAITREYAN : Sir, this is highly objectionable. I strongly object. It should be expunged. He has said that funds were used...(Interruptions)...

MR. CHAIRMAN : Hon. Member has asked his question. Let the hon. Minister reply.

DR. V. MAITREYAN : Sir, it should be withdrawn. I strongly object to it...(Interruptions)...

MR. CHAIRMAN : Records will be examined and whatever is incorrect will be deleted.

DR. V. MAITREYAN : Sir, he should not be allowed to ask the question.

*Withdrawn by hon. Member.

DR. K.P. RAMALINGAM : Sir, I will withdraw the remark*. But, the question should be answered.

DR. V. MAITREYAN : The matter is *sub judice*. It cannot be discussed in the House.

MR. CHAIRMAN : Listen to the Minister...(Interruptions)....

SHRI P. CHIDAMBARAM : Listen to my answer, Sir, if I recall the facts of the case, there is an allegation that the Foreign Exchange Management Act has been violated. The matter is under investigation and, therefore, I cannot answer any more on that case because FEMA falls under the Ministry of Finance.

DR. K.P. RAMALINGAM : For how long, the case will be dragged on?

MR. CHAIRMAN : Please, no supplementaries on supplementaries. Now, Question No. 242.

Effect of invasive procedures declared illegal

*242. SHRI ISHWAR SINGH : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether presently an accused in India enjoys the right against self-incrimination, the right to remain silent and the right against giving information under physical or mental pressure;

(b) if so, whether the current invasive procedures such as narco analysis, brain-mapping and polygraph tests are brazen violations of such rights as recently held by the Supreme Court declaring that such procedures constitute a gross abuse of human rights; and

(c) whether in the absence of these now-barred investigative procedures, third degree methods of interrogation will get further entrenched?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) As per Article 20(3) of the Constitution of India no person

accused of any offence shall be compelled to be a witness against himself.

* Withdrawn by hon. Member.

(b) Supreme Court has passed a judgement on 5.5.2010 in Criminal Appeal No. 1267 of 2004 - Smt. Selvi & Others (Appellants) *Versus* State of Karnataka. The Hon'ble Court has directed the strict adherence to the guidelines formulated by the National Human Rights Commission in 2000 on Polygraph Test (Lie Detector Test) on an accused which are also to be followed for conducting the 'Narco analysis technique' and the 'Brain Electrical Activation Profile'.

The guidelines are as under :-

- i. No Lie Detector Tests should be administered except on the basis of consent of the accused. An option should be given to the accused whether he wishes to avail such test.
- ii. If the accused volunteers for a Lie Detector Test, he should be given access to a lawyer and the physical, emotional and legal implication of such a test should be explained to him by the police and his lawyer.
- iii. The consent should be recorded before a Judicial Magistrate.
- iv. During the hearing before the Magistrate, the person alleged to have agreed should be duly represented by a lawyer.
- v. At the hearing, the person in question should also be told in clear terms that the statement that is made shall not be a 'confessional' statement to the Magistrate but will have the status of a statement made to the police.
- vi. The Magistrate shall consider all factories relating to the detention including the length of detention and the nature of the interrogation.
- vii. The actual recording of the Lie Detector Test shall be done in an independent agency (such as a hospital) and conducted in the presence of a lawyer.
- viii. A full medical and factual narration of the manner of the information received must be taken on record.

The technique in question is voluntary administration of the test in the context of investigation in criminal cases or otherwise which must be conducted under the guidelines formulated by the National Human Right Commission.

(c) Police powers are limited by the provisions of the Constitution, the Police Act, the Criminal Procedure Code, the Evidence Act etc. In case of violation of human rights, Courts have the power of demand accountability from the Police. Besides the above, the aggrieved persons/accused can

approach State Human Rights Commission or National Human Rights Commission. Therefore, adequate safe guards are available. It is also to be noticed that the Hon'ble Supreme Court has not banned the tests but has clarified that the tests may be administered only with the consent of the accused.

In view of the above, it is not correct to conclude that third degree methods of interrogation will increase.

श्री ईश्वर सिंह : सर मेरा, प्रश्न यह था कि क्या भारत में इस समय किसी अभियुक्त को self-incrimination का अधिकार, मौन बने रहने का अधिकार तथा शारीरिक एवं मानसिक दबाव में जानकारी देने का अधिकार प्राप्त है? मैंने अपने प्रश्न में पूछा था कि 'नार्को एनालिसिस', 'ब्रेन-मैपिंग' और 'पॉलीग्राफ जांच' जैसी चीजों का मिसयूज एजेंसियाँ कर रही हैं। सुप्रीम कोर्ट ने इस बारे में जो रूलिंग दी है, 'ruling against narco, polygraph and brain-mapping test - this is a violation of his physical privacy'. उसने यह भी कहा है कि criminal may benefit, but citizen's right should be protected. सर, इन्होंने मुझे जो आँकड़े दिए हैं, उसमें सिर्फ पॉलीग्राफ टेस्ट ही दिया है। इन्होंने कहा कि "झूठ का पता लगाने वाला कोई भी परीक्षण अभियुक्त की सहमति के बिना नहीं किया जाना चाहिए।" सर, कोई खुद ऐसा करने को क्यों कहेगा? क्या खुद की गवाही के लिए कोई सहमत होगा? यह एक प्रश्न का...

श्री सभापति : आप सवाल पूछिए।

श्री ईश्वर सिंह : सर, यह मेरा सवाल ही है।

मेरा सवाल यह है कि खुद की गवाही के लिए कौन सहमत होगा ? मेरा प्रश्न यह है कि 'नार्को एनालिसिस', 'ब्रेन-मैपिंग' और 'पॉलीग्राफ जांच' से जो हानियाँ होती हैं और सुप्रीम कोर्ट ने इस बारे में जो फैसला दिया है उसका इस स्टेटमेंट में कहीं भी जिक्र नहीं किया गया है। क्या सरकार को इस बात की जानकारी है कि इस प्रकार के परीक्षणों को पूर्णतः प्रतिबंधित करने के लिए कौन-कौन से कदम उठा गए हैं और क्या सरकार के पास ऐसी एजेंसीज़ हैं जो जबरदस्ती accused के 'नार्को एनालिसिस', 'ब्रेन-मैपिंग' और 'पॉलीग्राफ जाँच' जैसे टेस्ट्स कराती हैं? मैं इनसे यह जानना चाहता हूँ।

SHRI P. CHIDAMBARAM : Sir, whatever may have been the position prior to 5th May, 2010, but on 5th May, 2010, the Supreme Court declared the law. The Supreme Court has directed that while administering any of these tests, Polygraph Test, Narco Analysis Techniques, or, Brain Electrical Activation Profile, it can be done only with the consent of the accused.

The law is very clear, and, I am certain that every State authority has taken note of the law. These tests can, and, therefore, should be administered only if the accused consents to undergo the tests.

श्री ईश्वर सिंह : सर, नारको एनालिसिस टेस्ट के बारे में बताया गया कि यह तभी किया जा

सकता है, लेकिन मेरा सवाल यह था कि खुद के लिए कौन सहमत होगा? इसमें यह है कि the dose of chemicals depends on

the person's sex, age and physical condition. चूंकि यह एक केमिकल है और जब इसका प्रभाव पड़ता है, तो कोई आदमी खुद यह कैसे कहेगा कि हाँ, मेरा परीक्षण कर लिया जाए। मेरे इस प्रश्न का उत्तर ही नहीं आया है। ... (व्यवधान)

श्री सभापति : आपको जवाब मिल गया है।

श्री ईश्वर सिंह : यह तो साफ कहा गया है कि a criminal may get benefit but citizens' rights should be protected, कोर्ट ने यह खुद कहा है। सर, कोर्ट ने यह भी कहा है, "We will be failing in our duty if we permit any citizen to be forcibly subjected to these tests".

श्री सभापति : मंत्री जी न उसका जवाब आपको दे दिया है।

श्री ईश्वर सिंह : सर, उससे संबंधित जवाब ही नहीं आया है। उसका जवाब केवल यह आया है कि जो लाई डिटेक्टर है, यदि अभियुक्त की सहमति हो तो उसको लगाया जा सकता है, बाकी जो मैंने आपको नारको टेस्ट और ब्रेन मैपिंग के बारे में कहा है, तो इसका तो कोई टेस्ट ही नहीं है। मैं अपने सप्लिमैट्री में दूसरी बात यह पूछना चाहता हूँ...

MR. CHAIRMAN : Do you wish to amplify?

SHRI P. CHIDAMBARAM : Sir, if a person does not give consent, the test cannot be administered upon him. If there is no one who gives consent, then, it follows that the test will be administered on no one. The point is that it is possible, sometimes, that a person may agree to have a polygraph test administered upon him to clear himself, in which case, the polygraph test will be administered. I agree that it is most unlikely that anyone will give consent to a Narco test. If that is, the Narco test will not be administered on anyone.

श्री ईश्वर सिंह : सर, मेरा दूसरा सवाल यह है कि ...

श्री सभापति : नहीं, आपका सवाल हो गया है। ... (व्यवधान)

SHRI Y.P. TRIVEDI : Sir, in our country, in criminal trials, the rate of conviction is very low. We all hear about prosecutions taking place. The prosecutions have lost the faith because people know, by and large, the accused gets the benefit of doubt, and, the trials do not come to an end for a long, long period.

The Supreme Court gave a pronouncement probably following the 5th Amendment to the US Constitution, and, the US Constitutional Amendment has also been mellowed down, to a substantial extent, by a recent judgement of the Supreme Court in the United States.

I think, it is high time that the Government should look at the entire Evidence Act in toto, and, see to it that the Narco test, which may not be conclusive for the purpose of conviction, should have a

considerable persuasive value as a piece of evidence in any trial. Is the Government planning to do so?

SHRI P. CHIDAMBARAM : Sir, however well-meaning the suggestion of the hon. Member is, let me make it very clear that it is not our intention to make Nacro test mandatory; it is not our intention to introduce Nacro test to be administered as part of gathering evidence. Personally, my view is that Narco test should be totally outlawed. Nevertheless, we have a Supreme Court Judgement. So, that is the law of the country. There is no proposal to consider an amendment as suggested by the hon. Member.

SHRI RAVI SHANKAR PRASAD : Sir, I must say the words of the hon. Home Minister are very assuring that you are not going to have the kind of amendment because it is the question of human rights. But, what is troubling me and many other people in the country is that, of late, the investigating agency, knowing the almost untenable worth of these statements, release it to the media as if some kind of a conclusive statement has come. Is the Government, in the light of your assurance to the House today, going to give a guideline to the investigating authority, including the CBI, as to the sensitive and careful manner in which all these statements ought to be dealt with as far as release to the media is concerned?

SHRI P. CHIDAMBARAM : Sir, I entirely agree with the hon. Member that when a case is being investigated, very little about that case should be disclosed to the media. In fact, only a few days ago, the Supreme Court, in another case, has pronounced orders pulling up the investigating agency for periodic leaks to the media saying that this amounts to trial by the media. On the one hand, we have a very inquisitive media, let us put it that way.

SHRI RAVI SHANKAR PRASAD : You are not finding more words.

SHRI P. CHIDAMBARAM : On the other hand, we have organizations which put pressure on the investigating agency. On yet another side, we have the investigating agency trying to vindicate its position and trying to defend itself. So, when so many forces are at play, some parts of investigation, even if they are not quite complete or conclusive, find their way to the media. I totally disapprove of information being given to the media where investigation is on. On the contrary, where investigation reaches a certain stage of either arrest or charge sheet or filling a *challan*, at that stage, I think, there is a duty on the investigating agency to share information with the public. But pending investigation, when investigation has not reached any definite stage, I think, information should not be leaked to the media. Then it becomes a trial by the media. Advisories have been issued in the past, I am not able to recall one immediately, but advisories have been issued how investigating agencies should deal with information pending investigation...(Interruptions)...

SHRI V. HANUMANTHA RAO : What about the third degree?
...(Interruptions)...

श्री अवतार सिंह करीमपुरी : सभापति जी, मैं आपके माध्यम से आदरणीय मंत्री जी से यह जानना चाहता हूँ कि ये जो टेस्ट किए जाते हैं, जब कोर्ट ने भी ह्यूमन राइट्स को ध्यान में रखते हुए इनकी इज़ाज़त नहीं दी है, तो क्या इनको ban करने के संबंध में सरकार सोचेगी कि इन पर पाबंदी लगा दी जाए और चाहें with consent हो या without consent हो, ये टेस्ट किए ही न जाए?

SHRI P. CHIDAMBARAM : Sir, the court has not banned the test. The Court has said that these tests can be administered only according to the guidelines already laid down by the National Human Rights Commission, and the first guidelines is, no test should be administered except on the basis of consent of the accused. So, the court has not banned the tests. But, personally speaking, as I said, I have given my personal view, I think, a polygraph test has uses. It is, by and large, a non-invasive test. But a narco test and a brain mapping test are invasive tests, and my personal view is that such tests should not be administered. But the law, as it stands today, after 5th of May, is that these tests can be administered only with the consent of the accused.

Naxal attacks including suspected derailment of Train

*243. SHRI RAMDAS AGARWAL : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware of a series of recent deadly naxal attacks including suspected derailment of Gyaneshwari Express in West Bengal on 28 May, 2010 that killed 148 passengers;

(b) whether Government has agreed to a probe into this train accident by CBI so as to find out who were the persons responsible for removal of fish plates and cutting of the rail tracks; and

(c) what action Government has taken so far against the culprits involved in such heinous crimes on running trains?

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM) : (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) and (b) There have been a few major naxal attacks in the recent past. The incident of suspected derailment of Janeswari Express in which 148 passengers were killed, occurred on 28 May 2010 in West Bengal. It is being investigated by the Central Bureau of Investigation (CBI). Investigation conducted, so far, reveals that Police Santras Birodhi Janasadharaner Committee (PSBJC/PCPA), a frontal organization of Maoists, was involved in damaging the Railway Track, thereby causing the accident. CBI has arrested 12 persons so far in this case.

(c) 'Policing on Railways', as per item no. 2 of the State list-II of the Constitution of India, is a State subject. Prevention of crime, registration of cases, their investigation and maintenance of law and order in Railway premises including tracks, bridges, tunnels and running trains are the statutory responsibility of the State Governments concerned which they discharge through their Government Railway Police (GRP) and civil police.

SHRI RAMDAS AGARWAL : Sir, my question to the hon. Minister was broad-based. It was concerned not particularly with the Gyaneshwari train accident only. It is written in my question, "Whether the Government is aware of a series of recent deadly naxal attacks". So, it is related to the entire issue of naxal-related matters. सभापति महोदय, मैं आपके माध्यम से माननीय मंत्री जी से पूछना चाहता हूँ कि जैसा हम सब जानते हैं कि 7 स्टेट्स और 35 जिलों में 2000-2500 किलोमीटर के रेंज में नक्सलवादियों और माओवादियों ने अपने सब अड़्डे फिट कर लिए हैं और वहां पर अनेकों बहुत serious और बहुत बड़ी आतंकी घटनाएं हो चुकी हैं। मैं उन पर नहीं जाता हूँ। मैं यह जानना चाहता हूँ कि ये जो बेल्ट्स हैं, ये हमारे देश के खनिज पदार्थों की सबसे बड़ी deposit हैं, यहां पर इस प्रकार की गतिविधि होने से क्या सरकार के ध्यान में यह बात आ रही है कि सारे mineral zones, चाहे वे उड़ीसा में हों, झारखंड में हों, बिहार में हों, मध्य प्रदेश में और छत्तीसगढ़ में हों, ये सारे बेल्ट्स बहुत कीमती हैं और यहीं पर ये सारी नक्सलवादी गतिविधियां हो रही हैं? क्या सरकार को नहीं लगता कि कोई anti-national elements या अंतर्राष्ट्रीय गिरोह हमारे इन development के क्षेत्रों को रोकने के लिए, उनमें व्यवधान पैदा करने के लिए, उनके अंदर रुकावटें पैदा करने के लिए, देश के विकास को अवरुद्ध करने के लिए....(व्यवधान)...

श्री सभापति : आप जल्दी करें, क्योंकि समय समाप्त हो रहा है।

श्री रामदास अग्रवाल : सर, मैं पूछना चाहता हूँ कि कहीं ऐसा तो नहीं है कि अंतर्राष्ट्रीय दंग से कोई हमारे इन क्षेत्रों में घुसकर हमारे विकास को रोकने का प्रयास कर रहे हो?

SHRI P. CHIDAMBARAM : Sir, it is true that part (a) of the question begins with the words 'whether Government is aware of a series of recent deadly naxal attacks,' to which I have answered in part (a) that there have been a few major naxal attacks in the recent past. So, I have answered the question. The rest of the question deals with the Janeswari Express therefore I have given details of the Janeswari Express incident.

I have with me a list of naxal attacks. If the hon. Member wishes to know about any other naxal attacks in the recent past, I am willing to answer any supplementary.

Sir, as regards whether there are any anti-national forces or international forces supporting the CPI (Maoist), there is no evidence that the CPI (Maoist) gets any overt support from any international terrorist organization or international militant organizations. There was one report about

a contact between an organization in Nepal and the CPI (Maoist), but that has not been confirmed either. There is no evidence that they receive money or weapons from China -- China as a country or China as an entity. As I have said, weapons are indeed smuggled from across the border both the Bangladesh border and the Myanmar border. The CPI (Maoist) is able to raise funds within the country. I have answered a little while ago that they are able to raise money through extortion, through levies, and through looting. But we are keeping a careful watch. If there is any evidence that they receive money or receive other support from any organization abroad, certainly, we shall look into the matter very carefully and, with the help of friendly countries, take action against those organizations which are reported to be supporting the CPI (Maoist).

श्री रामदास अग्रवाल : सर, मैं आपके माध्यम से माननीय मंत्री जी से पूछना चाहता हूँ कि नक्सल क्षेत्र में ये जो राष्ट्रविरोधी गतिविधियाँ चल रही हैं, अगर उनको कोई महिमा मंडित करे, कोई उनको appreciate करे और सार्वजनिक सभाओं में उन लोगों का सम्मान करे या अभिनंदन करे, तो क्या सरकार उन लोगों के खिलाफ कोई कार्रवाई करेगी या नहीं करेगी या इसलिए छोड़ देगी, क्योंकि वह केन्द्र में मंत्री हैं या और कहीं पर प्रभावी व्यक्ति हैं?... (व्यवधान)...

SHRI P. CHIDAMBARAM : Sir, to a question that is framed in such a general manner, the answer can also be given in a general manner. No one should support the CPI (Maoist) and the Government certainly will not encourage anyone to support the CPI (Maoist)... (Interruptions)...

श्री मुख्तार अब्बास नकवी : महोदय, अभिनंदन किया गया है ... (व्यवधान)...

श्री रामदास अग्रवाल : सभापति महोदय ... (व्यवधान)...

MR. CHAIRMAN : Mr. Prasanta Chatterjee, very little time is left.

श्री रामदास अग्रवाल : सभापति महोदय, इस पर Half an Hour Discussion होना चाहिए ... (व्यवधान)...

SHRI PRASANTA CHATTERJEE : Sir, the Minister of Railway ... (Interruptions)...

MR. CHAIRMAN : Quickly please, very little time is left.

SHRI PRASANTA CHATTERJEE : Sir, it is an open secret... (Interruptions)...

श्री रामदास अग्रवाल : सभापति महोदय, इस पर Half an Hour Discussion होना चाहिए ... (व्यवधान)...

MR. CHAIRMAN : Only ten seconds are left to ask a
question...(*Interruptions*)...

SHRI PRASANTA CHATTERJEE : Sir, a CBI enquiry...(Interruptions)

श्री रामदास अग्रवाल : सभापति महोदय, देश की शांति के लिए ...(व्यवधान)...

MR. CHAIRMAN : I am afraid the Question Hour is over.

WRITTEN ANSWERS TO STARRED QUESTIONS

Rejection of exported food items

*244. SHRI BIRENDRA PRASAD BAISHYA : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether any complaint has been received on the food items such as tea, fruits etc. exported but rejected in the last three years due to use of insecticides and pesticides;

(b) if so, the details thereof;

(c) whether Government has fixed standards for the check of imported food items and other goods from foreign countries and their proper labelling; and

(d) if so, the details thereof?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI ANAND SHARMA) : (a) and (b) Yes, Sir. A few cases of rejection of food items, e.g. red chilli-whole and powder, nutmeg powder, curry powder & curry leaves, cumin seed, cumin seed powder, tea and organic basmati rice, have been reported from the European Union and Japan due to use of Insecticides and pesticides.

(c) and (d) Yes Sir. The standards of different food articles are prescribed under Appendix 'B' of Prevention of Food Adulteration (PFA) Rules, 1955. All imported food products are governed under sections 5 & 6 of the Prevention of Food Adulteration Act, 1954 and Rules, 1955 which require that no person shall import into India any article of food in contravention of any provision of PFA Act and Rules made there-under including labeling requirements.

Besides these provisions, the general notes regarding Import Policy which have been laid down under chapter I(A) of the ITC(HS) of the Foreign Trade Policy also provide for various provisions to be adhered to in the case of imports of various goods including food items. These details are available in the public domain.

Security for CWG-2010

†*245. SHRI MOHAN SINGH : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether appropriate measures have been taken to ensure the security at the time of organizing the Commonwealth Games in National Capital Delhi and if so, the estimated expenditure to be incurred on these security measures;

(b) whether Government is aware that there is a threat of terrorist attack on the players and athletes of different countries of the world attending these games and if so, the arrangements put in place by Government for their security; and

(c) whether Government has got the security personnel adequately trained who are to be deployed for these games?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) Yes, Sir. The security arrangements for the Commonwealth Games are being coordinated in the Ministry of Home Affairs (MHA) through two High Level Committee i.e. the Empowered Security Committee (ESC) under the chairmanship of the Union Home Secretary and Commonwealth Games Security Review Committee (CWGSRC) under the chairpersonship of SS(CS)/AS(CS). In this regard, meetings with Delhi Police, Delhi Government, Organizing Committee for CWG, Ministry of Youth Affairs & Sports and other departments concerned are held on fortnightly basis and if needed more frequently.

Union Cabinet approved the proposal for the Integrated Security System (ISS) for the Commonwealth Games 2010. Cabinet approved financial proposal of Rs. 370 crores (exclusive of statutory taxes, duties & fees) with recommendations of Expenditure Finance Committee (EFC).

(b) There is no specific threat input for various international sporting events including Commonwealth Games, 2010. However, there is general threat from those militant groups who want to strike at high profile events. Threat inputs received from the various security agencies are shared with all State Governments/UT Administrations concerned for necessary action from time to time to avoid any untoward incident. Regarding Commonwealth Games-2010, Delhi Police in consultation with the Union Home Ministry and other security agencies has formulated elaborate security measures for the safe and secure conduct of the Games. An

International Security Liaison Group has also been constituted by the Ministry of Home Affairs with representatives from various security

†Original notice of the question was received in Hindi.

agencies for effective liaison with the security representative of all participating countries before and during the Commonwealth Games and to address their security concerns. For Commonwealth Games, 2010, a comprehensive security plan for all the participants/team officials/technical staff/Media persons/spectators etc. has been formulated by Delhi Police and Central Security Agencies.

(c) Training of Delhi Police personnel for CWG-2010 is being held which is outsourced to three companies viz., Institute of Stress Management & Research, Panchkula (on attitudinal change), Amity Institute of Training & Development for Police & Security Personnel, Delhi (on Behavioural & Attitudinal Change) & IL&FS Education & Technology Service Ltd., Delhi (for training on verbal & non-verbal communication & basic communication in English). These institutions have been imparting training since July 2007 to Delhi Police personnel. 42,648 police Officers have been trained since July 2007 till now. In addition, special job specific training has been organized for searching, frisking, X-ray baggage scanners, QRTs etc. All efforts are being made to update the training and skills of police personnel deployed for security arrangements during CWG-Delhi 2010.

Inter-State Migrant contract workers for CWG-2010

*246. SHRI TARINI KANTA ROY : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the number of contract workers working in Delhi in connection with preparations for Commonwealth Games;

(b) how many of the contract workers are 'Inter-State Migrant Workers'; and

(c) whether the contractors are giving all benefits to the Inter-State Migrant workers according to the Inter-State Migrant Labour Act, 1979?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE) : (a) At present about 8000 workers are working at various construction projects related to Commonwealth Games sites under the Central sphere.

(b) and (c) As per the available information, the workers in various construction project under Commonwealth Games are not recruited by contractor from other States under an agreement or other arrangement for employment in an establishment in Delhi as per Section 2 (e) of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of

Service) Act, 1979. However, steps

have been taken to enforce provisions of such Act, 1970, the Minimum Wages Act, 1948 and the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, as are applicable to them.

Damage due to cyclone on 20 May, 2010

*247. SHRI RAJKUMAR DHOOT : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a cyclone over sea disrupted life and property in coastal areas of Andhra Pradesh, West Bengal, Tamil Nadu etc. on 20th May, 2010;

(b) if so, the extent of damage caused; and

(c) the results achieved by District Administration from their disaster management machinery?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) to (c) As per information received from India Meteorological Department, a service cyclonic storm development over Bay of Bengal and crossed Andhra Pradesh coast near Bapatla on 20th May, 2010 evening between 1630 and 1730 hrs. IST. This disturbance caused very heavy rainfall over north Tamil Nadu, Orissa and UT at Puducherry.

2. According to the report from the State Government of Andhra Pradesh, 22 Human lives were lost, 2072 cattle heads perished, 14293 houses damaged and crops over an area of 28948 ha. were affected due to the cyclone.

The Government of Tamil Nadu has reported loss of 11 human lives.

UT of Puducherry has reported damage to 5 houses and 346 ha. of cropped area.

The Governments of Orissa and West Bengal have not reported any damage due to this Cyclone.

3. District administration of Government of Tamil Nadu evacuated around 1500 persons, who were housed in temporary shelters and were provided with food packets. 10 fishermen were also rescued off the coast in Kuddular and Nagapattanam districts.

4. District administration of Government of Andhra Pradesh took immediate and timely

preventive measures to minimize the loss of lives through rescue and evacuation of 1.21 lakh persons in the affected districts. Massive relief operations were undertaken by setting up of relief camps at safer places. Provision of essential commodities like rice, kerosene etc.were made for the people in the relief camps as well as for those marooned in the flood water.

5. UT Administration of Puducherry arranged to rescue people from waterlogged area, and sent them to safer places besides taking measures to chlorinate the municipal drains as well as ground level reservoirs.

Need to amend Motor Vehicles Act

*248. SHRI RAJIV PRATAP RUDY : Will the Minister of ROAD TRANSPORT AND HIGHWAY be pleased to state:

(a) whether it is a fact that the licensing procedure in the country for motor vehicles is obsolete;

(b) if so, what is the procedure followed throughout the country, as of now;

(c) whether there is a plan to amend the Motor Vehicles Act to raise the standard of licensing and to reduce the procedural anomalies for obtaining driving licence; and

(d) if so, the details thereof and whether there is a national plan to introduce use of simulators in all the States for licences?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI KAMAL NATH) : (a) to (d) The Motor Vehicles Act, 1988 and the Central Motor Vehicles Rules, 1989 lay down detailed procedure for grant of driving licence. The licensing authorities appointed by the State required to ensure that only a competent person is granted driving licence.

Detailed point wise reply is given in the statement.

Statement

Procedure for grant of Driving of Licence

(a) No, Sir.

(b) Chapter-II of the Motor Vehicles Act, 1988 and Chapter-II of the Central Motor Vehicles Rules, 1989 lay down detailed procedure for grant of learner's licence and driving licence. For getting

a driving licence one has to first obtain a learner's licence after appearing in an objective type test and answering at least 60% of the questions correctly. As per Rule 11 of the Central Motor Vehicles Rules, 1989, the applicant should have adequate knowledge and understanding of matters like traffic signs and signals, rules of road regulations, duties of drivers in case of accidents, documents to be carried while driving motor vehicle, precautions to be taken while passing an unmanned railway crossing etc. Driving licence is granted after conducting a comprehensive driving test by the licensing authority.

(c) The Government has set up a Committee to review the Motor Vehicles Act, 1998 in a comprehensive manner including the provisions relating to grant of driving licence.

(d) The Motor Vehicles Act, 1988 as well as Central Motor Vehicles Rules, 1989 do not prohibit the use of simulator by licensing authorities to test the skill of candidates seeking driving licence. At present, there is no Plan Scheme for introducing use of simulators in all the States, for grant of a driving licence.

Proposal to do away with capital punishment

*249. SHRI SHANTARAM LAXMAN NAIK : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has received any representation from Non-Governmental Organizations/political parties etc. suggesting amendments to the Indian Penal Code proposing to do away with capital punishment;

(b) if so, grounds given by such NGOs/political parties in support of their suggestions; and

(c) the decision, if any, taken by Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) Yes, Sir.

(b) The abolitionists, besides criticising death penalty as of no penalogical purpose, attack it as irreversible and its execution as cruel, inhuman and degrading.

(c) According to the law declared by the Supreme Court, death penalty is awarded only for crimes of a heinous nature and in the rarest of rare cases. There is no proposal under consideration of the Government to abolish capital punishment.

Growing incidents of kidnapping

*250. SHRI MOHD. ALI KHAN : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether India ranks among the top 10 countries in the world with growing incidents of kidnapping;

(b) if so, the details thereof;

(c) the cases reported during the last two years, State-wise;

(d) the actual reasons therefor; and

(e) the steps to be taken to contain such kidnapping in future in coordination with the State Governments?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (e) As per the information complied by the National Crime Records Bureau (NCRB), a total of 27561 and 30261 cases of kidnapping and abduction were reported in the country during 2007 and 2008 respectively. The National Crime Records Bureau (NCRB) does not maintain data on the incidents of kidnapping in other countries of the world. In the absence of any authentic comparable data on cases of kidnapping in the other countries of the world, India's rank amongst such countries cannot be worked out.

As per the information complied by NCRB, the crime of kidnapping and abduction are committed for the purpose of exploiting the victims for ransom, illicit intercourse, prostitution, revenge, sale, selling body organs, slavery, adoption, marriage, begging, camel racing etc. State/UT-wise and purpose-wise details of victims of kidnapping and abduction during 2006 to 2008 are given in Statement (See below).

'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India and, therefore, the State Governments and UT administrations are primarily responsible for prevention, detection, registration and investigation of crime, including the crime of kidnapping and abduction, and for prosecuting the criminals through the law enforcement machinery within their jurisdiction. The Government of India is, however, deeply concerned about crime, including the crime of kidnapping and abduction, and has been advising the State Governments and Union Territory Administrations from time to time to give more focused attention to improving the administration of criminal

justice system and take such measures as are necessary for the prevention of crimes. A comprehensive advisory for Prevention of Crime has been issued to the State Governments and UT Administrations on 16th July, 2010, which is available on the website of the Ministry of Home Affairs (<http://mha.nic.in>);

Statment

Purpose-wise details of victims of Kidnapping & Abduction during 2006

Sl.	State	For Adoption	For Begging	For Camel Racing	For illicit inter- course	For Marriage	For Prostitution	For Ransom	For Revenge	For Sale	For Selling Baby Parts	For Slavery	For Unlawful Activity	Other Purposes	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1.	Andhra Pradesh	0	1	0	111	675	53	30	43	0	0	0	96	1054	2063
2.	Arunachal Pradesh	0	0	0	7	42	0	0	0	0	0	0	0	26	75
3.	Assam	0	0	0	147	1255	0	51	25	0	0	0	126	221	1625
4.	Bihar	50	0	0	89	789	3	156	75	0	0	57	57	1343	2619
5	Chhattisgarh	0	0	0	24	126	0	5	1	0	1	0	0	82	239
6	Goa	0	0	0	3	1	2	0	0	0	0	0	0	13	19
7	Gujarat	2	1	0	188	719	4	20	14	1	0	0	0	189	1138
8	Haryana	0	1	0	82	339	0	10	32	1	0	0	22	155	642
9	Himachal Pradesh	1	0	0	1	95	2	0	0	0	0	0	0	32	131
10	Jammu and Kashmir	0	0	0	405	254	16	1	5	0	0	0	0	109	798

11	Jharkhand	2	0	0	25	266	8	46	20	4	0	16	10	94	491
12	Karnataka	11	0	0	7	101	6	10	21	0	0	0	46	433	635
13	Kerala	3	2	0	15	86	1	1	0	0	0	0	0	193	301
14	Madhya Pradesh	4	2	0	40	370	0	42	6	2	0	0	9	335	810
15	Maharashtra	13	1	0	71	647	194	24	24	0	0	6	28	436	1444
16	Manipur	0	0	0	0	58	0	0	0	0	0	0	1	75	134
17	Meghalaya	0	0	0	19	9	1	15	0	1	0	0	0	13	58
18	Mizoarm	0	0	0	0	1	0	2	0	0	0	0	0	2	5
19	Nagaland	0	0	0	0	0	0	1	0	3	0	0	0	29	33
20	Orissa	4	9	0	87	341	0	2	7	0	0	3	25	226	704
21	Punjab	1	0	0	37	326	0	14	2	1	0	0	0	232	613
22	Rajasthan	0	0	0	17	1060	4	8	6	0	0	0	0	875	1970
23	Sikkim	0	0	0	1	2	1	1	0	0	0	1	0	2	8
24	Tamil Nadu	12	0	0	35	495	0	4	3	0	0	0	15	359	923
25	Tripura	0	0	0	4	44	0	43	0	0	0	0	0	40	431
26	Uttar Pradesh	0	4	0	1161	1332	0	147	193	0	0	26	0	487	3350
27	Uttarakhand	0	0	0	2	94	0	7	0	0	0	0	1	109	213
28	West Bengal	0	3	0	44	929	206	23	1	0	0	4	110	35	1355
Total State		103	24	0	2622	10456	501	663	478	13	1	113	554	7199	22727

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
29	A & N Islands		0	0	0	0	0	0	0	0	0	0	0	0	5 5
30	Chandigarh	0	0	0	0	52	0	1	7	0	0	0	0	6	66
31	D & N Haveli	0	0	0	0	12	0	0	0	0	0	0	0	7	19
32	Daman & Diu	0	0	0	0	0	0	0	0	0	0	0	0	5	5
33	Delhi UT	4	0	0	14	218	0	32	4	0	0	0	3	1177	1452
34	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35	Puducherry	0	0	0	1	10	0	1	0	0	0	0	0	5	18
TOTAL UT		4	0	0	15	292	0	34	11	0	0	0	3	1206	1565
TOTAL ALL INDIA		107	24	0	2637	10748	501	697	489	13	1	113	557	8405	24292

Purpose-wise details of victims of Kidnapping & Abduction during 2007

Sl.	State	For Adoption	For Begging	For Camel Racing	For illicit inter- course	For Marriage	For Prostitution	For Ransom	For Revenge	For Sale	For Selling Baby Parts	For Slavery	For Unlawful Activity	Other Purposes	Total
1.	Andhra Pradesh	5	6	3	226	706	35	21	43	5	0	2	95	954	2101
2.	Arunachal Pradesh	0	0	0	0	35	4	8	6	0	0	0	0	15	68

3.	Assam	0	0	0	119	1249	44	37	15	0	0	0	7	500	1971
4.	Bihar	62	1	0	57	1122	1	81	48	0	0	8	19	1131	2530
5	Chhattisgarh	1	0	0	23	121	0	4	1	0	0	0	0	94	244
6	Goa	0	0	0	1	3	0	0	0	0	0	0	0	8	12
7	Gujarat	0	0	0	181	781	0	34	17	0	0	0	0	314	1327
8	Haryana	2	0	0	111	352	0	11	39	0	0	1	17	270	803
9	Himachal Pradesh	0	0	0	2	129	0	0	0	0	0	0	0	42	173
10	Jammu and Kashmir	2	0	0	284	370	0	0	1	0	0	0	9	106	772
11	Jharkhand	0	1	0	69	413	7	86	12	4	0	0	43	127	762
12	Karnataka	2	1	0	3	113	0	14	6	0	0	1	54	527	721
13	Kerala	1	2	0	17	67	2	10	3	0	0	0	10	150	262
14	Madhya Pradesh	8	0	0	62	438	1	83	1	0	0	0	9	357	959
15	Maharashtra	1	3	0	24	675	155	29	9	2	0	0	26	524	1448
16	Manipur	0	0	0	0	69	0	7	0	0	0	0	2	118	196
17	Meghalaya	0	0	0	2	10	0	2	1	0	0	0	0	37	52
18	Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	4	4
19	Nagaland	0	0	0	0	2	0	2	0	0	0	0	0	13	17

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
20	Orissa	40	0	0	127	306	0	2	9	0	0	0	30	290	804
21	Punjab	0	0	0	33	454	0	10	10	0	0	0	0	283	790
22	Rajasthan	1	1	0	30	1114	0	8	4	0	0	0	0	1019	2177
23	Sikkim	0	0	0	0	3	0	0	0	0	0	0	1	5	9
24	Tamil Nadu	6	1	0	57	840	0	3	3	0	0	0	23	350	1283
25	Tripura	0	0	0	0	71	0	59	0	0	0	0	0	16	146
26	Uttar Pradesh	0	0	0	1018	2239	1	87	186	0	0	147	0	803	4481
27	Uttarakhand	0	0	0	8	190	2	2	0	0	0	0	3	48	253
28	West Bengal	0	1	0	164	661	164	23	10	20	0	0	51	706	1800
	TOTAL STATE	131	17	3	2618	12533	416	623	424	31	0	159	399	8811	26165
29	A & N Islands 13		0	0	0	0	0	0	0	0	0	0	0	0	13
30	Chandigarh	0	0	0	0	44	0	1	0	0	0	0	0	9	54
31	D & N Haveli	0	0	0	0	6	0	0	0	0	0	0	0	3	9
32	Daman & Diu	0	0	0	0	0	0	0	0	0	0	0	0	1	1

33	Delhi UT	0	0	0	35	278	1	24	0	0	0	0	9	1421	1768
34	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35	Puducherry	0	0	0	0	13	0	2	0	0	0	0	5	0	20
TOTAL UT		0	0	0	35	341	1	27	0	0	0	0	14	1447	1865
TOTAL ALL INDIA		131	17	3	2653	12874	417	650	424	31	0	159	413	10258	28030

Purpose-wise details of victims of Kidnapping & Abduction during 2008

Sl.	State	For Adoption	For Begging	For Camel Racing	For illicit inter- course	For Marriage	For Prostitution	For Ransom	For Revenge	For Sale	For Selling Baby Parts	For Slavery	For Unlawful Activity	Other Purposes	Total
1.	Andhra Pradesh	0	18	0	149	802	34	10	61	11	0	7	85	804	1981
2.	Arunachal Pradesh	0	0	0	0	24	4	12	2	0	0	0	3	34	79
3.	Assam	0	0	0	117	1369	84	51	16	8	0	6	6	582	2239
4.	Bihar	72	1	0	129	1551	2	78	29	0	0	0	242	943	3047
5	Chhattisgarh	0	0	0	4	190	7	3	0	0	0	0	1	68	273
6	Goa	0	0	0	0	12	0	1	1	0	0	0	0	26	40
7	Gujarat	2	5	0	180	833	1	26	46	0	0	0	0	245	1338

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
8	Haryana	0	0	0	125	421	2	10	21	3	0	0	18	270	870
9	Himachal Pradesh	0	0	0	3	124	0	0	0	0	0	0	0	28	155
10	Jammu and Kashmir	5	0	0	342	279	0	7	7	0	0	0	9	60	709
11	Jharkhand	7	0	0	11	332	21	50	9	1	0	1	2	358	792
12	Karnataka	0	0	0	6	124	7	18	0	0	0	3	48	571	777
13	Kerala	0	0	0	24	87	0	3	14	0	0	0	11	118	257
14	Madhya Pradesh	10	2	0	73	493	5	49	2	1	0	0	16	295	946
15	Maharashtra	2	4	0	20	702	142	35	15	1	0	0	30	514	1465
16	Manipur	0	2	0	0	64	0	22	0	0	0	21	10	118	237
17	Meghalaya	0	0	0	5	13	1	11	2	0	0	0	0	24	56
18	Mizoarm	0	0	0	0	1	0	1	0	0	0	0	0	7	9
19	Nagaland	0	0	0	0	1	0	0	0	1	0	0	1	41	44
20	Orissa	13	0	0	141	335	2	3	22	0	0	2	45	345	908
21	Punjab	28	0	0	19	391	1	9	7	3	0	0	0	275	733
22	Rajasthan	0	2	0	9	1017	6	6	11	0	0	0	0	1313	2364

23	Sikkim	1	0	0	2	2	0	0	0	0	0	0	0	0	5
24	Tamil Nadu	4	1	0	34	890	1	5	4	0	0	0	17	431	1387
25	Tripura	0	0	0	0	89	0	32	0	0	0	0	0	41	162
26	Uttar Pradesh	0	0	0	1272	3106	0	71	139	0	0	94	0	748	5430
27	Uttarakhand	0	0	0	4	152	0	2	0	0	0	0	0	90	248
28	West Bengal	0	0	0	18	835	19	236	36	0	0	0	27	1167	2338
TOTAL STATE		144	35	0	2687	14239	339	751	444	29	0	134	571	9516	28889
29	A & N Islands	0	0	0	0	0	0	0	0	0	0	0	0	17	17
30	Chandigarh	0	0	0	0	35	0	1	0	0	0	0	0	17	53
31	D & N Haveli	0	0	0	0	10	0	0	0	0	0	0	0	7	17
32	Daman & Diu	0	0	0	0	0	0	0	0	0	0	0	0	4	4
33	Delhi UT	0	0	0	9	240	0	24	3	0	0	0	25	1296	1597
34	Lakshadweep	0	0	0	0	0	0	1	0	0	0	0	0	0	1
35	Puducherry	0	0	0	0	8	0	0	0	0	0	0	4	5	17
TOTAL UT		0	0	0	9	293	0	26	3	0	0	0	29	1346	1706
TOTAL ALL INDIA		144	35	0	2696	14532	339	777	447	29	0	134	600	10862	30595

Maoists/Naxalites affected districts

*251. SHRI PYARIMOHAN MOHAPATRA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the criteria laid down for identifying the 34 maoists/naxalities affected districts in the country;

(b) whether some State Governments have requested for inclusion of similarly placed districts in their States; and

(c) the names of such districts and States and the action taken or proposed to be taken on such requests?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) 34 districts were identified as most severely affected in the year 2007 on the basis of incidents of naxal violence pertaining to the year 2006 with a view to giving focused attention on the development front. All the districts, where naxal violence had been reported in more than 20% of the police stations in the year 2006, were identified as districts for special development. With inclusion of West Medinipur in West Bengal, the number of districts has gone up to 35.

(b) Yes, Sir.

(c) The names of such districts-state wise is given in Statement (See below). The issue is under consideration of Government.

Statement

*Requests received from States for inclusion of districts
in the list of focused districts*

States	Districts
1	2
Andhra Pradesh	1. Visakhapatnam
	2. Karimnagar
	3. Adilabad
	4. Warangal
	5. Kurnool

1	2
	6. Prakasam
	7. Mahboobnagar
	8. Srikakulam
	9. Vizianagaram
	10. East Godavari
Jharkhand	1. Giridih
	2. Khunti
	3. Ranchi (Rural)
Uttar Pradesh	1. Chandauli
	2. Mirzapur
Orissa	1. Koraput
	2. Mayurbhanj
	3. Sundergarh
	4. Keonjhar
	5. Kandhamal
West Bengal	1. Purulia
	2. Bankura

Negotiating drafts with India-EU FTA

*252. SHRI MOINUL HASSAN : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the details of the current proposals and negotiating drafts with India-EU Free Trade Agreements and other FTAs;

(b) whether Government has any right to negotiable such agreements which take away people's rights to medicines and health; and

(c) if so, when Government is going to take Parliament into confidence by having debate on all these issues?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI ANAND SHARMA): (a) The negotiations in the proposal India - EU Broad based Trade and Investment Agreement (BTIA) are

ongoing and final positions have not yet emerged and therefore no agreement has been made in any sector including the IPRs.

(b) Government is fully alive to the need to protect people's right to both medicines and health and there is question of compromise on this issue.

(c) Because of international sensitivities involved, details of ongoing negotiations are not placed in the public until closure is reached viz. when negotiations are conducted and legal texts of the agreement are finalised. However, before the Agreement is signed, approval of the Cabinet is obtained.

Highway projects approved by CCI

*253. DR. T. SUBBARAMI REDDY : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Cabinet Committee on Infrastructure (CCI) has approved highway projects worth Rs. 2,500 crores on 11 June, 2010;

(b) whether highways will come up across Gujarat, West Bengal, Bihar, Madhya Pradesh, Uttar Pradesh and will be built under the National Highways Development Programme;

(c) whether CCI has also approved four laning of 123 kms. in Gujarat at an estimated cost of Rs. 830 crores and which will be built on Design, Build, Finance, Operate and Transfer (DBFOT) basis; and

(d) if so, by when the works on these projects are likely to start and likely to be completed?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI KAMAL NATH) : (a) Yes, Sir. The Cabinet Committee on Infrastructure (CCI) has approved four Highway projects with cumulative total project cost (TPC) of Rs. 2636.26 Crore under National Highways Development Project (NHDP) Phase-III in its meeting held on 10th June, 2010. The details of the projects are given in the Statement.

(b) Yes, Sir. These projects will be come up in the states of West Bengal, Madhya Pradesh, Gujarat and Bihar.

(c) Yes, Sir. The Cabinet Committee on Infrastructure (CCI) has approved four laning of 123.40 Kms of NH-8D between Jetpur-Somnath in Gujarat at an estimated cost of Rs. 828 Crore.

(d) The details are indicated in the Statement.

Statement

Details of Highways Projects approved by CCI.

Sl.No.	Description of the	State	NH	Length	Mode	NHDP TPC	Status of completion of
construction	Project Stretch	No.	(in KM)	Phase	(Rs.		
					in Crore)		
1	2	3	4	5	6	7	8
1.	Four laning of Krishnagar- under Bahrapore, West Bengal concessionaire	West Bengal	34	78	BOT (Annunity)	III 708.26	Bids have been received and are evaluation. The selected will require approximately 6 months financial close after signing the concession agreement within 45 days the issue of letter of award (LoA), thereafter the project is proposed be completed in a construction period 30 months.
2.	Two laining with paved	Madhya	75	164	BOT	III 494.00	Bids have been invited, and date of

shoulder Jhansi-Khajuraho, Pradesh
The
Madhya Pradesh

issue

submission of bids is 12.08.2010.

selected concessionaire will require
approximately 6 months for financial
close after signing the concession
agreement within 45 days of the

1	2	3	4	5	6	7	8	9
	thereafter							of letter of award (LoA), and
	completed							the project is proposed to be
	months.							in a construction period of 30
3.	Four laning of Jetpur-Somnath, Gujarat	Gujarat	8D	123.40	BOT (Toll)	III	828.00	Bids have been invited, and due date of submission of bids is 09.08.2010.
	The							selected concessionaire will require approximately 6 months for financial
	close							after
	within							signing the concession agreement
								45
								days of the issue of letter of award (LoA), and thereafter the project is proposed to be completed in a construction period of 30 months.
4.	Two laning with paved shoulders of Muzaffarpur-Sonbarsa Bihar	Bihar	77	89	BOT (Annuity)	III	606.00	LoA has been issued on 05.07.2010. Concession agreement is to be
	executed							within 45 days of issue of LoA and financial closure is to be achieved
	in							6
								months from signing of concession agreement. Thereafter the project is

proposed to be completed in a
construction periof of 30 months.

TOTAL	2636.26
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Attitude of US to negotiations of Doha round

†254. SHRI RASHEED MASOOD : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether India has already expressed its displeasure on many occasions over the indifferent attitude of USA to expedite the negotiations of Doha round;

(b) whether the success of trade liberalisation is important for improving the world trade scenario;

(c) whether the last global financial crisis resulted in contracting the world trade;

(d) whether India has indicated that USA would extend its support for completion of the current round of negotiations;

(e) whether India is committed to Doha round of negotiations in order to liberalize the world trade;

(f) whether US administration has reacted coldly to this issue; and

(g) if so, the action being taken by Government in this regard?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI ANAND SHARMA): (a) to (g) According to the World Trade Organization (WTO), the volume of world trade is estimated to have fallen by around 12% in 2009 as a result of the global economic crisis. In the wake of the crisis, leaders of many countries including India, have, on several occasions, called for an early completion of the Doha Development Round of trade negotiations in the WTO. A successful completion of the Round is important not only to provide a stimulus to the global economy and strengthen the multilateral trading system, but also because it is a development round.

India is committed to a fair, equitable, rules-based multilateral trading system and in order to re-energise the negotiations, hosted an information Ministerial meeting in New Delhi in September, 2009. Negotiations resumed in the WTO soon after the Delhi meeting. However, while meetings have been taking place regularly, there has not been substantial progress on outstanding issues.

India has expressed concern about the slow progress of talks on several occasions, including the Seventh Ministerial Conference of the WTO held in November-December, 2009. While the Doha

†Original notice of the question was received in Hindi.

Round was not a main theme of the Ministerial Conference, there was a general acknowledgement that there had to be meaningful engagement by all Members, including the United States, if progress was to be made in the Round. The US negotiating team was announced recently, in early 2010.

At the Toronto Summit of the G-20 in June 2010, leaders reiterated their support for bringing the Doha Development Round to a balanced and ambitious conclusion as soon as possible, consistent with its mandate and based on the progress already made.

The US has taken the position that the creation of new trade flows and meaningful market opening, particularly in key emerging markets, namely, India, China and Brazil, is required to fulfill the development promise of Doha. They have stated that the key to Doha Round success will remain securing meaningful market access commitments in agriculture, Non-agricultural Market Access and services from these countries.

India and several other countries have consistently emphasised that the purpose of the negotiations could not be to meet unrealistic demands of one or more Members for new or additional market access, but to arrive at a balanced outcome in line with the development mandate of the Round.

Relief and rehabilitation for rain affected people of Assam

*255. SHRI SILVIUS CONDPAN : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware that during the last six months, continuous rain in Assam has caused disaster in the matter of habitation and crops in the field;

(b) if so, whether the State Government has sent its report regarding damages and loss to the people of Assam; and

(c) if so, the details of the report sent by the State Government seeking relief and rehabilitation assistance for the affected people?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPALLAY RAMACHANDRAN) : Yes, Sir. Situation reports received from the Government of Assam indicate that due to heavy rains and floods 8 (eight) human lives have been lost. 3623 cattle heads perished,

8520 houses damaged and crop area of 0.72 lakh hectares affected. Damage to infrastructure has also been reported in 1847 villages of 17 Districts in the State.

(b) and (c) The State Government has not submitted any memorandum or formal report seeking any financial assistance for Response and rehabilitation to the people affected.

An amount of Rs. 1079.35 crore is available with the State in their Calamity Relief Fund/State Disaster Response Fund account for management of notified natural calamities.

Cattle smuggling on Indo-Bangladesh Border

*256. MS. SUSHILA TIRIYA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that there has been thriving business of cattle smuggling on Indo-Bangladesh border;

(b) if so, the reasons therefor;

(c) whether hundreds of cattles are smuggled to Bangladesh daily; and

(d) if so, the steps taken to check this illegal smuggling?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) to (d) Smuggling of cattle has been reproted through the porous and riverine portions of the border between India and Bangladesh. The Indo-Bangladesh border, which is not yet fully fenced, is characterized by thick vegetation, hills and forest areas, riverine and low-lying patches, and thick population right upto zero line, thereby making it prone to illegal cross-border activities including cattle smuggling.

The Border Security Force (BSF), which is deployed on the border, has reported the details of cattle smuggling as below:-

Year	Number of cattle
2007	133,173
2008	120,547
2009	114,790
2010 (upto 31st July, 2010)	49,767

G/Total

418,277

As the fencing along the border progresses, the incidence of smuggling is exhibiting a declining trend. The Government has also adopted a multi-progned approach to stop cross-border criminal activities including cattle smuggling. The steps taken in this regard, *inter-alia*, include:-

- * Domination of border by patrolling, laying nakas/ambushes and carrying out special operations.
- * Construction of fencing, patrol roads, floodlighting and additional Border Out Posts.
- * Use of water crafts/boats and floating Border Out Posts in riverine segments.
- * Use of force multipliers like Hand Held Thermal Imager, Battle Field Surveillance Radars, Night Vision Devices/Night Vision goggle.
- * Special operation with local sister agencies.
- * Construction of additional BOPs along borders to reduce *inter se* distance for proper domination of border by the Border Guarding Force.
- * Up-gradation of intelligence network and co-ordination with sister agencies.
- * Besides, Government has sanctioned additional 16 battalions to augment Border Out Posts in riverine/hilly/vulnerable segments of the Indo-Bangladesh border to be raised in a phased manner from 2009-10 to 2013-14. Of these two battalions have already been raised and deployed on the border.

Relief from Phyan Cyclone

*257. SHRI SANJAY RAUT : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government of Maharashtra has sought assistance through memorandum of Rs. 1170 crores from National Calamity Constituency Fund (NCCF) for relief to be provided to the Phyan Cyclone affected and heavy unseasonal rainfall affected people of Maharashtra; and

(b) if so, Government's response thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) and (b) Yes, Sir. The State Government has submitted a memorandum and projected an assistance of Rs. 1329.09

crore for rescue & relief and restoration works of permanent nature due to damage caused by the cyclonic storm 'Phyan' and heavy rainfall.

Upon receipt of a memorandum from the Government of Maharashtra, an Inter-ministerial Central team visited the affected areas for an on-the-spot assessment and submitted a detailed damage assessment report.

The report has also been examined by the Inter-Ministerial Group (IMG) and will now be considered by the High Level Committee (HLC) in its next meeting shortly.

Shortage of Government staff in Maoist influenced districts

*258. SHRI R.C. SINGH : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that there is acute shortage of Government staff for the delivery of essential service of people in Maoist influenced district;

(b) if so, the details thereof with a list of shortage under different categories;

(c) whether the shortage of Government staff is one of the major stumbling blocks to deliver the essential services to people in those areas;

(d) if so, whether Government is taking any step to increase in the number of Government staff in these areas; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (e) The information uploaded by the naxal affected districts on the Monitoring Information System (MIS) developed by Planning Commission for staff deployed for delivery of basic services such as health and education is given in Statement (See below). Vacancies in administrative set up and large scale absenteeism definitely affect the quality of delivery of services.

In various meetings with Chief Ministers of naxal affected states held on 6-7 January 2009, 17th August, 2009 and 7th February, 2010 *inter-alia*, the issue of filling up of vacancies, both in the security and development departments has been stressed.

In the meeting of Governors/Chief Ministers of naxal affected States with the Prime Minister, held on 14.7.2010, issue of governance, in general, and filling up of vacancies, in particular, were among the agenda items and it was emphasized that the vacancies, especially of

lower level functionaries in

all the sectors, should be filled up on priority. While recruiting, preference should be given to locals and relaxation of certain recruitment norms, if any should also be examined by the State Governments.

Statement

Staff Position in the Health and Education sectors in LWE Districts

State (No. of. Districts)	Doctors/supporting staff		Teachers	
	Target	In Position	Sanctioned	In position
Andhra Pradesh (1)	4602	4253	*	*
Bihar (6)	15408	12745	958	*
Chhattisgarh (7)	21592	26223	2558	526
Jharkhand (11)	22935	23090	4066	2937
Madhya Pradesh (1)	1189	1049	43	34
Maharashtra (2)	2891	2691	623	623
Orissa (5)	5626	5083	6003	3566
Uttar Pradesh (1)	1905	1784	88	34

*Information not received.

Protest against regional pact on intellectual property rights

*259.SHRIMATI T. RATNA BAI : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether India has protested against regional pact on intellectual property rights; and

(b) if so, the details thereof and the present position thereof?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI ANAND SHARMA): (a) and (b) India is against any regional pact on intellectual property rights if such a pact envisages a legally binding framework providing a level of protection and enforcement for intellectual property rights higher than what was multilaterally agreed under the Agreement on Trade Related Intellectual Property Rights

(TRIPS). Any regional agreement of IPRs containing TRIPS plus elements would disturb the overall balance of rights and obligations achieved during the Uruguay Round.

The Anti-Counterfeiting Trade Agreement (ACTA) is being discussed amongst certain countries including the US, the EU, Australia, Canada, Japan, Mexico, New Zealand, Switzerland, and Singapore. The draft agreement contains TRIPS plus provisions relating to enforcement of IPRs including border measures, treatment of goods in transit for all IPRs and special measures for the digital environment.

Several developing countries in Africa, including the five members of East African Community (EAC) are reported to have drafted a policy on Anti-counterfeit, Antipiracy and other Intellectual Property Rights Violations for their region. The policy proposes similar TRIPS plus provisions.

India has taken a number of steps to oppose such moves including raising the issue of ACTA in the TRIPS Council meeting held in June, 2010 and sensitizing our partners in this regard, including those in Africa.

Scorpene project facing time-run and cost-run

*260. SHRI VIJAY JAWAHARLAL DARDA : Will the Minister of DEFENCE be pleased to state:

(a) whether Rs. 18,798 crore Scorpene Project to construct six submarines at Mazagaon Docks is facing time-run and cost-run;

(b) if so, when this project is scheduled to be completed and the additional financial resources required; and

(c) the reasons for delaying this India's waterway combat arm which is vital for our defence preparedness especially when belligerent neighbouring forces are posing an impending security threat?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) Yes, Sir.

(b) The last submarine will be delivered in the second half of 2018. Government has recently sanctioned an additional amount of Rs. 4764.00 crore for the project.

(c) Delay in the scheduled delivery of the submarines is due to initial teething problems, absorption of technology, and augmentation of Mazagon Dock Limited (MDL) infrastructure and procurement of MDL Procured Material items. Further, M/s MDL have put in place various plans to obviate any further delays in delivering the submarines.

WRITTEN ANSWERS TO UNSTARRED QUESTIONS

Incentives to establish industries in LWE districts

1796. MS. MABEL REBELLO : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the details of incentives the Ministry gives to the tribals in Left Wing Extremist (LWE) affected districts to establish industries;

(b) whether Government proposes to encourage mineral based industries to be located at the area where minerals are available;

(c) whether this will be cost effective and can create jobs and keep youth away from anti-national activities; and

(d) if so, what suitable measures Government proposes to encourage industries where minerals are available particularly in LWE districts?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) There is no scheme for industrial development, district-wise. The Government of India is implementing a package of incentives along with a Transport Subsidy Scheme for the special category States of the North East (including Sikkim) and the States of Jammu & Kashmir, Himachal Pradesh and Uttarakhand in view of their adverse geographical locations and other specificities. Besides, the industrial units in Andaman & Nicobar Islands, Lakshadweep Islands and the Darjeeling district of West Bengal are also entitled to the Transport Subsidy. All these States and Union Territories have a sizable tribal population.

(b) There is no such proposal in Department of Industrial Policy & Promotion. The State Governments are primarily responsible for industrial development in their respective States and the Union Government supplements the efforts of the State Governments through various incentive schemes.

(c) and (d) Do not arise.

Export of iron ore

†1797. SHRI BALAVANT ALIAS BAL APTE :

SHRI SHREEGOPAL VYAS :

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the details of total production of iron ore, its export and foreign currency earned thereby in the country during the last three years;

(b) whether iron ore is exported only after keeping in view its depleting reserves, heavy demand and consumption in the country and after meeting its domestic demand;

(c) if so, the country-wise details thereof and the percentage of production that was exported;

(d) whether Government propose to reconsider the export policy of iron ore to save the domestic industry; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) India's total iron ore production, exports and foreign exchange earning during the last three years are as under :-

(Quantity in Million Tonnes)			
Year	Production	Exports	Value (Rs. in Crores)
2006-07	187.70	93.79	18836
2007-08	206.45	104.27	34100
2008-09	215.44	105.87	34036

(b) and (c) Yes, Sir. Iron ore production in India has always been higher than the capacity of domestic steel industry to consume it. India is mainly exporting iron ore fines which are not used by domestic steel industry to consume it. India is mainly exporting iron ore fines which are not used by domestic steel industry due to limited sintering and pelletisation capacity. There is a need to export excess ore (mainly fines) as it cannot be stored. Of the total iron ore exported during the year 2008-09, iron ore fines constituted about 87% share. If iron ore fines are not evacuated and exported, it

†Original notice of the question was received in Hindi.

would cause environmental degradation and hazards in mining areas. The details of production, domestic consumption, export, surplus and percentage of exports as against production during the last three years are as under :

Iron-ore production, domestic consumption, export, surplus and percentage of exports

(Quantity in Million Tonnes)					
Year	Production	Consumption	Exports	Surplus	Percentage of exports vis-a-vis production
2006-07	187.70	76.06	93.79	17.85	49.96
2007-08	206.45	81.16	104.27	21.02	50.50
2008-09	215.44	88.22	105.87	21.35	49.14

India's country-wise iron ore exports

(Quantity in Million Tonnes)			
Country	2006-07	2007-08	2008-09
China	80.16	91.98	97.85
Japan	8.63	7.70	5.43
South Korea	1.91	1.77	.99
Europe	2.07	1.62	.75
Others	1.02	1.20	.85
Total	93.79	104.27	105.87

(d) No, Sir.

(e) Does not arise.

Trade across the line of control

†1798. SHRI SHREEGOPAL VYAS :

SHRI ANIL MADHAV DAVE :

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

†Original notice of the question was received in Hindi.

(a) whether Government has made efforts to enhance travelling and trade across the line of control;

(b) the aims and objectives behind these travelling and trade;

(c) whether it will affect domestic trade in the country; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) Yes, Sir. The Srinagar - Muzaffarabad and the Poonch - Rawalkot bus services were started on April 7, 2005 and June 19, 2006 respectively. Trade on these routes commenced on October 21, 2008.

(b) The aims and objective behind these travel and trade initiative is to improve market access for local produce and enhance people to people contact.

(c) Trade on these routes does not significantly affect domestic trade in the country.

(d) Does not arise.

Withdrawal of restrictions on Foreign Capital Investment

†1799. SHRI RAVI SHANKAR PRASAD :

SHRI RAM JETHMALANI :

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that United States and other European countries are insisting on India to allow foreign capital investment and withdrawal of restrictions;

(b) if so, the details thereof; and

(c) the details of restriction on trade and industry withdrawn for foreign capital investment in the country during the last five years?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) The United States has suggested relaxation in FDI Policy in sectors such as retail trade, insurance, etc.

(c) Review of FDI policy is a continuous process and Government notifies any change in FDI policy through Press Notes issued from time to time. Simplification/rationalization of FDI Policy were announced vide :

- (i) Press Note Nos. 1 to 7 of 2006;
- (ii) Press Note Nos. 1 to 3 of 2007;
- (iii) Press Note Nos. 1 to 8 of 2008;
- (iv) Press Note Nos. 1 to 8 of 2009;
- (v) DIPP has issued Circular No. 1 of 2010 on 31.3.2010 consolidating all previous Press Notes issued on FDI Policy. All these Press Notes and Consolidated FDI Policy are available at website of Department of Industrial Policy and Promotion (dipp.nic.in).

Foreign investment in wholesale market

†1800. SHRI RAM JETHMALANI :

SHRI RAVI SHANKAR PRASAD :

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that at present 100 percent foreign capital investment is allowed in wholesale market with certain conditions;

(b) if so, the details thereof and the time since when this approval is in force in the country;

(c) whether following this approval, the companies with 100 percent approval to foreign capital investment in the country have made capital investment in certain infrastructure facilities; and

(d) if so, names of the companies and capital investment made by them till March, 2010?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) Yes, Sir. As per extant policy, Foreign Direct Investment (FDI), up to 100%, on the automatic route, is allowed in Cash & Carry Wholesale Trading. 100% FDI in Cash & Carry Wholesale Trading was introduced in 1997. It was brought under the automatic route in 2006.

(c) and (d) Since the sectors viz., 'Cash & Carry trading wholesale trading/wholesale trading' and 'Storage & Warehousing' are on the automatic route, particulars of investments made by such companies in infrastructure facilities are not available with this Department. A statement showing financial year-wise FDI inflows in 'Trading (Wholesale Cash & Carry)', from April, 2000 to May, 2010, as maintained by this Department, is given in Statement (See below). Company wise data on FDI

made by foreign investors is published as "SIA Newsletter" on a monthly basis and made available on the Department's website at : http://siadipp.nic.in/publicat/pub_mn.htm.

Statement

Financial year wise FDI Inflows from April, 2000 to May, 2010

Sector : 'Trading (Wholesale Cash & Carry)'

Sl.No.	Year (Apr-Mar)	Wholesale Cash & Carry	
		FDI in Rs. Crore	FDI in US\$ million
1	2	3	4
1.	2000-01	26.14	5.81
2.	2001-02	107.15	23.81
3.	2002-03	36.15	7.54
4.	2003-04	86.74	18.86
5.	2004-05	62.34	13.82
6.	2005-06	121.70	27.43
7.	2006-07	509.22	112.80
8.	2007-08	2,095.35	523.26
9.	2008-09	2,429.65	556.16
10.	2009-10	2,324.95	489.12
11.	2010-11 (Apr-May)	1,174.78	262.84
GRAND TOTAL		8,974.18	2,041.75

Subsidy by US and EU countries to agriculture under WTO

†1801. SHRI RAVI SHANKAR PRASAD :

SHRI RAM JETHMALANI :

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that in United States and other European countries Government subsidy is given at many levels right from the agricultural production to its selling;

(b) if so, the details thereof;

(c) whether these countries have agreed to withdraw these subsidies under World Trade Organization;

†Original notice of the question was received in Hindi.

(d) if so, the details thereof; and

(e) the steps taken by these Governments to withdraw subsidy?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) The support provided to agricultural producers in developed countries such as the United States, several European countries and others, include various forms of support based on commodity production/output, input-use and general support for research and development, infrastructure, marketing and promotion etc.

As per the latest statistics released by the OECD (Organisation for Economic Cooperation and Development), the level of support to agricultural producers (expressed as a percentage of producer revenues) in 2007-09 was 9% in the US and 23% in the European Union (EU).

(c) to (e) A substantial reduction in trade-distorting domestic support is a key element of the mandate of the Doha Round of trade negotiations in the World Trade Organisation (WTO).

The current agriculture negotiations in the WTO are based on a draft text of proposals brought out on 6 December, 2008. As and when these draft modalities are agreed, developed countries, including the US and EU, will be required to reduce their maximum permissible levels of over all trade-distorting domestic support to farmers by 55%-80% over the implementation period of the Doha Round of trade negotiations.

Proposal of Gujarat for overall development of DMIC

1802. SHRI NATUJI HALAJI THAKOR : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether his Ministry has taken decision to extend and develop road linkage for Mumbai-Surat-Bharuch-Mehsana under Delhi Mumbai Industrial Corridor (DMIC) along with the proposed Dedicated Freight Corridor (DFC) of Railways;

(b) if so, the details thereof;

(c) whether Government of Gujarat has also submitted a detailed proposal for development of various infrastructure linkages for overall development of DMIC;

(d) if so, the current status of the said proposal; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) There is no proposal for the road linkage for Mumbai - Surat - Bharuch - Mehsana under Delhi Mumbai Industrial Corridor (DMIC) along the proposed Dedicated Freight

Corridor (DFC) of Railways.

(c) Yes, Sir.

(d) The draft Development Plan of Ahmedabad - Dholera Investment Region and draft report on the techno-economic feasibility of the project 'Mega Industrial Park' at Dholera have been submitted by the consultant appointed by the DMIC Development Corporation Ltd. (DMICDC). The Detailed Project Report of 'Greenfield International Airport' near Dholera is under preparation by the Airports Authority of India.

(e) Does not arise.

Promotion of Industries in Bihar

1803. SHRI TARIQ ANWAR : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government proposes to promote industries in rural and backward regions in the country specially in Bihar;

(b) if so, the details thereof;

(c) the details of the proposal received from the State Governments; and

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

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) In a deregulated industrial environment, the decisions to set up industries are taken by the entrepreneurs. The State Governments are primarily responsible for industrial development in their respective States and the Union Government supplements the efforts of the State Governments through various incentive schemes. The Union Government is implementing package of incentives for the special category States of the North East (including Sikkim) and the States of Jammu & Kashmir, Himachal Pradesh and Uttarakhand.

(c) and (d) Many other States have also requested for similar packages but it has been the consistent stand of the Government not to extend or announce any fresh package in view of the reason that the afore-mentioned special category States have adverse geographical locations and other specificities. The States which have requested for packages are Andhra Pradesh, Bihar, Chhattisgarh, Goa, Gujarat, Jharkhand, Karnataka, Madhya Pradesh, Orissa, Punjab, Rajasthan, Uttar Pradesh and West Bengal.

Adverse effect of export of iron ore

1804. SHRIMATI NAZNIN FARUQUE :

PROF. ANIL KUMAR SAHANI :
Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether there was an increase in the export of iron ore and the iron ore so exported, was imposed as steel, in the form of value-added product;

(b) the steps taken to motivate indigenous producers to undertake value addition of iron ore into finished steel;

(c) whether there is any proposal to ban export of natural resources like iron ore particularly when there is a growing domestic demand; and

(d) the quantum of foreign exchange lost by exporting of minerals as raw material, as the country is importing the finished products of the same minerals at a higher rate?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) Although there was an increase in the export of iron ore during the year 2009-10 as compared with 2008-09, there is no data available to know whether the iron ore so exported was imported as steel in the form of value-added product. The data on import of total finished steel (alloy + non-alloy) for 2007-08 to 2009-10 is given below:

Quantity in million tonnes			
Item	2007-08	2008-09	2009-10
Import of total finished steel	6.58	5.84	7.29

(b) The decision to invest in putting up steel manufacturing capacities is left to the producers.

(c) No, Sir.

(d) The export of minerals is determined by domestic demand, production, capacity, employment in remote areas dependent on mining and overall economic considerations. The import of finished products likewise, is dependent on domestic demand and domestic capacity to produce grade wise finished products. Therefore, it is not possible to draw a comparison between foreign exchange balance in export and import.

Widening of Trade Deficit

1805. SHRI M.P. ACHUTHAN :

SHRI D. RAJA :

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that India's trade deficit is likely to widen in the 2010-11 fiscal year; and

(b) if so, what are the factors likely to contribute for a wider trade deficit during the year?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) Trade deficit is a function of exports, import requirements and value thereof. It is difficult to predict the trend due to volatility of the global markets.

Ban on export of iron ore

1806. SHRI R.C. SINGH :

SHRI M.V. MYSURA REDDY :

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is fact that 50 per cent of our iron ore export are low grade iron ore;

(b) whether Government is putting any ban on export of Iron ore;

(c) whether there is any proposal before Government to allow the export of semi finished and finished goods in place of iron ore;

(d) if so, the details of (b) and (c) above;

(e) whether any assessment has made about the impact on the ban imposed by China on the import of low grade iron ore; and

(f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) Yes, Sir. More than 50% of India's exports is low grade iron ore with below 62% Fe content.

(b) No, Sir.

(c) No, Sir.

(d) Does not arise.

(e) and (f) Government is not aware of full details of any such ban on import of low grade iron ore by China and accordingly no such assessment on its impact has been made.

Anti-dumping duty on Chinese goods

1807. DR. PRABHAKAR KORE : Will the Minister of COMMERCE AND INDUSTRY

be pleased to state:

(a) whether the Indian Industry feels that unfair competition by China is adversely affecting the domestic manufacturing sector;

(b) if so, whether the Indian Industry feels that China enjoys the advantages of being not a market economy like India with a fixed currency and a no-duty import regime in India on Chinese exports; and

(c) whether the industry has pleaded for imposition of a 25 per cent anti-dumping duty on Chinese goods into India to make a level playing field for the domestic manufacturing sector?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) to (c) To protect the domestic industry, the Customs Tariff Act and Anti-dumping Rules provides for anti-dumping investigations. These are normally initiated by Directorate General of Anti Dumping & Allied Duties (DGAD) on the basis of duly substantiated petitions with *prima-facie* evidence of dumping, causing material injury to the domestic industry. During the financial year 2007-08, 2008-09 and 2009-10, in 10 cases, 7 cases and 12 cases, respectively, definitive anti dumping duty was imposed in various antidumping investigations involving imports from China.

Change of use on land allotted for SEZ

1808. SHRI PRAKASH JAVADEKAR : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether there is a demand for change of use on the land allotted for SEZ;

(b) if so, the details thereof; and

(c) what action Government is contemplating in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) to (c) Land is a State subject. Land for SEZs is procured as per the policy and procedure of the respective State Governments.

In terms of Rule 11(9) of the SEZ Rules, 2006, sale of land in SEZ is not allowed.

International trade treaties

1809. SHRI BHAGAT SINGH KOSHYARI : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government has signed different International trade treaties in the year 2009-10;

(b) if so, the details thereof;

(c) whether the State of Uttarakhand has been beneficiary of any of the International treaties signed during 2009-10; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) to (d) A comprehensive Economic Partnership Agreement (CEPA) between India and South Korea was signed on 7th August, 2010 in Seoul. CEPA is more than FTA as it covers not only trade in goods but Services and Investment also.

On 13th August, 2009, India and ASEAN signed the Trade in Goods Agreement under the broader framework of Comprehensive Economic Cooperation Agreement (CECA) between India and the ASEAN.

On 27th October, 2009, a Treaty of Trade and Agreement of cooperation to control unauthorized Trade was signed between India and Nepal. The new Treaty and Agreement will enhance market access for India products in Nepal as well as facilitate trade through addition of four new land customs stations Maheshpur/Thutibari (Nawalparasi); Sikta - Bhiswabazar; Laukha - Thadi; and Guleraia/Murtia and air routes. It will also enhance market access for Nepalese products into Indian market also consequently help attract Indian Investments into Nepal and enhance growth of bilateral trade between the two countries".

Adverse effect on export of raw coir material

1810. SHRI P. RAJEEVE : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government is aware of the crisis in the coir production sector due to the sudden jump in the export of coir fibre, the essential raw material for the production of coir products;

(b) if so, whether Government has taken any measures to ward off the crisis in the production of coir products; and

(c) whether Government propose to control the export of coir fibre?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) There was a temporary and seasonal

shortage of coir fibre in the export oriented production sector of the coir industry in Kerala during the second half of

2009 which had affected the functioning of small scale coir units in the export oriented production sector of Alleppey in Kerala.

The shortage of white fibre used in the export oriented sector in Kerala was mainly due to non availability of green coconut husk in the market caused by a fall in coconut price. In addition, there has been a slow down in the fibre production activities in Kerala due to drudgery in operation, increasing awareness of pollution aspects of the environment due to retting, increased use of coconut husk for firewood purpose, etc. The non-existence of adequate number of functioning fibre extraction units and husk collection mechanism in Kerala are also causes for shortage of coir fibre.

(b) The Coir Board, a statutory body under the administrative control of Ministry of Micro, Small and Medium Enterprises, in association with the Government of Kerala has initiated several steps to improve the supply position of coir fibre in Kerala. The Board has taken up a project for revival of two defibering units, established by the Govt. of Kerala, by modernizing the machinery so that the State Government could take up the work of revival of remaining units. The Coir Board has also facilitated the CORIFED, and apex federation of Government of Kerala to source coir fibre from Karnataka and Andhra Pradesh in addition to Tamil Nadu. The Central Coir Research Institute (CCRI), Kalavoor (Coir Board) has developed a mobile defibering machine which can be taken to the interior villages where the small quantities of husks collected can be converted into coir fibre. The technology of this new machine developed by the CCRI has recently been transferred to the Government of Kerala for popularization.

(c) As the Government of India, through Coir Board and Government of Kerala are making concerted efforts for enhancement of utilization of coconut husks by distributing Mobile Defibering Machines and reviving the defunct fibre units, the availability of coir fibre is expected to increase in the coming years. As such the situation does not warrant imposition of any control on the export of coir fibre, as of now.

Study on taxation policy vis-a-vis taxation exception for units in SEZ

1811. DR. E.M. SUDARSANA NATCHIAPPAN : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government have conducted the study of comparing the taxation policy and taxation exception from profit to investment from Ist

April, 2011 for the units in SEZ; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) No, Sir.

(b) Does not arise.

Demands by FMCG Sector

1812. SHRI MOHD. ALI KHAN : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the Fast Moving Consumer goods (FMCG) industry has sent any proposals and put demands in the Eleventh Plan;

(b) is so, the details thereof;

(c) the demands and proposals still pending with his Ministry; and

(d) by when, action will be taken on each of the demand within a time-frame?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) No, Sir.

(a) No, Sir.

(b) to (d) Do not arise.

Loss of revenue due to counterfeit products

†1813. SHRI PRABHAT JHA : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the Ministry is aware that illegal business of counterfeit products is going on in a large scale in the country;

(b) if so, the detailed information the Ministry has in this regard;

(c) the amount of loss of revenue incurred every year due to the illegal business of counterfeit products;

(d) the legal measures to tackle the problem of spurious products and whether there is need to amend the existing law; and

(e) if so, the further action plan of the Ministry?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) to (c) No information is available with the Ministry.

†Original notice of the question was received in Hindi.

(d) and (e) Primary responsibility for investigating the complaints of manufacturing and trading of counterfeit products rests with the concerned State Police. Adequate provisions exist in the various laws for dealing with counterfeit products and those who are engaged in the business of pirated goods. The Trade Marks Act, 1999 provides for penalties for applying false trademarks and trade descriptions and for selling goods to which a false trademark or false trade description is applied. It also contains provisions to prevent the falsifying or the false application of trademarks, false trade descriptions, etc. under Sections 101, 102, 103, 104 and 105 of the said Act. The remedies available under the Act relate to the protection of the Intellectual Property Rights inherent in a trademark and provide both civil and criminal remedies for registered trademark owners. Action against piracy of products of registered brands, resulting in infringement of rights has to be prosecuted in the appropriate courts for securing civil and criminal remedies. The onus of initiating action against infringement of trademarks lies upon the owner of the registered trademark who can move the civil or criminal court for redressal.

Sections 101 to 105 of the Trade Marks Act, 1999 also provide for necessary penalties for falsifying and falsely applying trademarks. Offences under Sections 103, 104 and 105 are cognizable and the period of imprisonment provided is to be not less than six months with a minimum fine of Rs. 50,000/- which may extend to Rs. 2,00,000/-.

The Indian Penal Code, 1860 also contains provisions to deal with counterfeiting and piracy. The Consumer Protection Act, 1986 can also be invoked by the consumer against the counterfeiters by filing complaints in the appropriate consumer court. The Bureau of Indian Standards Act, 1986 also contains penalties against those who use the standard (ISI) Mark without obtaining the requisite license. The Bureau detects and investigates the case of misuse of the ISI Mark and prosecutes the offenders, wherever required.

In the case of food or drugs, the offences are cognizable and the police on complaint of any person can take action against the offender.

Import duty on edible oil

1814. SHRIMATI T. RATNA BAI : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government is making changes in edible oil import duty;

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

(c) the impact of such changes in the market and on the common man?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) At present, crude and refined edible oils are being imported in the country at 0% & 7.5% import duty respectively. The Department of Commerce has not proposed any change in these rates.

(b) and (c) Does not arise.

Export of Assam Tea

1815. SHRI KUMAR DEEPAK DAS : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the details of the steps taken or proposed to be taken by Government to boost the export of Assam Tea and earning; and

(b) the details of quantum of Tea export during the year 2007 to 2010 (March) year-wise and State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) Government of India through Tea Board, Kolkata is taking various steps to boost the export of tea which include conducting promotional activities in the foreign markets and also lending promotional support to Indian Tea exporters in their marketing efforts. To facilitate export of tea from Assam, assistance is provided to tea exporters towards meeting the additional transport and handling charges incurred for teas exported through Inland Container Depot (I.C.D.) Amingaon in Assam. The transport subsidy is paid as reimbursement @ Rs. 1.50 per kg. of tea exported from ICD, Amingaon to offset the additional cost being incurred by the Indian tea exporters on account of haulage of empty containers from Kolkata/Halida Port to ICD, Amingaon.

(b) The details of tea exported during the year 2007 to 2010 (March), year-wise and region-wise, are as under :-

Year	Export of tea (in million kgs.)		
	North India	South India	All India
2007-08	110.15	75.17	185.32
2008-09	106.30	84.34	190.64
2009-10(E)	101.82	98.42	200.24

(E) Estimated & subject to revision

Value of export of major items

1816. SHRI RAMDAS AGARWAL : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the details of quantity and value of exports of major items during the last three years;

(b) whether Indian exports have improved during the last six months;

(c) if so, the details thereof in percentage of improvement in comparison to last year;

(d) whether Government has made any assessment on the sectors affected by shrinking world demand and export potential of the country during 2010-11; and

(e) the steps being taken to reduce trade deficit and boost export performance, till date?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) Value of export of principal commodities during the last three years are given in Statement-I (See below).

(b) and (c) Export Figures of Merchandise exports during the last six months *i.e.*, from January to June 2010 and the corresponding period in 2009 is given in Statement-II (See below).

(d) and (e) The Government and RBI closely monitor the economic developments in the country and internationally on a continuous basis. To reduce the trade deficit and to boost the export performance by way of extending support to the exproting sectors, various measures have been taken by the Government and RBI in the form of stimulus packages including the announcements made in the Budget, 2009-10 and 2010-11 and in the Foreign Trade Policy (FTP), 2009-14. Government has sought to provide support/incentives to the different export sectors which have been adversely affected by the global economic slowdown. Accordingly, sectoral performance reviews for export sectors are being conducted at regular intervals. Based on sectoral review, additional support measures have been announced in January/March, 2010.

Statement-I

*Value of Merchandise exports of principal commodities
from India during last 3 years*

(In US Dollar Billion)

S.No.	Description	2007-08	2008-09	2009-10
1	2	3	4	5
1	Tea	0.51	0.59	0.62
2	Coffee	0.46	0.50	0.43
3	Rice	2.93	2.45	2.37
4	Tobacco	0.48	0.75	0.92
5	Spices	1.04	1.39	1.30
6	Cashew	0.55	0.64	0.59
7	Oil Meals	2.04	2.25	1.66
8	Fruits & Vegetables	0.88	1.11	1.25
9	Marine Products	1.72	1.53	2.09
10	Iron Ore	5.84	4.77	6.03
11.	Mica, Coal & Other Ores, Minerals including processed minerals	3.31	3.13	2.69
12.	Leather & leather manufactures	3.40	3.49	3.28
13.	Gems & Jewellery	19.69	28.41	29.00
14.	Drug, Pharmacutes & Fine Chemicals	7.65	8.79	8.89
15.	Other Basic Chemicals	6.30	6.92	6.84
16.	Engineering Goods	33.74	40.49	32.71

1	2	3	4	5
17.	Electronic Goods	3.35	6.83	5.47
18.	Computer Software	0.15	0.34	0.18
19.	Cotton Yarn/Fabs/made-ups etc. and Handloom Products*	4.65	4.16	3.95
20.	Man-made Yarn/Fabs/ made-ups etc.	2.90	3.05	3.60
21.	RMG of all Textiles	9.69	10.93	10.70
22.	Jute Mfg. including Floor Covering	0.33	0.30	0.22
23.	Carpet	1.07	0.91	0.83
24.	Handicrafts & Handloom excl. hand made carpet	28.92	27.85	28.34
25.	Petroleum Products	0.02	0.01	0.01
26.	Plastic & Linoleum	3.42	3.05	3.36
27.	Other Products	18.09	20.64	21.32
	TOTAL	163.13	185.30	178.66

(Source : DGCIS)

Note : *Handloom Products have been included from Apr' 09 onwards. The figures for 2009-10 are provisional and subject to change.

Statement-II

Figures of Merchandise Exports during last 6 months i.e., for the period January to June, 2010 and the corresponding period in 2009

Months	(US\$ billion)		Growth
(in%) Increase (+)/	2009	2010	Decrease (-)
1	2	3	4
January	12.9	15.6	+20.93
February	11.9	15.7	+31.93
March	12.9	20.2	+56.59

1	2	3	4
April	12.5	16.9	+35.20
May	12.3	16.1	+30.89
June	13.6	17.8	+30.88

Impact of FTA with Asean countries

1817. PROF. P.J. KURIEN : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether any study has been conducted on the impact of Foreign Trade Agreement (FTA) with the Association of South East Asian Nations (ASEAN);

(b) if so, the details thereof;

(c) whether Government is negotiating for FTA with Malaysia, Indonesia and Thailand, if so, the details thereof;

(d) whether the State Government of Kerala has represented that such negotiations should be done after consultation with the State Government; and

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

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) No Sir.

(c) Negotiations are underway with Malaysia for Comprehensive Economic Cooperation Agreement (CECA) which includes Trade in Goods, Trade in Services, Investment and other areas of economic cooperation and with Thailand for a Free Trade Agreement covering Trade in Goods, Trade in Services and Investment.

(d) Yes, Sir.

(e) State Government of Kerala was informed that all Free Trade Agreement negotiations involve a series of stakeholder consultations by the Ministry of Commerce & Industry and also through other relevant Ministries/Departments of the Government of India.

Adverse effect of reduction in import duty on natural rubber

1818. SHRI K.N. BALAGOPAL : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Government is considering reduction of import duty on natural rubber from the prevailing 20 per cent to 7.5 per cent under pressure from rubber based industries;

(b) whether Government is aware of the fact that such the move will affect the interests of lakhs of rubber growers especially from Kerala; and

(c) if so, whether Government will backtrack from the proposed move and protect the interest of rubber growers?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) to (c) Various rubber consuming industry Associations have represented for reduction of import duty on natural rubber from prevailing 20 per cent to 7.5 per cent because of steep rise in prices of Natural Rubber, both nationally and internationally over a very short period. These Associations had moved the Hon'ble High Court of Delhi in this regard. In compliance of the direction of the Hon'ble High Court of Delhi, a panel of experts from the Rubber Board was constituted to hear their representations demanding reduction of import duty on natural rubber. The panel has submitted its report on which the Government is to pass an appropriate order in compliance of the Hon'ble High Court's order, keeping in view the interest of all the stakeholders. Moreover, considering the ruling market prices, it is felt that some reduction in import duty for a restricted quantity of Rubber is not likely to have any long-term significant effect on domestic prices of Natural Rubber.

Installed production capacity of cement

1819. SHRI TAPAN KUMAR SEN : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the annual domestic demand of cement during the last five years;

(b) the annual production of cement during the last five years;

(c) the export of cement during the last five years;

(d) the projected demand of cement for the next three years; and

(e) the installed production capacity of cement units as on date?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) to (c) The annual domestic demand of cement, the annual production of cement and the export of cement

during the last five years is as given belows:-

(In Million Tonnes)

Year	Demand of Cement	Production of Cement	Export of Cement
2005-06	135.56	141.81	5.98
2006-07	149.34	155.64	5.89
2007-08	164.03	168.31	3.65
2008-09	177.98	181.61	3.20
2009-10	196.12	201.00	2.27

(d) As per the Report of the Working Group on Cement Industry for the XI Five Year Plan (2007-2012), the projected demand of cement for the next three years is as given below:-

(in Million Tonnes)

Year	Demand of Cement
2010-11	231.66
2011-12	257.61
2012-13	290.00

(e) The installed production capacity of cement units as on 30.06.2010 is 262.91 Million Tonnes.

Export of Rice

†1820. SHRI BRIJLAL KHABRI : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the status of rice export in the country during the last three years;

(b) whether Government is going to consider relaxation in control imposed on rice export from the country; and

(c) if so, by when it is to done?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) The details of rice during the last three years is as under :

†Original notice of the question was received in Hindi.

Year	2007-08	2008-09	2009-10
Quantity (in Tons)	64,69,445	24,87,294	21,55,283
Value (Rs. in lakhs)	11,75,461	11,16,440	11,25,362

(b) and (c) The Government keeps all opinions open regarding relaxation in control imposed on rice export from the country.

Assistance to industrially backward districts of UP

†1821. SHRI NARESH CHANDRA AGRAWAL : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the norms of the Central Government to declare an industrially backward district and the assistance, such districts gets from the Centre;

(b) whether it is a fact that no assistance is being provided to such backward districts of Uttar Pradesh; and

(c) if so, the reasons therefore?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) There are no such norms nor any district specific incentive scheme in Department of Industrial Policy & Promotion.

(b) and (c) Do not arise.

MRAs on standards between India and Japan

1822. DR. T. SUBBARAMI REDDY : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether in a significant move that would lead to an increase in India's exports on value added projects to Japan, Tokyo and New Delhi have decided to work on Mutual Recognition Agreements (MRAs) on standards in identified sectors;

(b) whether this move to ink MRAs on standards regarding mutually agreed sectors and that too within a reasonable time;

(c) whether currently majority of exports from India to Japan are raw materials; and

†Original notice of the question was received in Hindi.

(d) if so, to what extent this fact on standard for goods has helped both countries for improving trade between two countries?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) The negotiations with Japan for a Comprehensive Economic Partnership Agreement (CEPA) include the issue of MRAs in identified sectors within reasonable time. However, the negotiations are not concluded yet.

(c) Currently the main items for export to Japan are Petroleum (crude & products), iron ore, Gems & Jewellery, Marine products, oil meals and Ferro Alloys.

(d) Does not arise.

Need to increase Tobacco Barns

1823. SHRI SYED AZEEZ PASHA : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) to (d) whether the Tobacco Board is aware that farmers need more tobacco barns to cure the tobacco properly to ensure high quality;

(b) whether it is a fact that the Tobacco Board has fixed a very difficult and unrealistic ratio of tobacco barns to the ratio of acres of tobacco;

(c) to what extent is the Tobacco Board aware that the ratio of tobacco barns to the acreage under Virginia tobacco grown in Andhra Pradesh is insufficient;

(d) what steps will be taken to permit more tobacco barns to meet the higher productivity levels of tobacco grown per acre; and

(e) the measures proposed to help farmers?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) to (d) The ratio of tobacco barns to the acreage under Virginia tobacco grown in Andhra Pradesh is not insufficient. The Government through Tobacco Board regulates the production of tobacco to ensure competitive prices to growers. The aggregate crop size for particular state as a whole and barn wise in particular, is set keeping in view the demand conditions in the market; national and international and to ensure that excess production does not lead to a glut and consequential fall in the prices. Further, while

registering as grower and barn operator, the Board authorizes production quota taking into consideration the average productivity and the licensed curing capacity (barns) existing in that soil region.

(e) The Tobacco Board implements several extension and developmental programmes for propagating the use of proven technology amongst farmers and thus enhancing the yield and quality of FCV tobacco. These include programmes for control of diseases, encouraging use of fertilizers, facilitating quality irrigation, controlling pesticide residue, improving curing, storing and grading facilities, energy conservation measures and transferring technology through training programmes, study-tours, and on-farm demonstrations. High-quality seeds and fertilizers are also supplied to the farmers. The Board also organizes crop and input loans to growers at competitive rates of interest. It also extends financial assistance to farmers wherever required. Recently, the Government has created a 'Tobacco Growers' Welfare Fund' to implement various welfare schemes for the farmers.

New Markets for export of marine products

1824. SHRI SYED AZEEZ PASHA : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) what were the total marine product exports from the country in 2009-10;

(b) what were the exports to the Euro market, USA and Japan respectively;

(c) whether any efforts are being made by the Marine Products Export Development Authority (MPEDA) to focus on finding new market for Indian marine products;

(d) to what extent will MPEDA find new markets for 2010-11; and

(e) the steps proposed by MPEDA to focus on exports and not get into non-core areas?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) The total marine product exports from the country in 2009-10 is as indicated below:-

Year	2009-10
Quantity in MT	6,78,436
Value in Rs. Crore	1,0048.53
Value in US Dollar Million	2,132.84

(b) The exports to the Euro market, USA and Japan during 2009-10 are as indicated below :-

	Japan	USA	European Union
Quantity in MT	62,690	33,444	16,4800
Value in Rs. Crore	1,289.58	1,012.52	3,013.33
Value in US Dollar Million	278.56	213.52	637.40

(c) and (d) Yes, Sir the Marine Products Export Development Authority (MPEDA) is making efforts to find new markets for India marine products. For the purpose, it is participating in the major international seafood trade fairs. Indian marine products are showcased in these trade fairs for their variety and quality with a view to introduce our products to the new traders who visit these fairs and to establish new trade contacts in new markets. MPEDA also regularly mounts trade delegations and official delegations to new regions with the objective of tapping potential for export of our marine products to the countries in those regions. MPEDA publishes list of exporters on its website and passes on the valuable trade enquiries received by it to the exporters in India through trade associations. India exported marine products to 99 countries in 2009-10 as against 91 countries in the year 2006-07. Finding new markets for Indian Products through broadening and deepening our presence in world markets is a continuous and ongoing process and hence no specific target for finding new markets has been fixed for 2010-11.

(e) MPEDA is focusing only on its core area of export promotion of marine products. It is continuously taking several measures to boost exports by implementing a number of schemes which include sea-freight assistance scheme for import of raw material for value addition and re-export, developmental assistance for export of ornamental fish and assistance for technology up gradation for processing of marine products.

Further, MPEDA is regularly disseminating the trade enquiries received to the trade members and facilitating interaction of sellers/buyers through its Trade Promotion Offices in Japan and New York to develop new tie-ups between exporters and buyers.

Decrease in export of flowers

1825. SHRI SYED AZEEZ PASHA : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether India's export of flowers has decreased during the last three years;

(b) if so, the details thereof, giving statistics of exports for the last three fiscal years and State-wise origin of such exports;

(c) whether Government has made any study to find out the factors responsible for such decrease;

(d) if so, the details thereof and the outcome thereof; and

(e) the remedial measures taken/proposed to be taken by Government to increase export of flowers?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) Yes, Sir. The details of export of flowers for the last three years is as under :-

Qty. : MTs; Value : Rs./Lakhs		
2007-08	2008-09	2009-10*
Value	Value	Value
34030	36881	29393

Source : DGCI&S (*Provisional)

(c) and (d) No formal study has been done by the Government in this regard. However, global recession, rising domestic demand and the increased availability of flowers at competitive price from Ethiopia and Kenya are the like factors responsible for this decrease.

(e) In the XI Plan period, the Government has taken following measures to increase exports of floriculture products-

1. Increased airfreight assistance to the extent of 20% of FoB;
2. Special Floriculture Fund Scheme (SFF) for rehabilitation of floriculture units;
- 3 Participation in selected international floriculture exhibitions;
4. Development of packaging standards by IIP, Mumbai;
5. Training of farmers in the State of Himachal Pradesh, J & K, Uttarakhand and North Eastern States from experts invited from PTC+ Institute, Netherlands;

6. Setting up of wholesale market-cum-flower auction centres at Bangalore, Mumbai and NOIDA (UP);
7. Centres for handling perishable cargo centres have been set up at major international airports; and
8. Agricultural and Processed Food Products Export Development Authority (APEDA) is operating schemes for market development, infrastructure development, quality development research and development and transport assistance under which assistance is available to all registered exporters of APEDA including exporters of flowers.

Export of horticulture products

1826. SHRI SYED AZEEZ PASHA : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the contribution of India with regard to export of horticultural products in the international market;

(b) the details of horticultural products exported along with the share in the international market during the years 2008-09 and 2009-10;

(c) whether Government has not given adequate emphasis to export of mangoes and other fruits available in large quantities;

(d) what targets have been set for export of fruits for the year 2010-11; and

(e) the measures proposed to find new markets for Indian fruits overseas?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) and (b) Details of horticultural products exported during the years 2008-09 and 2009-10 are given below:-

Qty : Tonnes Val : Rs. Crore				
		2008-09	2009-10 (April' 09 to Feb' 10)	
	Quantity	Value	Quantity	Value
Floriculture	30798	368.81	24619	266.55
Fruits	470795	1151.43	385553	1122.18
Vegetables	2175470	2507.72	1858694	2645.49

TOTAL	2677063	4927.96	2268866	4034.42
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Source : DGCIS

As per UN comtrade data for 2008, India's share in international trade works out to 0.75% in value terms.

(c) The Government has taken several steps to boost export of fruits like mangoes and grapes etc. The Government through Agricultural and Processed Food Products Export Development Authority (APEDA) extends financial assistance to exporters of fruits and vegetables under its scheme for Market Development, Infrastructure Development, Quality Development, Research & Development, Research & Development and Transport Assistance. The Government/APEDA encourages exporters to participate in the various international trade fairs and organises mango promotion programmes in various countries and has also developed Sea protocol for encouraging exports.

(d) The Government does not fix any specific targets for exports of fruits.

(e) The Government under its Foreign Trade Policy (FTP) has set various focus products to diversify and improve their export to the focused overseas markets. A part from this, the Government also extends financial assistance under the schemes of Market Access Initiative and Market Development Assistance.

The Government takes up issues relating to Market Access for our horticulture products from time to time with various importing countries.

Level of self-reliance in Defence R & D

1827. SHRI D. RAJA :

SHRI M.P. ACHUTHAN :

Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that our current level of self-reliance in Defence R & D is less than our capabilities;

(b) if so, the details thereof and what measures are proposed to be taken to improve our Defence R & D level;

(c) whether Government proposes to promote public-private partnership in the defence sector; and

(d) if so, the details thereof?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) and (b) Presently, large percentage of military equipment is being imported. Achieving the goal of self-reliance in Defence production is a

joint effort of Ministry of Defence (MoD), Defence Public Sector Undertakings (DPSUs), Ordnance Factories (OFs), Private Industries and DRDO. Steps have been taken to enhance level of self-reliance in Defence production. The following measures have been taken to improve self-reliance Defence:-

(i) Top down approach to initiate R&D within Defence Research and Development Organisation (DRDO), with academic institutions, other scientific bodies and with foreign collaborations.

(ii) Bottom up futuristic R&D through domestic and international collaborative research.

(iii) Close working with the three Services to forest and develop systems indigenously through "MAKE" by DRDO and "MAKE" by Industry.

(iv) Joint development of major system through international collaborations.

(c) and (d) Yes, Sir. Defence sector has been opened for 100% private sector participation and Indian private industries are now participating in the development and production of defence equipment.

Withdrawal of Army from J & K

†1828. SHRI PRABHAT JHA : Will the Minister of DEFENCE be pleased to state:

(a) whether Government has recently taken any decision under which army deployed in Jammu and Kashmir is to be withdrawn;

(b) if so, the details thereof;

(c) whether Government has received information that terrorist organizations are hatching conspiracy for withdrawal of army from the State by building pressure on the State Government indirectly; and

(d) if so, the details thereof?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) to (d) The deployment of troops in Jammu & Kashmir is continuously reviewed by the Army based on the changing threat perception. Reinforcement of the troops is done on the basis of the overall security situation.

†Original notice of the question was received in Hindi.

Acquisition of Land by Ordinance Boards

1829. SHRIMATI T. RATNA BAI : Will the Minister of DEFENCE be pleased to state:

(a) whether Ordinance Boards are acquiring the lands in some States with some specific purposes;

(b) if so, the details thereof for the last three years;

(c) the said land is being utilized for which purpose; and

(d) the views of the experts, public and the NGOs in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI M.M. PALLAM RAJU) : (a) Yes, Sir. Ordnance Factory Board (OFB) is in the process of acquiring the lands in various states.

(b) Details are given below:-

(i) **Ordnance Factory Korwa Project (UP)** : Ordnance Factory Project, Korwa (OFPKR) is acquiring 21.517 hectares of land at Tehsil - Amethi. Sultanpur District, U.P. Out of 21.517 hectares, proposals for acquisition of 5.726 hectares of land has been submitted to the district authorities at Sultanpur on 27.12.2008 and another proposal for 15.791 hectares of land submitted on 7.2.2009.

(ii) **Proof Range at Multai, Betul (MP)** : Proposal for acquisition of 5647.93 hectares of land at Multai, Betul District, Madhya Pradesh.

(c) The purpose for utilization of land:

(i) **Ordnance Factory Korwa Project** : The land at Amethi is being utilized for setting up an Ordnance Factory to manufacture Small arms.

(ii) **Proof Range at Multai, Betul** : The land at Multai will be utilized for setting up a dedicated Proof Range for testing of OFB products.

(d) Social survey has been carried out by the NGO "Meher Bargava Foundation" engaged by DRDO for acquisition of land for Korwa Project. National Policy for Rehabilitation, 2007 will be applicable for the Korwa Project.

Arms production factory in Gujarat

1830. SHRI PARSHOTTAM KHODABHAI RUPALA : Will the Minister of DEFENCE be pleased to state whether Central Government has any proposal

to set up an arms production factory in Gujarat?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI M.M. PALLAM RAJU) : No, Sir.

Encroachment in Cantonment Areas

1831. DR. MANOHAR JOSHI : Will the Minister of DEFENCE be pleased to state:

(a) whether unauthorized construction and encroachment in cantonment areas are taking place in various parts of the country;

(b) if so, the location-wise details thereof and the reasons therefor; and

(c) the action taken/proposed to be taken by Government in this regard?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) There are some reports of unauthorized construction and encroachments on defence land under the management of Cantonment Boards and Defence Estates Officers in various parts of the country.

(b) Location-wise details and reasons therefor are being collected and will be placed on the Table of the House.

(c) Action is being taken under the provisions of the Cantonments Act, 2006 and Public Premises (Eviction of Unauthorized Occupants) Act, 1971 and the Rules framed thereunder to remove encroachments.

Crash of MIG-21 aircrafts

†1832. DR. PRABHA THAKUR :

SHRI NARENDRA BUDANIA :

Will the Minister of DEFENCE be pleased to state:

(a) the number of MIG-21 aircrafts that have crashed during the last five years and the number of brave soldiers who were martyred in these accidents;

(b) the defects detected by Government in investigation of MIG-21 aircrafts;

(c) whether Government proposes to retire fleet of these aircrafts for the security of our brave pilots; and

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

†Original notice of the question was received in Hindi.

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) Since April, 2005, a total of 19 MIG-21 aircrafts of the Indian Air Force (IAF) have crashed. In these crashes, 7 pilot were killed.

(b) to (d) Every aircraft accident in the IAF is investigated by a Court of Inquiry to determine the cause of the accident and remedial measures are taken. Accidents are due to reasons like technical defects and human error. Phasing out of aircrafts is contingent upon various factors like technical life of the aircrafts and operational requirements of the IAF and is reviewed from time to time.

Release of MOD share for Barmer lift drinking water supply project

†1833. DR. PRABHA THAKUR :

SHRI NARENDRA BUDANIA :

Will the Minister of DEFENCE be pleased to state the details of time schedule by when the remaining amount of Ministry of Defence share for Barmer lift drinking water supply project would be released?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : Out of the estimated Defence share in the Barmer lift drinking water supply project Rs. 82.78 Crore has already been released in April, 2010. The balance payment is being released in a phased manner depending on the progress of the work.

Strategic roads along border

1834. SHRIMATI SHOBHANA BHARTIA : Will the Minister of DEFENCE be pleased to state:

(a) whether to strengthen the line of communication and movement, the Union Government has asked the Border Roads Organisation to focus on constructing strategic roads and airfields along the border with China and Pakistan;

(b) if so, the details of the progress made by the Border Roads Organisation in this regard;

(c) whether Government had identified the key factors for poor infrastructure in areas along the Line of Actual Control with China; and

(d) if so, the details thereof?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) and (b) Yes, Sir. Border Road Organisation (BRO) has been asked to concentrate on strategic roads;

- (i) There are 73 roads on Indo-China border (length 3647 Km), out of which, BRO has been entrusted with 61 roads of total length of 3394 Km in J & K, Himachal Pradesh, Uttarakhand, Sikkim and Arunachal Pradesh. Out of 61 roads, 14 roads of length 556.22 Km have already been completed and works are under progress on 42 roads and on 5 roads work has not commenced. 41 roads are planned for completion by 2013 and remaining 06 beyond 2013.
- (ii) No separate road packages on Indo-Pakistan border have been assigned to BRO. However, entire length of 10,646 Km roads in the vicinity of border are being maintained/developed by BRO. Out of this total length, 7344 Km have already been completed and balance length is planned for completion by 2012 for priority I roads and by 2022 for priority II roads.

(c) and (d) Earlier the military doctrine of the country was not to have roads close to borders, but the same has now been revised in the changing geopolitical scenario, and Government has taken a conscious decision to expedite construction of road infrastructure in border areas.

Lack of air effort by helicopter for mobilization of resources, delay in forest/wildlife clearance, unwillingness of contractors to work in remote and difficult terrains are the major factors that affected improvement of infrastructure in border areas.

Sinking of Coast Guard Ship 'Vivek'

†1835. SHRI Y.P. TRIVEDI : Will the Minister of DEFENCE be pleased to state:

(a) whether sunken Coast Guard ship 'Vivek' met with an accident recently in Mumbai and it remained under sea for fifty days and could be brought out by bringing in 3000 tonne bloating crane;

(b) whether the Coast Guard have demanded an amount of Rs. 900 crores from Government for salvage operation;

(c) whether Government would consider sanctioning it as early as possible as there is always high alert on the coastal areas of Mumbai; and

(d) if so, the details thereof?

†Original notice of the question was received in Hindi.

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) to (d) On 23rd March, 2010 a Merchant Vessel MV Global Purity hit the Indian Coast Guard Ship 'Vivek' at Mumbai port which resulted in the sinking of the ship. The ship has been salvaged on 17th July, 2010 with the help of 1000 tonne crane. The Government has already approved the expenditure of US \$ 39,80,000 (approximate Rs. 17.69 crores) for the salvage operation.

MoU with Cadillai Motor Works for benefit of disabled soldiers

1836. SHRIMATI KANIMOZHI :

SHRI NAND KUMAR SAI :

Will the Minister of DEFENCE be pleased to state:

(a) the total number of disabled soldiers in the country and the details thereof;

(b) the details of the Memorandum of Understanding (MoU) signed between the Ministry and Cadillai Motor Works;

(c) how many disabled soldiers, their wards and families will benefit as a result of the aforementioned project and details thereof;

(d) the details of the proposed training and work facilities in the aforementioned project; and

(e) whether there are other projects initiated by the Ministry to benefit disabled soldiers and the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI M.M. PALLAM RAJU) : (a) Total numbers of defence personnel disabled (non-fatal) while performing their duties in various wars/operations are as under :-

Officers	JCOs	ORs	Total
2515	1253	19233	23001

(b) No MoU has been signed by Ministry of Defence with Callidai Motor Works. However, an MoU was signed between Army and Callidai Motor Works on 21 July, 2010 wherein Callidai agreed to train and provide Dealership to Ex-Servicemen/their dependents and war widows/their dependents. Service personnel proceeding on retirement were also considered eligible for the same if adequate number of disabled personnel were not forthcoming or available.

(c) Callidai Motor Works intends to set up a Dealership in every District of the Country over a period of time for sale/service and maintenance of its products. Thus approximately 500 to 550 outlets would be created and if disabled ex-servicemen are inadequate in number, the above outlets could be allotted to ex-servicemen by Callidai. Callidai also has plans to expand its manufacturing concern and approximately 100 more disabled personnel could be employed for the same. Being an "Equal Opportunity Organisation", disabled ex-servicemen are likely to be given preference for employment by Callidai.

(d) Callidai has agreed to go to each District and train the disabled ex-servicemen who volunteer for employment with the firm. Callidai has also agreed to bear the cost of travel expenses of the persons who come for such training.

(e) Disabled Ex-Servicemen can partake in the schemes of Directorate General Resettlement and Kendriya Sainik Board attached as Statement.

Statement

Details of Schemes of DGR and KSB

Tipper Attachment Scheme :

This welfare schemes for widows/disabled ESM is linked with the coal loading and transportation. The widows of Defence personnel, who died while in service due to causes attributable to military service, can be sponsored by DGR for attaching one tipper truck in their name with an ESM Coal Loading and Transportation Company. Eligible widows/disabled ESM is required to make a deposit of Rs. 85,000/- with any of the nominated Coal Transport Company. The Company pays them Rs. 3000/- per month for a periods of five years, after which the deposited amount of Rs. 8500/- is paid back to widow/disabled ESM. The functioning of these companies is monitored by DGR.

Allotment of Oil Product Agency :

Ministry of Petroleum and Natural Gas vide MOPNG letter no. P.39012/1/1999-IOC dated 09 Oct 2000 has reserved 8% of Oil Product Agencies i.e. (LPG) Distributorship, Petrol Pumps and Superior Kerosene Oil Distributorship etc. for the Defence category applicants who comprise of wartime/peace time widows and disabled soldiers with disability of 20% and above attributable to Military Service. Eligible persons apply and obtain Eligibility Certificate based on allocated priorities and for

specific location from DGR. Interview and allotment is done by Board of Officers constituted by the concerned Oil Company.

Mother Dairy Milk Booths and Fruit & Vegetable (Safal) Shops:

This is a time tested well paying self-employment scheme for Disabled ESM, PBOR & Dependents. Constant efforts are being made to ensure that the scheme is made more attractive to draw large number of ESM (PBOR) and dependent in consultation with the Mother Dairy. The scheme is now being extended not only to the other cities of NCR viz Gurgaon, Noida and Greater Noida but to other states too.

Modified Scooter Scheme of Kendriya Sainik Board :

Kendriya Sainik Board distributes modified scooter from Armed Forces Flag Day Fund to those Ex-Servicemen whose disability is more than 50% and disabled after leaving the Service.

Purchase of Defective Krasnopol ammunition

1837. SHRI NANDI YELLAIAH : Will the Minister of DEFENCE be pleased to state:

(a) whether as per recent CAG report, Government have purchased defective Krasnopol artillery ammunition for the Bofors 155 mm howitzers from Russia;

(b) if so, the reasons therefor;

(c) whether as per CAG report the 40 Dhruvs being inducted by Army under Rs. 1,747 crores contract in March, 2006 have the technical shortcoming of not being able to fly over 5000 metre altitude when they were required to fly over 6500 metres;

(d) if so, the reasons therefor;

(e) whether as per CAG report, the Ministry procured 3000 Krasnopol TGMS and 81 laser designators from Russia for Rs. 526 crore without necessary trial; and

(f) if so, the reasons therefor?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) and (b) Krasnopol ammunition was purchased from Russia in 1999 and 2002. The 1999 ammunition available with the Indian Army is serviceable and is fit for firing during training and operations after repairs by the Original Equipments Manufacturer. The 2002 ammunition is under Quality Claim repairs by the Original Equipment Manufacturer.

(c) and (d) The Service Ceiling for Dhruv helicopters has been laid

down as 6000 metres which the helicopter is capable of achieving.

(e) and (f) The equipment was procured with trials.

Residential quarters on Navy Land at Dabolim, Goa

1838. SHRI SHANTARAM LAXMAN NAIK : Will the Minister of DEFENCE be pleased to state:

(a) whether there are residential quarters built in the land occupied by Indian Navy at Dabolim, Goa;

(b) if so, the number of units built;

(c) whether any residential units are under construction;

(d) the number of units occupied by families of personnel working for Indian Navy at Dabolim;

(e) the number of units occupied or proposed to be occupied by families of personnel not working for Indian Navy in Dabolim; and

(f) the area occupied by the residential quarters?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) to (f) There are 245 units of residential quarters in about 17.4 acres of land occupied by the Indian Navy. All these units are under occupation by families of personnel working for Indian Navy. Another 323 units are under construction under Married accommodation Project Phase-II for the families of Navy personnel in the same area.

Air Crash at Hasimara Airbase

1839. SHRI RAJIV PRATAP RUDY : Will the Minister of DEFENCE be pleased to state:

(a) whether there has been an air crash at Hashimara airbase;

(b) if so, the details thereof;

(c) whether it is a fact that number of such accidents has gone up considerably in the last couple of years;

(d) whether there is lack of state-of-the art equipment and lack of training; and

(e) if so, the details thereof?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) and (b) Yes, Sir. A MIG 27 aircraft crashed near Hashimara aircraft on 24th July, 2010. While the pilot was able to eject safely, 3 civilians were killed and 14 injured due to the crash.

(c) The number of accidents has not gone up. 13 accidents occurred during financial year (FY) 2008-2009, 14 accidents occurred during FY 2009-10 and 2 accidents have taken place during the current FY 2010-2011 (up to 5.8.2010).

(d) and (e) Adequate training is provided to pilots to prevent accidents. The training pattern is suitably tailored to factor in a positive safety attitude in the trainers right from the basis stage of flying. Towards this end, Crew Resource Management and Operational Risk Management to enable safe mission launches, aviation psychology course and introduction of Aerospace safety capsules in the *ab initio* training has been introduced by the IAF.

Hacking of documents by Chinese hackers

†1840. SHRI KAPTAN SINGH SOLANKI : Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that documents of Indian Defence Ministry have been hacked by Chinese hackers;

(b) if so, the details thereof;

(c) whether decision has been taken by Government to take any concrete action in this regard; and

(d) if so, the details thereof?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) and (b) The report of hacking Indian Defence Ministry documents put up by a group researchers at the Munk School of global Affairs, University of Toronto, Canada was analysed thoroughly. It was ascertained that only certain internet facing computers were compromised by the hackers which had no sensitive defence data.

(c) and (d) to mitigate such incidents from recurring in the future, organizations under Ministry of Defence have worked out a Crisis Management Plan for measured response in case of any

†Original notice of the question was received in Hindi.

untoward incident. Defence Information Assurance and research Agency (DIARA), a nodal agency mandated to deal with all cyber security related issues of Tri Services and Ministry of Defence is having a close coordination with national agencies like Computer Emergency Resource Team - India (CERT-In) and National Training Research Organisation (NTRO). Services Headquarters have an Information Security Policy and their networks are attituded as per the guidelines.

Jharkhand tribal regiment

1841. MS. MABEL REBELLO : Will the Minister of DEFENCE be pleased to state:

(a) whether Government has any plan to raise a Jharkhand tribal regiment to tackle large scale unemployment and naxal problems of the State;

(b) if so, by when the regiment is proposed to be raised; and

(c) if not, the reasons therefor?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) No, Sir.

(b) Does not arise.

(c) The policy of the Government is not to raise any new regiment on the basis of a particular class, creed, community, religion, but to have an Army in which all Indians have representation.

Navy exercises on Eastern Front

1842. SHRI PARIMAL NATHWANI : Will the Minister of DEFENCE be pleased to state:

(a) whether Indian Navy has deputed four warships on eastern front to hold exercises with Navies of Indonesia, Australia and Singapore;

(b) if so, the objective behind this;

(c) whether such exercises were carried out in the past;

(d) if so, how far they have helped in increasing operational efficiency and effectiveness; and

(e) whether such exercises do not help leakages of strategic information of our Navy?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) to (e) Constructive engagement with foreign navies is one of the activities of the Indian Navy (IN) during the peace time. For this purpose, Indian Navy hold exercises with foreign navies from time to time. These are planned along with routine overseas deployment (OSD) of Indian Navy ships or during visits by foreign naval ships to India. While on OSD of four Indian Navy ships to Australia and South East Asia during May-June, 2010, one of the ships had carried out Passage Exercises with ships from Indonesian and Australian Navies. However, there was no such exercise with the Singapore Navy. Such exercises help in promoting mutual cooperation and interoperability. Knowledge gained during such exercises is also helpful for Indian Navy's role in humanitarian assistance and disaster relief. However, no strategic leakages take place during such exercises.

Training at collage of Military Engineering, Pune

1843. SHRI NAND KUMAR SAI : Will the Minister of DEFENCE be pleased to state :

(a) whether the College of Military Engineering, Pune, provides training to personnel of the Crops of Engineers of Indian and foreign armed forces;

(b) if so, the number of personnel of the Indian armed forces and foreign countries imparted training during the years 2007-2008, 2008-2009 and 2009-2010 so far;

(c) the policy of Government for giving training to personnel from the foreign countries in such colleges in the country; and

(d) the details and extent to which imparting of training to personnel from the foreign countries has been benefited to Indian armed forces?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) Yes, Sir.

(b) The details are as under :-

Training Year	No. of Indian Armed Forces Personnel	No. of Foreign Armed Forces Personnel
2007-2008	1610	99
2008-2009	2811	71
2009-2010	3559	76

(c) Army HQrs, Ministry of Defence receives requests from various countries through our Defence Attaches for training courses in our institutes. Based on the availability of vacancies and the policies of the Ministry of External Affairs (MEA), courses are offered to these countries by MEA under various categories of funding i.e., Indian Technical and Educational Cooperation (ITEC) I & II, Special Aid Programme (SAP) and Self Financed Schemes (SFS).

(d) The training of foreign military personnel at our establishments benefits us in the following ways:-

- (i) Broadens the horizons of our officers and men.
- (ii) Facilitates better interaction when our troops are employed along with foreign armies and in missions abroad.
- (iii) Enhances our diplomatic initiatives.

Foliage penetration radar to track maoists by DRDO

1844. SHRIMATI SHOBHANA BHARTIA : Will the Minister of DEFENCE be pleased to state:

(a) whether Government has directed the Defence Research Development Organisation (DRDO) to develop a foliage penetration radar that can track movement, camps and even landmines located in dense forests to track down the maoists;

(b) if so, the details of steps DRDO has taken so far in this regard;

(c) whether the services of the armed forces would be utilized to track maoists hideouts; and

(d) if so, the details thereof?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) Yes, Sir.

(b) Development of Foilage Penetration Radar is being taken up by Defence Research and Development Organisation (DRDO) for all Unmanned Aerial Vehicle (UAV) applications).

(c) It has not been decided to utilize Armed Forces for anti-naxal operation.

(d) Does not arise.

War Hero status to Sepoy Karam Chand

1845. SHRI RANJITSINH VIJAYSINH MOHITE-PATIL : Will the Minister of DEFENCE be pleased to state:

(a) whether as per newspaper reports, the mortals along with identity discuss of an unsung hero named Sepoy Karam Chand and some other belongings have been found after 48 years by the labourers engaged in the restoration of Hayulian-Walong road and handed over to the Army authorities; and

(b) whether Government will consider sanctioning of war hero status to late soldier and grant him a befitting medal for his bravery?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) Mortal remains of Sepoy Karan Chand alongwith identity documents were found by labourers working on a land slide on 1st July, 2010. His cremation has been performed with full military honours at his home town on 14th July, 2010.

(b) There is no such proposal, at present.

Recovery of solar missiles by J & K police

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

(a) whether Government's attention has been drawn to the recovery of two solar missiles by J & K Police in Kupwara in June 2010 which are self charging and need no human assistance to trigger;

(b) if so, whether possession of such missiles may add teeth to the fire power of the militants; and

(c) how Government proposes to check use of such missiles by the militants to avert major strikes by them?

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : (a) to (c) Two Solar missiles were recovered by the Police during the search operation in district Kupwara on 1st June, 2010. Security measures are taken by the forces based on threat perception to avert hostile strikes

Allowing foreign defence corporations to establish defence units

1847. SHRI R.C. SINGH : Will the Minister of DEFENCE be pleased to state:

(a) whether there is any move by Government to allow foreign defence corporations to establish fully-owned defence units in India;

(b) whether any assessment has been made on the impact on the nascent Defence PSUs in the country;

(c) if so, the details thereof;

(d) whether it is a fact that the Ministry of Commerce and Industry is very keen and is pushing hard this proposal; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI M.M. PALLAM RAJU) : (a) No, Sir.

(b) and (c) Does not arise in view of answer to part (a) above.

(d) and (e) The Ministry of Commerce and Industry has released a discussion paper on "FDI in defence sector" which suggest allowing established players in the defence industry to establish manufacturing in India with FDI upto 74% under the Government route.

Incidents of riots in J & K, UP and AP

†1848. SHRI ANIL MADHAV DAVE :

SHRI SHREEGOPAL VYAS :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether incidents of riots have increased in Jammu and Kashmir, Uttar Pradesh and Andhra Pradesh due to internal reason in recent past;

(b) whether reports of investigation have been received from States in this regard; and

(c) the measures being adopted to curb recurrence of such incidents?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) 'Police and 'Public Order' being State subjects under the Constitution of India, the primary responsibility of registration, investigation and prosecution of crimes rests with the State Governments. Data regarding all incidents of riots and investigation thereof is not compiled and maintained, centrally.

†Original notice of the question was received in Hindi.

As per available information, the number of communal incidents in the States of Jammu and Kashmir, Uttar Pradesh and Andhra Pradesh in the last three years is given in Statement (See below).

(c) To prevent communal incidents and to maintain communal harmony in the country, the Central Government assists the State Governments/Union Territory Administrations in a variety of ways like sharing of intelligence, sending alert messages, sending Central para-military Forces including the composite Rapid Action Force created specially to deal with communal situations, to the concerned State Governments on specific requests and in the modernization of the State Police Forces. In addition, the Union Government sends advisories in this regard from time to time. The Central Government has also circulated revised Guidelines to promote communal harmony, to the States and Union Territories in the month of June, 2008.

Further, the Central Government has introduced a Bill titled 'the Communal Violence (Prevention, Control and Rehabilitation of Victims) Bill, 2005' in the Rajya Sabha to address various aspects of the issue of communal violence.

Statement

*Details of number of communal incidents in the States of
Jammu and Kashmir, Uttar Pradesh and Andhra Pradesh
during the last three years, i.e., 2007, 2008 and 2009*

Year	States		
	Jammu and Kashmir	Uttar Pradesh	Andhra Pradesh
2007	1	138	13
2008	0	114	17
2009	0	159	17

New Visa System

1849. SHRIMATI SHOBHANA BHARTIA :

SHRI N.K. SINGH

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether to check the entry of foreign visitors and been track of their whereabouts, the Union Government has proposed to provide tamper proof, machine readable visa stickers to foreign visitors;

(b) if so, the details thereof;

(c) whether a large number of foreign visitors are not returning to their native nations; and

(d) if so, the details thereof and to what extent the new visa system will keep a track of foreign visitors whereabouts?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) and (b) Yes, Sir. The proposed visa sticker has an implanted photograph alongwith a Machine Readable Zone (MRZ). The photograph prevents the usage of the visa sticker by another person whereas the machine readable visa facilities easy recording of the visa details in the database which can be used both for preventing the illegal usage of a lost visa sticker and for getting alarms on foreigners overstaying their visa validity period, thereby helping the Government to keep a track on such foreigners.

(c) and (d) As per the details received from the State Governments, as on 31.12.2009, 65750 foreigners (excluding Pakistani nationals) were overstaying in the country.

The proposed visa sticker can be read by the machine automatically enabling capturing of the requisite visa details the arrival of the foreigners. Based on the captured details, the overstay of the foreigners would be highlighted by the visa system. Using other databases collected by the registration authorities, the overstaying foreigners can be tracked.

Indian villages on other side of babed fencing on Indo-Bangladesh IB

†1850. SHRI ANIL MADHAV DAVE :

SHRI SHREEGOPAL VYAS :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that two Indian villages situated at Indo-Bangladesh international border lie on the other side of barbed wire put up for checking Bangladeshi infiltration;

(b) whether villages have to face problems as a consequences;

†Original notice of the question was received in Hindi.

(c) whether it is also a fact that villagers give information to Border Security Force regarding illegal activities of Bangladeshi citizen in border areas;

(d) whether these villagers want to come and live within India's border; and

(e) if so, the details of steps being taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) and (b) The Government has undertaken the project for construction of fencing along Indo-Bangladesh border to check cross border infiltration and illegal activities. The alignment of the fencing is being fixed by BSF in consultation with State Government, keeping in view the condition of terrain, presence of hills, forest areas, low-lying tracts, presence of population and agreed Joint Boundary Guideline between India and Bangladesh. Therefore, some villages have been left ahead of fencing but within the zero line at International border (IB). Sufficient number of gates have been provided at regular intervals in the fencing for easy movement of villagers. These gates are being operated as per Standard Operating Procedures (SOPs) formulated by BSF in consultation with village Panchayat and local villagers. Regular periodical meetings are held in the field for the redressal of grievances of the border population with the help of local Public Representatives.

(c) The Border Security Force (BSF) used to take help and co-operation from the villagers in handling trans-border criminal activities.

(d) and (e) The Government is aware of the problems being faced by the villagers due to construction of fencing along Indo-Bangladesh border. Many steps are being taken to assist the villagers in the process of removal of their grievances. Financial assistance on the pattern of "Indra Awas Yojana" is also being given for construction of alternate house within the fencing. Alignment of the fencing is also being changed depending upon specific location of the terrain to keep the villagers within the fencing. Under Indra Awas Yojana, the Government has already provided 7744 houses in Tripura and 186 houses in Assam for the families left ahead of fencing for bringing them inside the fencing.

Missing children in Delhi

1851. SHRIMATI NAZNIN FARQUE :

PROF. ANIL KUMAR SAHANI :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of children went missing in Delhi during each of the three years as per police records and how many of them were girls;

(b) how many of the missing children were traced and handed over to their parents and steps taken to trace the remaining children;

(c) the details of gangs operating to kidnap children in Delhi and how many of them were busted during the last three years; and

(d) the number of missing children who were smuggled to other countries?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) and (b) The number of missing children (Boys and Girls) as reported to Delhi Police and traced by the Delhi Police during the years 2007, 2008 and 2009 are as under :-

Year	0 to 8 years			
	Missing		Traced	
	M	F	M	F
2007	855	580	828	563
2008	670	473	629	449
2009	705	494	632	467
Year	8 to 12 years			
	Missing		Traced	
	M	F	M	F
2007	1016	370	979	347
2008	774	286	729	264
2009	693	196	595	174
Year	12 to 18 years			
	Missing		Traced	
	M	F	M	F
2007	2085	1964	1975	1833
2008	1926	2139	1780	1910
2009	1875	1983	1632	1660

The steps taken to trace the remaining missing children by the Delhi Police are as under :-

(1) The Standing Order No. 252/09 dated 18-03-2009 issued by Delhi Police regarding the duties of the Police in case of missing children, has been revised, in light of the observations of the Hon'ble Delhi High Court in a matter regarding missing children.

(2) Concerned staff has been briefed accordingly and action is taken as per the Standing Order by the field staff, as and when any such case is reported.

(3) District Additional Commissioners of Police/Deputy Commissioners of Police have been instructed to closely supervise and monitor the progress in the tracing of missing children as per the Standing order.

(c) Involvement of any organized gang in kidnapping/missing of children for any unlawful activity has not come to the notice in Delhi except in one case in the month of May, 2010 in which Delhi Police arrested 7 persons.

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

RTI activists murdered/threatened in Delhi

1852. PROF. ANIL KUMAR SAHANI :

SHRIMATI NAZNIN FARUQUE :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of RTI activists murdered/threatened in each of the last twelve months in Delhi;

(b) the details of complaints received by Delhi Police during 2009 and 2010 from senior citizens/RTI activist(s) concerning receiving threatening calls and the action taken thereon by the Delhi Police, police station-wise; and

(c) the action taken against police officers for not acting upon the complaints?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) Sir, No incident of murder of RTI activist has been reported to Delhi police.

(b) and (c) No complaint regarding threat to RTI activist was received by Delhi Police during the year 2009. However details of three complaints received during the year 2010 and action taken by the Delhi Police are as follows:-

S.No. the case	FIR No. & date	Details of
1. FIR No. 90 dated 18.3.2010 u/s 452/506/34 IPC PS Seema Puri MCD, the Act. persons	Sh. Mohit Sharma under RTI Act, 2005 regarding unauthorized construction from MCD official threatened him to acknowledge that he had received complete information under RTI On his complaint, 3 accused were arrested and investigation initiated.	sought information regarding construction from him to received under RTI accused investigation initiated.
2. Complaint dated 17.04.2010 records, in Distt. in and subjected outlet initiated	Sh. Jai Prakash Arya field an application to inspect the documents and works of the PDS outlets (FPS & KODs) functioning circle No. 26, 27 & 12 of West of Food & Supply Deptt. of GNCT of Delhi. Irregularities were found records of most of the outlets in violation of relevant laws/rules circulars. He was allegedly to physical and mental torture by HC, PS, Tilak Nagar and other PDS runners. Inquiry has been on the basis of the complaint.	field an application to inspect the works of the PDS outlets functioning of West of GNCT of Delhi were found of the in of relevant laws/rules allegedly to torture by HC, Nagar and other PDS runners. Inquiry has been on of the complaint.
3. FIR No. 154, dated 08.05.2010 u/s 147/148/149/452/427/323/506	Dr. Gian Singh sought information regarding illegal tube-wells in	sought information regarding tube-wells in

the		area of Sangam Vihar, New Delhi.
IPC, PS Sangam Vihar		
On		08.05.2010, his house was attacked
by		the tube-well operators and their supporters, who pelted stones and damaged his car, motor cycle,
window		panes of his house. Eight accused persons were arrested,
investigation		of the case has been completed and charge sheet prepared.

Shooting by an inebriated CRPF constable

1853. SHRI R.C. SINGH :

SHRI M.P. ACHUTHAN :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the incident in which an inebriated CRPF constable gunned down six colleagues at Kuchai Camp, 90 km. from Jamshedpur;

(b) if so, the details thereof;

(c) whether any enquiry has been conducted into the matter;

(d) if so, the details thereof;

(e) whether overwork and stress have been one of the reasons for increased discontent among the paramilitary forces leading to such incidents; and

(f) if so, the details thereof and the remedial steps being taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) An incident of fratricide took place at C/196 Battalion Kuchai Camp (Jharkhand) on 16.7.2010, in which one CRPF constable gunned down one officer and five personnel of CRPF. Repeated wastage of food by the offender, who appeared to be under influence of alcohol at the time of the incident led to an altercation between him and other staff and company commander due to which he started firing indiscriminately, which resulted in the incident in which the offender was also gunned down.

(c) and (d) A Court of inquiry is in progress.

(e) and (f) The nature of duties of the CRPF personnel is arduous and involves working in difficult security situations, which sometimes leads to fatigue. However, there is no scientific evidence to show that signs of overwork and stress are leading to such incidents, which occur due to several reasons, mostly personal and domestic.

A number of schemes and stress busters like Yoga Courses, Course on "Art of living" etc. are being arranged to reduce the stress level of Force personnel. Adequate emphasis is also being laid on transparent leave policy, better medical facilities, sports activities etc. Several welfare schemes have been initiated for the welfare of personnel. These contribute a lot for stress relief. The grievances reported at each level are being redressed through counseling expeditiously.

Agreement between India and US on terrorism

†1854. SHRI RAVI SHANKAR PRASAD :

SHRI RAM JETHMALANI :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that recently an agreement has been entered into between India and US to take on terrorism;

(b) if so, the type of aid India would get from US under this agreement;

(c) whether it is also a fact that in order to take on terrorism the country needs to take aggressive steps; and

(d) if so, Government's reaction thereto and the likelihood of cooperation in this direction from this agreement?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (d) The India-US Counter Terrorism Cooperation Initiative was signed on 23rd July 2010. The India-US Counter Terrorism Cooperation Initiative seeks to further enhance the cooperation between two countries in Counter Terrorism as an important element of their bilateral strategic partnership. The initiative, *inter-alia*, provides for strengthening capabilities to effectively combat terrorism; promotion of exchanges regarding modernization of techniques; sharing of best practices on issues of mutual interest; development of investigative skills; promotion of cooperation between forensic science laboratories; establishment of procedure to provide mutual investigative assistance; enhancing capabilities to act against money laundering, counterfeit currency and financing of terrorism;

exchanging best practices on mass transit and rail security; increasing exchanges between Coast Guards and Navy on maritime security; exchanging experience and expertise on port and border security; enhancing liaison and training between specialist Counter Terrorism units including National Security Guard with their US counter parts.

The Government pursues a multi dimensional approach to combat terrorism which, *inter-alia*, includes commitment to rule of law, democratic progresses, zero tolerance for Human Rights violations, apart from strengthening the security and intelligence machinery not only to prevent terrorist incidents but also to respond appropriately.

Crimes against women

†1855. SHRI NARENDRA BUDANIA :

DR. PRABHA THAKUR :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the State-wise cases of rape and sexual harassment against women during the last three years;

(b) the States where such cases have increased and the States where the same have decreased during the last three years as compared to years before; and

(c) the reasons for the increase, if any, along with the details of efforts made to prevent the same and the effectiveness of the said efforts?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) As per information provided by National Crime Records Bureau (NCRB) State/UT-wise details of cases registered, cases chargesheeted, cases convicted, persons arrested under rape and sexual harassment during 2006-2008 are given in Statemet (See below).

(b) The details of States/UTs where cases of rape and sexual harassment increased/decreased during 2007-2008 as compared to the respective previous years given in Statement II (See below).

†Original notice of the question was received in Hindi.

(c) As per Seventh Schedule, 'Police' 'Public Order' are State subjects under the Constitution, and as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crimes, including crimes against women, lies with the States Governments and Union Territory Administrations. However, the Union Government attaches highest importance to the matter of prevention and control of crime against women and has enacted legislations such as Immoral Traffic (Prevention) Act, 1956, Indecent Representation of Women (Prohibition) Act, 1986 and Section 67 of the IT Act, 2000, the display of lascivious photographs/films on computer through internet, etc.

The Central Government has been constantly reviewing and strengthening the existing legislations. Amendments have recently been carried out in the Code of Criminal Procedure in 2005 and 2008 and the Indian Penal Code to strengthen the law for prevention of crime against women and taking measures for safeguarding the interest of women.

Ministry of Home Affairs has sent a detailed advisory dated 4th September, 2009 to all State Governments/UT Administrations wherein they have been advised, *inter alia*, to make comprehensive review of the effectiveness of the law enforcement machinery in tackling the problem of crime against women. The Ministry of Home Affairs have issued another advisory on prevention and control of crime dated 16.07.2010 to the State Governments/Union Territory Administrations. 16.07.2010 to the State Governments/Union Territory Administrations. These advisories, *inter-alia*, include gender sensitization of the police personnel, adopting appropriate measures for swift and salutary punishment to the persons found guilty of violence against women, minimizing delays in investigation of murder, rape and torture of women and improving the quality of investigations, setting up 'Crime against Women Cells' in districts where these do not exist, providing adequate counseling centers and shelter homes for women who have been victimized, setting up of special women courts, and improving the effectiveness of schemes developed for the welfare and rehabilitation of women who are victimized. Majority of States/UTs have established Women Cells. Some States have also set up All Women Police stations at district level and Mahila desk at Police Station level.

Statement-I

Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) & Persons Convicted (PCV) Under Rape (Section 376 IPC) during 2006-2008

Sl.No. 2008		State	2006						2007										
			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	1049	821	154	1360	1252	226	1070	1066	128	1436	1467	199	1257	1083	100	1531	1526	244
2	Arunachal Pradesh	37	29	1	40	29	3	48	29	5	57	37	7	42	22	1	37	28	2
3.	Assam	1244	794	176	1290	941	203	1437	904	191	1477	965	180	1438	988	94	1445	967	201
4.	Bihar	1232	772	178	1451	1111	232	1555	1103	167	1816	1446	212	1302	921	168	1464	1323	221
5.	Chhattisgarh 207		995	994	235	1211	1208	276	982	939	162	1146	1126	238	978	922	206	1108	1059
6.	Goa	21	14	0	20	20	0	20	15	1	25	16	1	30	21	6	41	20	6
7.	Gujarat	354	332	50	539	551	69	316	289	50	503	479	59	374	328	48	529	535	75

8.	Haryana	608	497	97	772	749	153	488	432	114	607	616	180	631	508	128	849	801	175
9	Himachal Pradesh	113	96	27	131	121	39	159	105	14	197	156	19	157	115	29	182	176	48
10.	Jammu & Kashmir	250	211	13	301	301	15	288	238	8	331	318	7	219	142	10	234	236	17
11.	Jharkhand	799	599	185	943	1119	207	855	692	318	886	832	206	791	768	136	802	761	152
12.	Karnataka	400	351	51	475	435	55	436	364	59	518	514	59	446	412	45	642	581	53
13.	Kerala	601	495	58	666	594	80	512	546	74	555	555	88	568	467	38	623	557	45
14.	Madhya Pradesh	2900	2779	748	3878	3858	1139	3010	2898	688	4131	4132	1133	2937	2791	839	3875	3847	1357
15.	Maharashtra	1500	1351	163	2162	2049	222	1451	1404	151	2097	2026	178	1558	1449	160	2206	2056	219
16.	Manipur	40	2	0	20	2	0	20	2	0	12	2	0	38	6	0	19	6	0
17.	Meghalaya	74	35	2	71	41	2	82	32	8	76	34	17	88	41	11	82	57	11
18.	Mizoram	72	69	68	77	73	74	83	78	28	87	95	32	77	69	85	94	81	92
19.	Nagaland	23	20	11	29	24	10	13	12	26	15	15	31	19	18	13	27	20	15

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
20.	Orissa	985	790	135	1020	995	186	939	784	175	1026	1000	181	1113	883	159	1045	1065	212
21.	Punjab	442	373	90	618	578	129	519	392	76	709	518	121	517	442	149	663	589	224
22.	Rajasthan	1085	740	262	1085	1083	377	1238	854	236	1201	1205	300	1355	857	232	1211	1205	273
23.	Sikkim	20	16	1	17	14	1	24	19	0	30	21	0	20	20	5	24	20	5
24.	Tamil Nadu	457	413	108	573	546	146	523	434	87	615	591	131	573	466	109	740	583	113
25.	Tripura	189	177	25	167	145	20	157	180	30	165	161	56	204	185	23	210	173	21
26.	Uttar Pradesh	1314	1094	637	1770	1701	999	1648	1293	573	2283	1980	962	1871	1405	681	2825	2199	1157
27.	Uttarakhand	147	128	29	233	215	57	117	101	48	171	156	75	87	79	39	108	106	81
28.	West Bengal	1731	1520	137	2045	1774	160	2106	1832	101	2409	2433	100	2263	1693	138	1790	1664	148
	Total State	18682	15512	3641	22965	21529	5080	20096	17037	358	24571	22996	4772	20953	17101	3652	24406	22241	5374
29.	A & N Islands	6	7	1	7	10	1	3	3	1	3	3	1	12	2	0	13	2	0

30.	Chandigarh	19	20	9	27	31	11	22	19	11	24	25	14	20	19	5	27	26	7
31.	D & N Haveli	6	3	1	5	3	2	7	6	0	5	6	0	6	7	0	8	8	0
32.	Daman & Diu	3	3	1	2	3	3	1	1	0	4	4	0	0	0	0	0	0	0
33.	Delhi UT	623	798	152	778	647	209	598	541	163	731	657	227	466	478	115	573	702	155
34.	Lakshadweep	0	0	0	0	0	0	1	1	0	1	1	0	2	1	1	1	1	1
35.	Puducherry	9	6	1	9	7	4	9	9	4	14	12	8	8	6	0	8	9	0
Total UT		666	837	165	828	701	230	641	580	179	782	708	550	514	613	121	630	748	163
Total All India		19348	16349	3806	23792	22230	5310	20737	17617	3697	25363	23704	5022	21467	17614	3773	25036	22989	5537

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

Source : Crime in India

Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) & Persons Convicted (PCV) Under Sexual Harassment (Section 509 IPC) during 2006-2008

Sl.No. 2008	State	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	2411	2090	655	2816	2790	759	3316	2785	917	3614	3654	964	3551	2945	569	3240	3260	636
2	Arunachal Pradesh	2	1	0	2	1	0	1	2	0	5	6	0	1	1	0	1	1	0
3.	Assam	10	8	1	10	8	0	10	7	2	16	7	2	2	2	0	2	2	0
4.	Bihar	53	43	5	55	47	10	12	11	2	19	18	2	21	12	3	30	28	3
5.	Chhattisgarh 40	143	135	27	179	178	41	111	106	26	129	130	30	125	123	27	165	165	
6.	Goa	7	4	0	6	6	0	7	6	1	6	8	1	12	8	0	12	8	0
7.	Gujarat	138	118	15	143	139	19	120	96	11	179	157	9	122	120	5	161	181	12
8.	Haryana	491	475	342	584	581	384	409	394	229	576	575	269	605	567	381	731	716	451
9	Himachal Pradesh	31	26	5	34	35	5	33	9	1	12	8	1	41	36	5	55	45	8

10.	Jammu & Kashmir	347	350	82	469	469	119	353	352	83	465	466	117	296	284	69	401	400	96
11.	Jharkhand	44	28	5	33	66	5	15	14	0	23	24	0	23	16	1	63	55	1
12.	Karnataka	38	33	9	42	40	7	28	32	10	44	40	9	44	41	10	38	41	10
13.	Kerala	222	178	16	230	220	19	262	232	13	281	284	16	258	244	35	302	293	46
14.	Madhya Pradesh	762	759	259	970	973	467	780	772	263	1104	1104	455	758	739	290	958	956	452
15.	Maharashtra	984	914	41	1195	1188	43	1039	964	31	1291	1242	33	1091	998	70	1352	1351	76
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	1	0	0	0	0	0	4	0	0	2	1	0
18.	Mizoram	0	2	3	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0
19.	Nagaland	2	1	1	2	2	2	1	1	0	1	1	0	1	0	1	0	0	2
20.	Orissa	247	214	20	311	306	20	241	218	14	317	315	24	282	258	17	352	356	28
21.	Punjab	60	43	19	75	63	29	48	48	16	59	62	21	49	29	18	61	37	22

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
22.	Rajasthan	31	26	16	33	33	16	28	19	14	34	34	15	19	12	14	15	14	24
23.	Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24.	Tamil Nadu	852	745	203	857	838	348	875	790	302	931	921	333	974	856	317	1245	1101	379
25.	Tripura	0	0	0	0	0	0	4	4	0	4	4	0	4	4	2	8	8	0
26.	Uttar Pradesh	2714	2715	1716	3852	3825	2312	2882	2864	1649	4149	4124	2301	3374	3318	2130	4958	4876	3179
27.	Uttarakhand	113	113	35	186	185	94	63	58	50	128	123	62	306	289	72	459	443	250
28.	West Bengal	63	51	16	76	55	20	99	64	17	118	98	26	94	70	20	156	125	23
	Total States		9765	9072	3491	12160	12051	4722	10738	9848	3651	13505	13405	4690	12057	10972	4056	14767	14459
	5738																		
29.	A & N Islands	4	4	0	6	8	0	2	0	0	0	0	0	3	2	0	4	2	0

30.	Chandigarh	13	12	3	20	20	3	11	6	0	15	10	0	2	5	6	3	7	6
31.	D & N	1	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
32.	Daman & Diu	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
33.	Delhi UT	144	114	19	163	41	33	167	123	44	181	179	48	130	131	57	141	163	68
34.	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35.	Puducherry	39	38	9	70	70	9	32	31	13	52	52	23	21	20	9	28	28	11
	Total UT	201	169	31	260	140	46	212	160	57	248	241	71	157	158	72	176	200	85
<hr/>																			
	Total	9966	9241	3522	12420	12191	4767	10950	10008	3708	13753	13646	4761	12214	11130	4128	14943	14659	5823
	All India																		
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Note : Information on disposal by police and courts includes the information on pending cases from previous years.

Source : Crime in India

Statement-II

*Percentage variations in Rape and Sexual Harassment cases in
2007 over 2006 and in 2008 over 2007*

Sl. No.	State	Rape		Sexual Harassment	
		% Variation in 2007 over 2006	% Variation in 2008 over 2007	% Variation in 2007 over 2006	% Variation in 2008 over 2007
1	2	3	4	5	6
1.	Andhra Pradesh	2.0	17.5	37.5	7.1
2.	Arunachal Pradesh	29.7	-12.5	-50.0	0.00
3.	Assam	15.5	0.1	0.00	-80.0
4.	Bihar	26.2	-16.3	-77.4	75.0
5.	Chhattisgarh	-1.3	-0.4	-22.4	12.6
6.	Goa	-4.8	50.0	0.0	71.4
7.	Gujarat	-10.7	18.4	-13.0	1.7
8.	Haryana	-19.7	29.3	-16.7	47.9
9.	Himachal Pradesh	40.7	-1.3	6.5	24.2
10.	Jammu & Kashmir	15.2	-24.0	1.7	-16.1
11.	Jharkhand	7.0	-7.5	-65.9	53.3
12.	Karnataka	9.0	2.3	-26.3	57.1
13.	Kerala	-14.8	10.9	18.0	-1.5
14.	Madhya Pradesh	3.8	-2.4	2.4	-2.8
15.	Maharashtra	-3.3	7.4	5.6	5.0
16.	Manipur	-50.0	90.0	-	-
17.	Meghalaya	10.8	7.3	-	300.0
18.	Mizoram	15.3	-7.2	-	-

1	2	3	4	5	6
19.	Nagaland	-43.5	46.2	-50.0	0.0
20.	Orissa	-4.7	18.5	-2.4	17.0
21.	Punjab	17.4	-0.4	-20.0	2.1
22.	Rajasthan	14.1	9.5	-9.7	-32.1
23.	Sikkim	20.0	-16.7	-	-
24.	Tamil Nadu	14.4	9.6	2.7	11.3
25.	Tripura	-16.9	29.9	-	0.0
26.	Uttar Pradesh	25.4	13.5	6.2	17.1
27.	Uttarakhand	-20.4	-25.6	-44.2	385.7
28.	West Bengal	21.7	7.5	57.1	-5.1
TOTAL STATE		7.6	4.3	10.0	12.3
29.	A & N Islands	-50.0	300.0	-50.0	50.0
30.	Chandigarh	15.8	-9.1	-15.4	-81.8
31.	D & N Haveli	16.7	-14.3	-100.0	-
32.	Daman & Diu	-66.7	-100.0	-	-
33.	Delhi UT	-4.0	-22.1	16.0	-22.2
34.	Lakshadweep	-	100.0	-	-
35.	Puducherry	0.0	-11.1	-17.9	-34.4
TOTAL UT		-3.8	-19.8	5.5	-25.9
TOTAL ALL INDIA		7.2	3.5	9.9	11.5

Source : Crime in India

Violence on Maharashtra-Karnataka border dispute

1856. SHRI D. RAJA :

SHRI K.E. ISMAIL :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the recent spurt in violence on the Maharashtra-Karnataka border dispute;

(b) whether Government is aware that the Maharashtra State Assembly has unanimously passed a resolution requesting the Centre to amend its stand on the Maharashtra-Karnataka border dispute; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (c) Yes, Sir. The Maharashtra State Legislative passed a unanimous Resolution on 13.07.2010 urging the Government of India to review its stand on the Maharashtra-Karnataka border dispute and to adopt necessary measures to solve the boundary issue immediately. The Maharashtra-Karnataka border dispute is presently *sub-judice* and stand of the Central Government consistently has been that the Hon'ble Court may decide the matter on the basis of proven facts of the case and in accordance with law, and there has been no change in the stand of the Government.

LWE groups operating in the country

1857. SHRI RAASHID ALVI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many Left Wing Extremist (LWE) groups have been operating in the country;

(b) whether Government knows, they are being supported financially by the various industrialists and individuals; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (c) According to intelligence inputs, there are 21 LWE groups indulging in violence in the country.

There are no inputs to indicate that the LWE groups are being supported financially by the various industrialists, however, they raise funds from contractors, businessmen etc. by imposing levies through coercive means.

Talk with separatists in J & K

1858. SHRI RAASHID ALVI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there is any proposal to talk to the separatist groups of the Jammu and Kashmir in near future; and

(b) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) Government have always been open to talks with all groups in Jammu & Kashmir. These talks by their very nature are held away from public glare. It would not be in public interest to disclose the details.

Civilians, Security force personnels and terrorists killed

1859. SHRI RAASHID ALVI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many civilians, security force personnels and terrorists killed during last three years in the country; and

(b) the State-wise and year-wise details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) As per available information, details of the number of incidents, casualties of civilians, security personnel and number of terrorist/extremist killed in the State of Jammu & Kashmir and North-Eastern States are as under :-

Jammu & Kashmir

Year	No. of Incidents	No. of SFs killed	No. of Civilians killed	No. of Terrorist killed
2008	708	75	91	339
2009	499	64	78	239
2010 (Up to 30 June)	254	34	20	114

North Eastern States

Year	No. of Incidents	No. of SFs killed	No. of Civilians killed	No. of Terrorist killed
2008	1561	46	466	640
2009	1297	42	264	571

2010 (Up to 15th July)	397	4	44	160
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In the year 2008, major terrorist incidents/bomb blasts occurred at CRPF Group Centre, Rampur (U.P.), Jaipur, Bangalore, Ahmedabad, Delhi, Malegaon (Maharashtra) and Modasa (Gujarat). In these incidents 168 persons lost their lives. In the terrorist attack in Mumbai in November, 2008, 164 persons lost their lives. There was no major terrorist attack in the year 2009. However, a bomb blast took place at Pune on 13.2.2010 wherein 17 persons were killed.

DNA test to identify Bangladeshis during census

†1860. SHRI SHREEGOPAL VYAS :

SHRI ANIL MADHAV DAVE :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that D.N.A. test would be carried out during census to identify Bangladeshis;

(b) if so, how it would be helpful in census;

(c) whether it would be helpful in sending Bangladeshis back to their homeland; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) No Sir. There is no such proposal. In Census no biometrics are collected. In the National Population Registrar (NPR), it is proposed to collect photograph, 10 fingerprints and 2 Iris print only.

(b) to (d) Questions do not arise.

Financing of Terrorist by NPOs etc.

1861. SHRI SANJAY RAUT :

SHRI GOVINDRAO WAMANRAO ADIK :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn towards recent report which identifies fund transfers from foreign Non-Profit Organizations (NPOs), Drug Trafficking, etc. as major sources for terrorist financing in India;

(b) if so, the details thereof and Government's response thereto; and

†Original notice of the question was received in Hindi.

(c) the details of steps taken or proposed to be taken to check such vulnerability to terrorism by maintaining unified database for NPOs in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) The Government and its agencies are aware of the major sources and channels used for terrorist financing. The sources of terrorist financing, including counterfeiting of currency and use of formal channels and new payment methods had been indicated by India to the Financial Action Task Force during mutual evaluation. In this context, the threat of funds/resources being sent from organisations outside India and counterfeiting of currency was rated as high, while funds from criminal activities including drug trafficking, use of formal channels was perceived as low.

(c) The Government has constituted a Non-profit Organisation Sector Assessment Committee to assess the risk of money laundering and terrorist financing in NPO sector and review adequacy of existing controls in the country.

Iron gates and speed breakers in Delhi

†1862. SHRI RASHEED MASOOD : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that thoroughfares have been blocked in densely populated Delhi colonies by putting up iron gates in the way;

(b) if so, the details of action taken thereon so far;

(c) if not, the reasons therefor;

(d) whether it is also a fact that by arbitrarily laying the speed breakers at various places, people have created hindrance in the movement;

(e) if so, the details of the action taken; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (c) On the direction of the Hon'ble High Court of Delhi and after deliberation, policy/guidelines have been framed for installation of gates on internal roads of the

†Original notice of the question was received in Hindi.

colonies for security purposes. In this connection, the Resident's Welfare Association have to complete certain formalities, like preparation of layout of the colony, marking location of gate, no-objection certificate from the Traffic Police. The said policy/guidelines provide for, *inter alia*, timing for opening and closing of gates; width of gates, manning of gates; etc.

(d) to (f) The Municipal Corporation of Delhi has informed that in the recent past on the direction of the Hon'ble High Court of Delhi, unauthorised speed breakers on roads have been removed. The New Delhi Municipal Council has informed that the speed breakers in its area have been constructed as per recommendations of the Committee of Traffic Police in the interest of safety of pedestrians. However, erection of speed breakers on a road/street is done as per guidelines of Indian Roads Congress.

Naxalites arrested by the Delhi Police

1863. SHRIMATI KUSUM RAI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of naxalites arrested from Delhi by Delhi Police till date;

(b) whether Government is aware that naxalites have expanded their network in Delhi and NCR too;

(c) if so, the details thereof; and

(d) the action Government proposes to check the spread naxalite terror in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLAY RAMACHANDRAN) : (a) Ten naxalites-5 in the year 2009 and 5 in the year 2010 (up to 30.7.2010) have been arrested by the Delhi Police.

(b) and (c) Some Naxal elements have a presence in Delhi and NCR whose activities are under watch.

(d) State Governments deal with various issues related with naxal problems in the respective States. The Central Government supplements efforts of the State Governments on both development and security fronts.

NCRMP for four districts of Maharashtra

1864. SHRI SANJAY RAUT :

 SHRI GOVINDRAO WAMANRAO ADIK :

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has received any proposal from Government of Maharashtra to accord early sanction to National Cyclone Risk Management Project (NCRMP) in four coastal districts of Maharashtra; and

(b) if so, Government's response thereto and by when it will get approval?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) Yes, Sir.

(b) Certain clarification have been sought from the State Government, the approval of project will depend upon techno-financial feasibility of the project.

NATGRID

1865. SHRI KALRAJ MISHRA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has introduced a new intelligence scheme named NATGRID;

(b) the salient features of the new scheme; and

(c) if so, the improvements contemplated in the prevalent system?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (c) Government of India has set up National Intelligence Grid (NAIGRID) as an attached office of the Minister of Home Affairs with effect from 01.02.2009 with an aim to link data bases which would be an input in combating terrorism. It intends to create a facility that improves India's capability to counter internal security threats.

Steps to prevent link between Maoists of Nepal and India

†1866. SHRI KALRAJ MISHRA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any concrete steps is being taken by Government to prevent cooperation and link between maoists of Nepal and India; and

(b) if so, the details thereof and whether some maoists/naxalites have been handed over to India by Nepal?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) There are no inputs indicating operational link between Maoists of Nepal and India.

†Original notice of the question was received in Hindi.

State Governments deal with various issues related to naxalite activities in the States. Central Government supplements their efforts over a wide range of schemes on security and development fronts.

Funding of Kerala's L-E-T's Operation

1867. SHRI AMAR SINGH : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the terror bosses sitting in Pakistan have been funnelling funds for Kerala L-e-T's operation through Hong Kong as per press reports;

(b) whether Government has conducted an enquiry in this regard;

(c) if so, the details thereof; and

(d) what is Government's reaction in regard thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (d) As per available information, there are no specific inputs to corroborate these reports.

Granting visa liberally to citizens of SAARC countries

1868. DR. E.M. SUDARSANA NATCHIAPPAN : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has instructed to grant visa request from citizens of SAARC countries liberally as they do it for India;

(b) if so, the average days/hours taken for issuing the visa; and

(c) how many students/youths/sports people were given such visa during last three years?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (c) Regarding the visa issued by the country of destination, no orders have been issued by Government of India for granting visa liberally. Time taken for issue of visa varies from case to case depending on the category, country and the inputs received from concerned agencies on a case to case basis. Details of number of visas issued category-wise are not available.

Applications under FCR Act

1869. SHRI PYARIMOHAN MOHAPATRA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the State-wise number of NGO's who have applied during the last five years for registration under the Foreign Contribution Regulation, Act to enable them to receive foreign contribution;

(b) the State-wise number of applications allowed, the number rejected and the number of pending;

(c) whether a review regarding reasons for pendency has been conducted to ascertain the reasons; and

(d) if so, the date(s) of such review and the result?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) and (b) A statement showing the information State-wise is given in Statement (See below).

(c) and (d) The pendency position is reviewed on a regular basis and remedial measures are taken to reduce the same from time to time. In the light of increased security concern, each case is scrutinized thoroughly, before a final decision is taken.

Statement

*Details of Applications under FCR Act for the period
from 1-4-2005 to 30-07-2010*

Name of state	No. of applications received	No. of Registration granted	No. of applications rejected	No. of applications pending
1	2	3	4	5
Andaman & Nicobar Islands	28	2	15	11
Andhra Pradesh	1893	521	642	730
Arunachal Pradesh	39	13	11	15

1	2	3	4	5
Assam	167	64	49	54
Bihar	789	226	286	277
Chandigarh	40	10	9	21
Chhattisgarh	121	46	33	42
Dadra & Nagar Haveli	0	0	0	0
Daman and Diu	3	0	1	2
Delhi	901	324	273	304
Goa	22	9	7	6
Gujarat	645	212	205	228
Haryana	123	26	47	50
Himachal Pradesh	66	12	22	32
Jammu & Kashmir	77	27	30	20
Jharkhand	311	84	105	122
Karnataka	785	253	270	262
Kerala	289	104	90	95
Lakshadweep	0	0	0	0
Madhya Pradesh	325	82	103	140
Maharashtra	1523	472	482	569
Manipur	217	117	31	69
Meghalaya	25	12	6	7
Mizoram	25	6	4	15
Nagaland	72	29	12	31
Orissa	887	401	237	249

1	2	3	4	5
Pondicherry	59	16	23	20
Punjab	107	36	24	47
Rajasthan	352	94	112	146
Sikkim	20	5	9	6
Tamil Nadu	1878	650	678	550
Tripura	13	7	3	3
Uttar Pradesh	1781	557	694	530
Uttarakhand	200	51	59	90
West Bengal	1246	394	413	439
TOTAL :	15029	4862	4985	5182

Law to monitor funding of radical organisations

1870. SHRIMATI T. RATNA BAI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has received any proposal from States to enact Central law to monitor funding of radical organizations;

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

(c) the views of the public and experts in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (c) No proposal has been received from States to enact Central Law to Monitor funding of radical organisations.

ULFA Peace Talks

1871. SHRI KUMAR DEEPAK DAS : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is prepared for ULFA Peace Talks without pre-condition;

(b) if not, the reasons therefor;

(c) whether Government is sincere about the political solution of ULFA problem; and

(d) the details of present status of the peace process?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (d) Government has always shown its willingness to enter into dialogue with any group, which is willing to abjure the path of violence and place its demand within the framework of the Constitution of India. The Government has appointed Shri P.C. Halder as Interlocutor to take forward the process for initiating peace talks with United Liberation Front of Asom (ULFA).

Banning organizations involved in terrorist activities

1872. SHRI SHANTARAM LAXMAN NAIK : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the State-wise names of organizations whose members have been *prima facie* or otherwise found to be indulging in terrorist activities in the country;

(b) whether Government proposes to ban such organizations; and

(c) the State-wise number of organizations and their names which are under consideration for banning under the Unlawful Activities (Prevention) Act, 1967?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (c) The schedule to Unlawful Activities (Prevention) Act (UAPA) contains a list of 35 entries/entities which have been listed as terrorist organisations. These organisations operate at inter-State/intra-State/International level, depending on their area of activities. The list of such terrorist organisations is given in Statement-I (See below). Further, nine organizations have also been notified as Unlawful Associations under the relevant provision of UAPA. The list of these Unlawful Associations are given in Statement-II (See below). Some of these organizations are also listed to terrorist organization.

Apart from the above, some other organizations have come to notice for involvement in terrorist/extremist activities. The banning of organizations is done as per the due procedure of law, and it would not

be in public interest to disclose the names of organizations which the Government may at any stage be considering for declaring it as unlawful association or as a terrorist organization.

Statement-I

*List of Terrorist Organisations under section 35 of
Unlawful Activities (Prevention) Act, 1967*

1. Babbar Khalsa International
2. Khalistan Commando Force
3. Khalistan Zindabad Force
4. International Sikh Youth Federation
5. Lashkar-e-Taiba/Pasban-e-Ahle-Hadis
6. Jaish-e-Mohammad/Tahrik-e-Furqan
7. Harkat-ul-Mujahiddeen/Harkat-ul-Ansar/Harkat-ul-Jehad-e-Islami
8. Hizb-ul-Mujahideen/Hizb-ul-Mujahideen Pir Panjal Regiment
9. Al-Umar-Mujahideen
10. Jammu and Kashmir Islamic Front
11. United Liberation Front of Assam (ULFA)
12. National Democratic Front of Bodoland (NDFB)
13. People's Liberation Army (PLA)
14. United National Liberation Front (UNLF)
15. People's Revolutionary Party of Kangleipak (PREPAK)
16. Kangleipak Communist Party (KCP)
17. Kanglei Yaol Kanba Lup (KYKL)
18. Manipur People's Liberation Front (MPLF)
19. All Tripura Tiger Force
20. National Liberation Front of Tripura
21. Liberation Tigers of Tamil Eelam (LTTE)
22. Students Islamic Movement of India
23. Deendar Anjuman

24. Communist Party of India (Marxist-Leninist)-People's War, All its formations and Front Organizations.
25. Maoist Communist Centre (MCC), All its formations and Front Organisations.
26. Al Badr
27. Jamiat-ul-Mujahideen
28. Al-Qaida
29. Dukhtaran-e-Millat (DEM)
30. Tamil Nadu Liberation Army (TNLA)
31. Tamil National Retrieval Troops (TNRT)
32. Akhil Bharat Nepali Ekta Samaj (ABNES)
33. Organisations listed in the Schedule to the U.N. Prevention and Suppression of Terrorism (Implementation of Security Council Resolutions) Order, 2007 made under section 2 of the United Nations (Security Council) Act, 1947 (43 of 1947) and amended from time to time.
34. Communist Party of India (Maoist) all its formations and front organisations.
35. Indian Mujahideen and all its formations and front organisations.

Statement-II

'Unlawful Organizations' under section 3 of Unlawful Activities (Prevention) Act, 1967

1. Students Islamic Movement of India (SIMI)
2. United Liberation Front of Assam (ULFA)
3. National Democratic Front of Bodoland (NDFB)
4. Dima Halam Daogah (Joel) DHD(J)
5. Meitei Extremist Organisation consisting the following :-
 - (a) Peoples' Liberation Army (PLA)
 - (b) United National Liberation Front (UNLF)
 - (c) Peoples Revolutionary Party of Kangleiak (PREPAK)

- (d) Kangleipak Communist Party (KCP)
- (e) Kanglei Yaol Kanba Lup (KYKL)
- (f) Manipur People's Liberation Front (MPLF)
- (g) Revolutionary Peoples' Front (RPF)
- 6. All Tripura Tiger Force (ATTF)
- 7. National Liberation Front of Tripura (NLFT)
- 8. Hynniewtre National Liberation Council (HNLC)
- 9. Liberation Tigers of Tamil Eelam.

Strengthening coastal security

1873. SHRI RAMDAS AGARWAL : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether in view of fresh inputs of threat perception, any review of coastal security has been made by Government till-date;

(b) whether any special scheme has been launched to strengthen the coastal security of the country to thwart seaborne infiltration and attacks;

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

(d) the amount sanctioned by Government for the implementation of the scheme and the amount spent till-date, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) Yes, Sir. After Mumbai incidents of 26/11, Government has accorded highest priority to coastal security and an integrated approach is being adopted for further strengthening of coastal security. The entire coastal security scenario of the country has been thoroughly reviewed in several high level meetings in Government of India and a number of important decisions/initiatives have been taken so far as follows :-

* The Indian Navy has been designated as the authority responsible for overall maritime security which includes coastal security and offshore security. The Indian Coast Guard is additionally designated as the authority responsible for coastal security in territorial waters including areas to be patrolled by Coastal Police. The Director General Coast Guard has been designated as

Commander Coastal Command responsible for overall coordination between Central and State agencies in all matters relating to coastal Security. The Indian Coast Guard is taking many other steps for strengthening their infrastructure.

- * Registration of all types of vessels, i.e. fishing as well as non-fishing vessels.
- * Fitting/provision of navigational and communication equipments on all type of vessels.
- * Issuance of Bio-metric ID cards to all the fishermen.
- * Issuance of Multi-purpose National Identity Cards (MNICs) to all the population in the coastal villages including fishermen.
- * The '*National Committee on Strengthening Maritime and Coastal Security against threats from the Sea*' has been formed. Periodic meetings for regular monitoring are being undertaken by the Committee.

(b) to (d) To strengthen the coastal security of the country, an exercise has been completed to finalise the Coastal Security Scheme (Phase-II) in consultation with Coast Guard and concerned coastal States and Union Territories. In the scheme, proposal of construction of new coastal police stations, interceptor boats, vehicles and other related support have been finalised. After obtaining final approval of the competent authority, the implementation of the Scheme will be carried out.

Spurt of Extremist activities in Kerala

1874. PROF. P.J. KURIEN : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware of recent spurt in the activities of extremists and terrorists in Kerala;

(b) if so, the details thereof; and

(c) what action Government is proposing to curb such activities?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) Available inputs do not indicate spurt in terrorist/extremist activities in Kerala. However, recently, one incident of chopping of the palm of one Lecturer has come to notice and the matter is being investigated by the Kerala Police.

(c) 'Police' and 'Public order' are State subjects as per the Constitution of India, accordingly, the first responder to any such activity is the State Government/State Police. The Government has been, on a continuing basis, reviewing the security arrangements in the light of the emerging challenges, and a number of important decisions and measures have been taken. These measures, *inter-alia*, include augmenting the strength of Central Para-Military Forces, amendment of the CISF Act to enable deployment of CISF in joint venture of private Industrial undertakings establishment of NSG hubs at Chennai, Kolkata, Hyderabad and Mumbai empowerment of DG, NSG to requisition aircraft for movement of NSG personnel in the event of any emergency; strengthening and re-organizing of Multi-Agency Centre to enable it to function on 24x7 basis for real time collation and sharing of intelligence with other intelligence and security agencies; tighter immigration control, effective border management through border fencing, flood lighting, deployment of surveillance equipment and coastal security. The Unlawful Activities (Prevention) Act, 1967 has been amended and notified in 2008 to strengthen the punitive measures to combat terrorism. The National investigation Agency has been constituted under the National Investigation Agency Act, 2008 to Investigate and prosecute offences under the Acts specified in the Schedule. As a part of steps to counter terrorists threats, the National Intelligence Grid (NATGRID) has also been created. Further, the issue of State support to terrorism has been taken up at various levels in the established bilateral fora.

Prevention of Torture Bill to meet uncat standards

1875. SHRI ISHWAR SINGH : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Prevention of Torture Bill, 2010 introduced in Parliament in the last budget session has been cleared by the Cabinet;

(b) whether India is a signatory to the UN Convention Against Torture;

(c) whether the bill meets the standards set by UNCAT; and

(d) whether with most of the accused in torture cases being public servants or armed forces personnel, there is need to do away with Section 197 of the Cr. PC and the AFSPA which presently provide immunity to those accused?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (c) India is a signatory to the United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment. After a lot of deliberations, it has been decided to bring a piece of 'stand alone' legislation for enabling the ratification of the Convention. Accordingly, the Prevention of Torture Bill, 2010 has been introduced in the Lok Sabha on 26.4.2010. The Bill has also been passed by the Lok Sabha on 6.5.2010. The Bill, *inter alia*, contains provisions relating to torture, punishment for torture, cognizance of offences and previous sanction necessary for prosecution.

(d) There is no proposal to amend the section 197 of Cr. P.C.

Land erosion not considered calamity under CRF/NCCF

1876. SHRI BIRENDRA PRASAD BAISHYA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether land erosion by diversion of rivers which has uprooted lakhs to families through the country and caused huge loss of fertile cultivable and habitable land is not considered a calamity or disaster entitled for funding under CRF and NCCF; and

(b) if so, the reasons therefor and how this calamity has been categorized for adequate relief, rehabilitation and reclamation of land?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) and (b) Yes Sir. The present list of notified natural calamities covered for funding under Calamity Relief Fund (CRF)/ and National Calamity Contingency Fund (NCCF) are cyclone, drought, earthquake, tsunami, fire, flood, hailstorm, landslide, avalanche, cloud burst and pest attack.

The issue of inclusion of specific calamities in the list of identified natural calamities for the purpose of incurring expenditure from Calamity Relief Fund (CRF) has been deliberated by the successive Finance Commissions.

The 13th Finance Commission (for the period 2010-15), have also *inter-alia* considered the proposal of State Government for inclusion of certain proposed new calamities in the notified list of natural calamities entitled for funding under Calamity Relief Fund (CRF)/State Disaster Response Fund (SDRF) and National Calamity Contingency Fund (NCCF)/National Disaster Response Fund (NDRF). However the Commission has

not recommended any new calamity in the existing list of natural calamities qualifying for assistance from CRF/SDRF and NCCF/NDRF. As such, the concerned State Governments are required to provide assistance for relief, rehabilitation and reclamation of land from their Plan/own resources, to the population affected due to other than notified natural calamities including erosion.

Inducing youths to join anti-national organisations on Indo-Nepal border

1877. SHRI SABIR ALI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware of the movement going on Indo-Nepal border to induce youths to join anti-national organizations like Taliban; and

(b) if so, the details in this regard and the steps being taken to combat the threat posed to India?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) Available inputs do not indicate that youths on the Indo-Nepal border are being induced to join anti-national organisations like Taliban.

Dual citizenship of people living near Indo-Nepal border

1878. SHRI SABIR ALI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government is aware that large number of people living in the areas near the Indo-Nepal border are having foreign citizenship in addition to the citizenship of their own country;

(b) whether any survey has been conducted to locate such persons; and

(c) if so, the number of such persons located and the action taken against them under the prevailing laws?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (c) India-Nepal share a long border stretching to 1859 km having opening at various points. Though security forces have been deployed to monitor the movement of natural persons and general superindence of law and order, possibility of some people residing along the border and having dual citizenship cannot be ruled out. Government of India does not allow dual citizenship but some foreign countries allow dual citizenship. As per citizenship Act, 1955, any Indian citizen, who acquires foreign citizenship voluntarily, ceases to be Indian citizen upon so acquiring foreign citizenship.

No survey has been carried out by the Government to locate such persons who have foreign citizenship in addition to the citizenship of their own country. Centralized data of such persons is not maintained.

Cognizance on facts revealed by Headley

1879. SHRI BHARATKUMAR RAUT : Will the Minister of HOME AFFAIRS be pleased to state:

(a) what cognizance Government has taken on the facts revealed by Headley, who is interrogated by NIA team in US, which has pointed the finger towards Pakistan's ISI;

(b) whether Headley confirmed that Lashkar-e-Taiba terrorists carried out 26/11 Mumbai attack under the guidance of ISI;

(c) whether Headley also named some higher serving officers of Pakistan Army who collaborated Lashkar terrorists in executing Mumbai attack; and

(d) whether Government has asked Islamabad to take action against those Pakistani officers who were involved?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (d) The Government has taken cognizance of facts revealed by Headley and taken up this issue which is of vital security concern at various levels in the established bilateral fora. During the bilateral meetings of the Union Home Minister with the Pakistan Interior Minister, on the side lines of the third SAARC Conference of Interior/Home Ministers, the Union Home Minister, conveyed India's core concern on terrorism emanating from Pakistan, especially the Mumbai terrorist attack investigations and trial. He conveyed that since the trial was in Pakistan the real perpetrators, master mind and handlers should be brought to justice.

Foreigners outstaying in the country

1880. SHRI N.K. SINGH : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Union Government is aware that there are a number of nationals from the First World Countries who have overstayed in India for various reasons in the past few years;

(b) if so, the details thereof;

(c) whether the security agencies have been ignoring the illegal overstay of citizens from the developed countries which is posing threat to the nation; and

(d) if so, the steps Union Government proposes to take to check such overstaying of citizens from the developed countries and to deport them?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) and (b) Yes, Sir. As and when the overstayal of foreigners are detected, they are deported. Details of foreigners who came to India on valid travel documents and are overstaying in the country as obtained from State Governments during the years 2006-2008 are given in Statement (See below).

(c) and (d) As and when foreign nationals are detected staying in the country illegally of found overstaying, steps are taken for their deportation/prosecution as per rules/law on the subjects by respective FRRO/FROs (State Government representatives/SPs of districts).

Statement

Country - wise statistics of overstaying foreigners 2006-2008

Country	2006	2007	2008
1	2	3	4
Afghanistan	11759	11875	14511
Albenia	1	0	0
Algeria	0	1	3
Angola	1	12	20
Argentina	6	3	3
Armenia	3	5	0
Australia	155	186	176
Austria	11	19	8
Azerbaijan	1	1	0
Bahrain	41	8	51
Bangladesh	24497	25712	31229

1	2	3	4
Barbados	1	0	0
Belarus	6	4	6
Belgium	24	17	21
Belize	2	1	4
Benin	0	0	1
Bolivia	1	1	2
Botswana	2	1	4
Brazil	13	26	42
British Overseas City	0	0	3
British Solomon Isl.	2	0	0
British Sub & Colo	0	1	3
Brunei	1	2	0
Bulgaria	8	2	2
Burundi	0	4	5
Cambodia (Kampuchia)	7	7	5
Cameroon	1	4	6
Canada	278	383	357
Chad	0	0	3
Chile	4	2	3
China	104	495	479
China (Taiwan)	10	11	17
Colombia	8	15	22
Comoros	0	1	0

1	2	3	4
Congo	8	17	32
Costa Rica	0	0	4
Croatia	7	1	4
Cuba	2	1	0
Cyprus	2	0	0
Czech Republic	8	4	1
Denmark	23	21	27
Djibouti	3	8	21
Dominican Republic	0	2	2
Ecuador	5	0	0
Egypt	13	15	13
El Salvador	0	0	0
Eritrea	31	22	19
Estonia	0	1	2
Ethiopia	58	61	69
Fiji	42	156	309
Finland	11	25	46
France	172	234	191
French Guinea	0	0	0
Gambia	0	0	0
Georgia	3	0	0
Germany	110	169	158
Ghana	9	6	9

1	2	3	4
Greece	3	0	0
Grenada	1	1	1
Guatemala	1	2	2
Guinea	3	3	0
Guyana	2	6	8
Haiti	0	0	1
Honduras	0	0	0
Hong Kong	2	2	3
Hungary	7	3	5
Iceland	0	1	3
Indonesia	51	51	36
Iran	215	247	184
Iraq	12	106	371
Ireland	11	14	18
Israel	37	43	19
Italy	37	65	90
Ivory Coast	16	42	85
Jamaica	1	0	1
Japan	231	133	161
Jordan	39	31	34
Kazakhstan	7	6	3
Kenya	181	207	237
Korea (North) DPR	3	3	0

1	2	3	4
Korea South	435	340	516
Kuwait	4	1	21
Kyrgyzstan	5	9	11
Laos	1	1	2
Latvia	1	3	1
Lebanon	5	6	10
Lesotho	4	1	1
Liberia	3	2	3
Libya	1	7	2
Lithuania	4	3	2
Luxemburg	1	0	0
Malagasy (Madagascar)	4	1	7
Malawi	3	5	13
Malaysia	334	295	201
Maldives	36	40	13
Malta	1	0	0
Mauritania	17	1	1
Mauritius	87	204	510
Mexico	4	7	14
Moldova	0	1	0
Mongolia	44	36	55
Monaco	0	1	0
Morocco	7	4	7

1	2	3	4
Mozambique	7	8	3
Myanmar	266	282	558
Namibia	7	13	14
Nauru	1	0	0
Netherlands	37	56	69
New Zealand	55	39	34
Nicaragua	1	1	0
Nigeria	289	525	451
Norway	15	12	27
Oman	126	154	351
Pakistan	5392	6038	7547
Palestine	26	22	12
Panama	1	3	16
Paraguay	1	0	0
Peru	3	2	5
Philippines	50	83	124
Poland	18	15	29
Portugal	8	229	12
Qatar	3	5	1
Refugees (Stateless)	0	0	0
Romania	6	4	7
Russia	107	115	120
Rwanda	12	19	24

1	2	3	4
Saudi Arabia	33	51	62
Senegal	2	1	5
Seychelles	27	111	295
Sierra Leone	1	3	1
Singapore	283	170	153
Slovak Republic	2	2	3
Slovenia	1	1	1
Samalia	40	22	17
South Africa	69	75	48
Spain	41	42	32
Srilanka	821	1124	1790
Stateless	20	48	23
Stateless-Malaysia	9	6	7
Stateless-Tibet	152	226	194
Stateless-USA	0	0	0
Sudan	119	140	163
Swaziland	1	1	0
Sweden	51	51	37
Switzerland	46	37	30
Syria	25	29	36
Tajikstan	9	3	10
Tanzania	115	179	303
Thailand	76	113	116

1	2	3	4
Tongo	0	0	0
Trinidad & Tobago	7	1	3
Turkey	15	22	14
Turkmenistan	1	0	4
Tuvalu	0	0	2
U.S.A.	1302	1366	998
Uganda	45	58	88
Ukraine	23	35	15
United Arab Emirates	11	28	9
United Kingdom	581	630	491
Uruguay	0	0	1
Uzbekistan	9	7	41
Vanatu	1	0	0
Venezuela	3	6	7
Vietnam	54	44	48
Yemen	189	191	168
Yugoslavia	8	3	5
Zaire	2	0	0
Zambia	3	1	11
Zimbabwe	1	4	5
Others	1	13	3
TOTAL	49945	53945	65149

Encroached land in NDMC areas

1881. DR. JANARDHAN WAGHMARE : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has done any study of the increase in the numbers of the persons residing in unauthorized structures in NDMC areas, New Delhi by encroaching on public land before and after the grant of electric connections to such illegal structure;

(b) if so, the outcome thereof;

(c) the steps being taken to disconnect the electricity in the light of study; and

(d) the steps being taken to maintain law and order and hygienic conditions in and around the encroached land in NDMC areas?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) No, Sir.

(b) and (c) Do not arise.

(d) The New Delhi Municipal Council has deployed sanitation staff for cleaning and removal of garbage from all parts of its areas. The local police takes all steps to maintain law and order.

Proposal of National Intelligence Grid turned down by CCS

1882. SHRI B.S. GNANADESIKAN : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has proposed to set up the much debated National Intelligence Grid which will allow investigating enforcement and intelligence agencies to access real time information easily;

(b) if so, the details thereof;

(c) whether the proposal was turned down by Cabinet Committee on Security (CCS) over privacy concern and objection raised by several Ministries; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) Government of India has set up National Intelligence Grid (NATGRID), as an attached office of the Ministry of Home Affairs with effect from 01.12.2009 with an aim to link data bases which would be

an input in combating terrorism.

(c) No Sir.

(d) In view of (c) above, does not arise.

Total number of Naxalites in the country

1883. SHRI NARESH GUJRAL : Will the Minister of HOME AFFAIRS be pleased to state:

(a) what are the Government estimates of the total number of armed naxalites in the country; and

(b) how many CRPF and other Paramilitary personnel have been killed in action against the naxalites so far?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) As per available inputs, the total strength of armed cadres of naxalites is around 8500.

(b) The total number of security personnel killed by the naxals in the current year, upto 31st July, is 218.

Checking flow of funds to terrorist organisations

†1884. SHRI KAPTAN SINGH SOLANKI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that terrorist organisations are making transaction of money through domestic and foreign trusts, NGOs and religious institutions;

(b) if so, the details thereof;

(c) whether it is also a fact that legal framework of India regarding these institutions and organisations is weak and ineffective; and

(d) if so, whether Government has made any policy to make the law more effective?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) As per available information instances of terrorist organisations using domestic trust, NGOs etc. to receive funds for terrorism has not come to notice. However, from a terrorist financing risk perspective, foreign organizations and trusts, particularly those based in countries, which provide a safe haven to terrorist acting against India, are considered a potential source of terrorist financing.

†Original notice of the question was received in Hindi.

A number of foreign charitable trust and NGOs have been designated by the United Nations for their alleged financing of terrorist organisations.

(c) and (d) The Unlawful Activities Prevention Act, 1967, has provisions to deal with financing of terrorism. The flow of funds from abroad to religious organisations/trusts and NGOs is regulated by the Foreign Contribution Regulation Act. The Foreign Contribution Regulation Bill contains provisions to further strengthen the reporting and regulatory mechanism in respect of the flow of foreign to domestic NGOs, religious institutions etc.

Foreign funding of trusts and VOs

†1885. SHRI KAPTAN SINGH SOLANKI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of Indian or foreign private trusts, Voluntary Organisations (VOs) or charitable organisations which have been funded by foreign countries during last two years;

(b) whether Government has reviewed the working and expenses of all these organisations and trusts;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) The number of 'Association(s)' which have reported receipt of foreign contribution during the years 2006-07 & 2007-08 under the Foreign Contribution (Regulation) Act [FCRA], 1976 year-wise is as under:-

Year	No. of registered associations (as on 31st March of Financial Year)	No. of reporting Association
2006-07	33937	18996
2007-08	34803	18796

†Original notice of the question was received in Hindi.

(b) to (d) Monitoring of receipt and utilisation of foreign contribution by Association is done through scrutiny of audited annual returns filed by the Associations. In case of any complaint or adverse inputs indicating violations of the provisions of the Act, an inspection of books of accounts and records of the Associations is carried out and appropriate action is taken.

If any association is found involved in misutilisation/diversion of foreign contribution, action is initiated against the association. Such action includes (i) placing the Association in Prior Permission category, (ii) prohibiting it from receiving foreign contribution, (iii) prosecuting it in a court of law and (iv) freezing its bank accounts. In case of serious violations, where it is found that the contribution is being diverted for purposes other than the stated objectives of the association, the matter is referred to Central Bureau of Investigation (CBI) for a detailed investigation and prosecution, if necessary.

Damage due to breach in SYL canal

†1886. SHRI OM PRAKASH MATHUR : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the quantum of damage which occurred due to breach in Sutlej-Yamuna Link (SYL) canal in last few days;

(b) the details regarding the same for Punjab and Haryana respectively;

(c) the names of the towns which faced loss of lives and property due to breach in canal; and

(d) whether Government has given compensation to the affected families?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (d) The quantum of damage due to breach in embankments of SYL canal/river and heavy & incessant rains, as reported by the State Governments of Haryana and Punjab, are as under:-

States	No. of Human lives lost	No. of cattle heads perished	No. of houses damaged	Cropped area affected (lakh hectares)
Haryana	30	67	5216	1.31

Punjab	28	67	1330	1.56
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†Original notice of the question was received in Hindi.

The Government of Haryana has reported loss of lives & property in districts and towns of Kaithal, Kurukshetra, Ambala, Fatehabad, Sirsa and Yamuna Nagar.

Similarly, the State Government of Punjab has also reported loss of lives & property in districts and towns of Roopnagar, Patiala, Sangrur, S.A.S Nagar, Ludhiana, Fatehgarh Sahib, Moga, Mansa, Jalandhar, Tarn Taran, Ferozpur and Faridkot.

State Governments concerned are initially required to undertake relief operations in the wake of natural calamity out of the corpus of the Calamity Relief Fund (CRF)/State Disaster Response Fund (SDRF) already placed at their disposal. In case of a calamity of severe nature, when available resources under the CRF/SDRF account are inadequate, additional assistance is extended from the National Calamity Contingency Fund (NCCF)/National Disaster Response Fund (NDRF), after following the laid down procedure.

Details of availability of Calamity Relief Fund with Haryana and Punjab, are as under :-

	(Rs. in crore)	
	Haryana	Punjab
Unspent balance available as on 31st March 2010 as reported by AG	1127.96	2197.20
1st Instalment of Central share of State Disaster Response Fund (SDRF)	72.34	83.595
Corresponding share of State Government for SDRF	24.11	27.865
	TOTAL : 1224.41	
	2308.66	

Under the relief scheme, the financial assistance is provided towards relief in order to assist the affected persons to start their economic activities again and by way of gratuitous assistance as an immediate help to overcome the stress and not for compensation of loss.

Issues taken up during SAARC Home Ministers' conference

1887. SHRI NAND KUMAR SAI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Central Bureau of Investigation and the Federal Investigation Agency of Pakistan have agreed to interact with each other on the issue of terrorism and the Mumbai attacks;

(b) if so, the details thereof;

(c) the details of various issues taken up by the Union Government during the recently concluded SAARC Home Ministers' conference in Islamabad; and

(d) the details of the other issues on which Pakistan have agreed to cooperate with India?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (d) During the bilateral meetings of the Union Home Minister with the Pakistan Interior Minister, on the side lines of the third SAARC Conference of Interior/Home Minister conveyed India's core concern on terrorism emanating from Pakistan, especially the Mumbai terrorist attack investigations and trial. He conveyed that since the trial was Pakistan the real perpetrators, master mind and handlers should be brought to justice. In response while reiterating Pakistan's full support in bringing the culprits responsible for Mumbai Terrorist attack to justice, the Pakistan Interior Minister, *Inter-alia*, proposed cooperation between investigative agencies of the two countries.

The third meeting of SAARC Interior/Home Ministers considered *Inter-alia*, issues relating to visa, security, terrorism, trafficking in women and children, drugs and narcotics. An important outcome of the SAARC Interior/Home Ministers' Meeting was the adoption of the Islamabad SAARC Ministerial Statement on Cooperation against Terrorism which also underscored the commitment of SAARC Member States "to apprehend and prosecute or extradite persons connected, directly or indirectly, with the commission of acts of terrorism".

Special grant for Naxal affected areas

1888. SHRI PARIMAL NATHWANI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has announced any special grant for development of naxal affected areas in the country;

(b) if so, the details of amount and areas to be provided such grant in Jharkhand State;

(c) how is the grant to be allocated in these naxal-affected areas and for what purpose; and

(d) how Government is planning to ensure the proper disbursement of grant and its effective utilization to reduce the menace of naxalism in these areas?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (d) To address critical gaps in development in focus districts, Planning Commission has initiated the process of preparation of Integrated Action Plan (IAPs) for focus districts with help of State Government, District Administration, elected representatives and other stakeholders.

In order to ensure more effective implementation of schemes, a multipronged approach has been adopted to improve the pace of development efforts in these districts:

(i) Planning Commission has developed a Management Information System (MIS) for online monitoring of the implementation of major developmental schemes in 35 focus districts affected by Left Wing Extremism (LWE) in 9 States. In the year 2009-10, Rs. 4938.96 crore was allocated under 9 flagship schemes to Jharkhand for 11 focus districts namely East Singhbhum, West Singhbhum, Lohardaga, Gumla, Chatra, Hazaribagh, Ramgarh, Bokaro, Garhwa, Lathehar and Palamau. The information can also be accessed on <http://pcserver.nic.in/we>.

(ii) Regular Video-conferences/meetings have been held by the Planning Commission with the District Authorities, State Governments and the Ministries concerned to address the problem in implementation of the development schemes in these district with focus on desired outputs and outcomes;

(iii) An Empowered Group of officers has been constituted under the chairpersonship of Member-Secretary, Planning Commission to suggest measures for accelerated development.

NHRC observation on people jailed without conviction

1889. SHRI PARIMAL NATHWANI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the National Human Rights Commission has made any observation on the people jailed without conviction or in whose cases

court proceedings are not concluded so far;

(b) if so, the details thereof;

(c) whether Government has any policy directions/guidelines in such cases;

(d) if so, the details thereof; and

(e) how these guidelines are being implemented?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (d) The National Human Rights Commission (NHRC) had written to the Chief Ministers of all the States/Union Territory Administrations as well as to the Chief Justices of all the High Courts in the country requesting therein to give appropriate instructions to all the concerned authorities to resolve acute problem of overcrowding in prisons which has the impact of violating human rights which is given the status of Constitutional guarantee.

(c) and (e) With a view to reduce the number of undertrial prisoners, the Central Government has taken various legislative and administrative measures which *inter-alia* include:

(i) Amendment in the Code of Criminal Procedure, 1973 by inserting a new article *viz.* 436A which provides that where an undertrial prisoner, other than the one accused of an offence for which death has been prescribed as one of the punishments, has been under detention for a period extending to one-half of the maximum period of imprisonment provided for the alleged offence, he should be released on personal bond, with or without sureties. It also provides that in no case will an undertrial prisoner be detained beyond the maximum period of imprisonment for which he can be convicted for the alleged offence;

(ii) Amendment to section 436 (1) of the Code of Criminal Procedure, 1973 to make a mandatory provision that if the arrested person is accused for a bailable offence and he is an indigent and cannot furnish surety, the Court shall release him on his execution of a personal bond without sureties;

(iii) Setting up of Fast Track Courts for disposal of long pending cases;

(iv) Introduction of scheme of Plea Bargaining;

(v) Holding of Jail Courts (Lok Adalat);

Apart from the above, Ministry of Law had launched a Mission Mode

Programme on 26.1.2010 to take up the cases of undertrials for their release on bail by following the due process of law.

Ministry of Home affairs has also taken up the matter with the State Governments for providing assistance to judiciary for quick processing and disposal of cases of undertrial prisoners as per law.

Revamping investigation process by Delhi Police

1890. SHRI NAND KUMAR SAI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there have been several reports of faulty investigation by the Delhi Police leading to the prosecution cases failing in the course of trial in criminal cases;

(b) if so, the details thereof;

(c) the details of the corrective steps taken by the Delhi Police to revamp their investigation process;

(d) the details of conviction rate achieved in criminal cases during each of the last three years and the current year by Delhi Police;

(e) whether the Union Government has issued any directive to the Delhi Police for taking corrective measures and to revamp its investigation process; and

(f) if so, the details thereof and the steps taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) and (b) There have been media reports of faulty investigation conducted by the Delhi Police. However, no record of such reports is available with the Delhi Police.

(c) Close and effective investigation of cases is accorded high priority by all field officers including SHO, ACP/SDPO, Distt. DCP and other ranks. The Police Department has issued a number of directions and Standing Orders to ensure correct and faultless investigation. These Standing Orders deal in detail with various aspects of investigation.

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

(e) and (f) Effective investigation of cases is accorded high priority by all field officers including Station House Officer, Additional Commissioner of Police, Sub-Divisional Police Officer, District Deputy Commissioner of Police and other ranks. A number of directions and Standing Orders have been issued to ensure correct and faultless

investigation. These Standing Orders deal in detail with various aspects of investigation.

Raising IR Battalions for combating maoists

1891. DR. T. SUBBARAMI REDDY : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Ministry has taken a decision for raising 34 India Reserve Battalions (IRB);

(b) if so, whether for this purpose, 20 counter-insurgency and anti-terrorism schools would be set up in the naxal affected States;

(c) whether in addition, Government has also given approval for raising 34 new battalions of the India Reserve Battalion for combating maoists;

(d) if so, to what extent required force with latest weapons have been set up;

(e) whether in addition, States, were asked to fill up around 97,000 vacancies in the police force; and

(f) whether latest technology will be provided to the forces?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) Ministry of Home Affairs has sanctioned 145 IR Battalions to various State Governments. A Statement is given (See below).

(b) Fifteen (15) CIAT schools have been approved for the naxal-affected States of Bihar, Chhattisgarh, Jharkhand, Orissa and West Bengal.

(c) No, Sir.

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

(e) and (f) In the Chief Minister's conference held on 07.02.2010, State Governments were requested to fill up the vacancies in the State Police Forces expeditiously by adopting the transparent recruitment procedure and also provide modern equipment & training to the forces.

Statement

Details of the IR Battalions

Sl. No.	Name of State	Sanctioned	
		Year	No.
1	2	3	4
1.	Andhra Pradesh	Prior to 2000	4
		2003-04	1
		2005-06	1
		31.1.2008	1

31.3.2008	1
TOTAL	08

1	2	3	4
2.	A & N Island	2001-02	1
		TOTAL	01
3.	Arunachal Pradesh	Prior to 2000	2
		2005-06	1
		15.5.2007	1
		31.3.2008	1
		TOTAL	05
4.	Assam	Prior to 2000	4
		2001-02	1
		2002-03	1
		20.10.2005	1
		15.5.2007	1
		14.5.2009	1
		TOTAL	09
5.	Bihar	Prior to 2000	2
		2004-05	1
		TOTAL	03
6.	Chandigarh	2000-01	1
		TOTAL	01
7.	Chhattisgarh	2000-01	1
		2003-04	1
		20.10.2005	1
		2006-07	1
		31.3.2008	2
		14.5.2009	1
		TOTAL	07
8.	Delhi	2003-04	2
		2004-05	1
		2005-06	2
		TOTAL	05

1	2	3	4
9.	Goa	2004-05	1
		31.3.2008	1
		03.09.2008	1
		Total	03
10.	Haryana	2001-02	1
		2003-04	1
		2005-06	1
		03.09.2008	1
		TOTAL	04
11.	Himachal Pradesh	Prior to 2000	1
		2000-01	1
		2004-05	1
		31.1.2008	1
		31.3.2008	1
		(Mahila)	1
		14.5.2009	
		TOTAL	06
12.	Jharkhand	2000-01	1
		2004-05	1
		2005-06	1
		23.1.2009	1
		14.5.2009	1
		TOTAL	05
13.	J & K	Prior to 2000	4
		2000-01	2
		2001-02	2
		2002-03	2
		2005-06	2
		2006-07	3
		31.3.2008	5
		TOTAL	20

1	2	3	4
14.	Karnataka	2006-07	1
		23.1.2009	1
		TOTAL	02
15.	Kerala	31.3.2008	1
		TOTAL	01
16.	Lakshadweep	Prior to 2000	1
		TOTAL	01
17.	Madhya Pradesh	2002-03	1
		TOTAL	01
18.	Maharashtra	2001-02	1
		2003-04	1
		23.1.2009	1
		TOTAL	03
19.	Manipur	Prior to 2000	2
		2000-01	1
		2002-03	1
		2004-05	2
		15.5.2007	1
		31.3.2008	1
		14.5.2009	1
		(Mahila)	
		TOTAL	09
20.	Meghalaya	Prior to 2000	1
		2000-01	1
		2006-07	1
		14.5.2009	1
		TOTAL	04

1	2	3	4
21.	Mizoram	Prior to 2000	1
		2000-01	1
		2005-06	1
		15.5.2007	1
		31.3.2008	1
		TOTAL	05
22.	Nagaland	Prior to 2000	1
		2001-02	1
		2004-05	1
		2005-06	1
		15.5.2007	1
		31.3.2008	1
		03.9.2008	1
		(Mahila)	
		TOTAL	07
23.	Orissa	2000-01	1
		2002-03	1
		2006-07	1
		31.3.2008	2
		14.5.2009	1
		TOTAL	06
24.	Puducherry	2003-04	1
		TOTAL	01
25.	Punjab	Prior to 2000	5
		2000-01	1
		2002-03	1
		Total	07
26.	Rajasthan	Prior to 2000	2
		31.1.2008	1
		(Mahil)	
		TOTAL	03

1	2	3	4
27.	Sikkim	Prior to 2000	1
		31.3.2008	1
		03.09.2008	1
		TOTAL	03
28.	Tripura	Prior to 2000	2
		2000-01	1
		2001-02	1
		2002-03	1
		2004-05	1
		21.10.2005	1
		15.5.2007	1
		31.3.2008	1
		TOTAL	09
29.	Uttarakhand	2002-03	1
		2005-06	1
		TOTAL	02
30.	Uttar Pradesh	2006-07	1
		31.3.2008	1
		TOTAL	02
31.	West Bengal	2001-02	1
		2006-07	1
		TOTAL	02
	GRAND TOTAL		145*

*One Bn each of Andhra Pradesh and Arunachal Pradesh sanctioned during 2005-2006 has been withdrawn on 17.6.2010.

Home Ministers' suggestion to Pakistan to act against 26/11 plotters

1892. DR. T. SUBBARAMI REDDY : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether during the Home Minister's visit to Pakistan, India has urged Pakistan to act and go after 26/11 plotters, including two suspected officers of the Pakistan Army;

(b) if so, whether the Union Minister suggested that the PIA make serious effort to seek them out and place them under investigation;

(c) if so, whether he suggested that these handles are in the police

net and they should be questioned to confirm their whereabouts during the 2008 attack; and

(d) if so, to what extent the steps suggested by the Minister has been considered and action taken by the Pakistan Government?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (d) During his bilateral meetings with the Pakistan Interior Minister (PIM), on the sidelines of the 3rd SAARC Conference of interior/Home Ministers, the Union Home Minister conveyed India's core concerns on terrorism emanating from Pakistan especially the Mumbai terrorist attack investigations and trial. He conveyed that since the trail was in Pakistan the real perpetrators, masterminds and handlers should be brought to justice. In response, Pakistan Interior Minister reiterated Pakistan's full supported in bringing the culprits responsible for Mumbai terrorist attack on 26/11 attack to justice.

Delhi Police recorded as most corrupt

1893. SHRI MOHAMMED ADEEB : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that as per records of Anti-Corruption Branch, Delhi Police is the most corrupt organization;

(b) if so, the details thereof; and

(c) the action being taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (c) Yes, Sir, it is a fact that as per the records of Anti Corruption Branch of Government of National Capital Territory of Delhi, more cases have been registered against Delhi Police under Prevention of Corruption Act, 1988 than other organizations. Details of the cases registered against Delhi Police are given below:

Year	Number of cases registered against the officials of Delhi Police
2005	17
2006	16
2007	18
2008	13
2009	20
2010 (till date)	13

119 officials of Delhi Police have been arrested and further action has been initiated as per law.

Persons involved in Bomb Blast Cases

1894. SHRI MOHAMMED ADEEB : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that in bomb blast cases such as Samjhauta Express Blast, Ajmer Blast, Malegaon Blast, Mecca Masjid Blast etc. the persons initially arrested were Muslims whereas in all such cases those actually involved were other persons;

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

(c) what action has been taken against those who falsely implicated the Muslims;

(d) what action has been taken to compensate them for wrongful and illegal arrest and confinement; and

(e) the steps being taken to change the mindset of the security agencies?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (e) As per available inputs, no Muslims has been arrested in the Mecca Masjid blast case, Ajmer Sharief bomb blast case and Malegaon blast of 2008. The three persons (2 Muslims and 1 Hindu) who were initially arrested in the Samjhauta blast case on grounds of suspicion were discharged in this case by the court. Further, as per available information, 13 persons (9 arrested and 4 absconding) have been charge sheeted in the Malegaon bomb blast of 2006. These 9 arrested accused persons belong to the Muslim community, however, the accused persons have been charge sheeted on the basis of evidence collected during investigation and no accused person has been falsely implicated.

Terrorist and extremist organizaions

1895. SHRI MOHAMMED ADEEB : Will the Minister of HOME AFFAIRS be pleased to state:

(a) which are the terrorist and extremist organizations in the country;

(b) the organizations which have been banned;

(c) the organizations against which firms proof of involvement in terrorist and extremist activities has been found; and

(d) the details of such organizations/individuals against whom investigations/prosecutions are in progress?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) and (b) The schedule to Unlawful Activities (Prevention) Act (UAPA) contains a list of 35 entries/entities which have been listed as terrorist organizations. These organizations operate at inter-State/intra-State/international level, depending on their area of activities. The list of such terrorist organizations is given in Statement I [Refer to the Statement appended to Answer to USQ. No. 1872 Part (a) to (c)]. Further, nine organization have also been notified as Unlawful Associations under the relevant provision of 4APA the List of these Unlawful Associations are given in Statement II. [Refer to the Statement appended to Answers to USQ. No. 1872 part (a) to (c)]. Some of these organizations are also listed as terrorist organization.

Apart from the above, some other organizations have come to notice for involvement in terrorist/extremist activities.

(c) As per the previsions of UPA, an organization is listed as a terrorist organization if the Central Government believes that its involved in terrorism. Similarly, the Central Government declares an association to be unlawful if it is of the opinion that any association is, or has become, an unlawful association.

(d) The details of each organization or individual against whom investigations/proscecutions are in progress is not centrally maintained.

Electricity connections to unauthorized structures in NDMC area

1896. PROF. ALKA BALRAM KSHATRIYA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the name of the individual/organisation on whose recommendation the NDMC has sanctioned temporary electric connection to an unauthorized structure on Madhu Limaye Marg, Chanakyapuri;

(b) whether Government is encouraging encroachment on public land in prime areas of New Delhi by giving electricity to the encroachers;

(c) if not, the steps being taken to disconnect the electricity; and

(d) the ground which necessitated or forced the NDMC to sanction electric connection to illegal religious structure built on Government land unauthorisedly?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) to (d) Temporary electricity connections are sanctioned to various religious places in the New Delhi Municipal Council (NDMC) area, existing prior to 31.03.1993 on the basis of recommendation/confirmation from the respective area MLA. A policy on this issue was approved by the NDMC on 26.3.1997 and 31.3.1997. In accordance with the said policy and on the recommendation of the area MLA and certification from him that the existing temple was constructed prior to 1993, the NDMC has sanctioned a temporary electric connection to temple at Madhu Limaye Marg, Chanakyapuri, subject to the condition that sanction of electric connection shall not confer any legal right for regularization of building/land used and electricity supply shall be liable for disconnection of meter/service line without notice from NDMC, where the Government or concerned competent Government agency such as NDMC, DDA, etc. conveys immediate action for sealing/demolition/vacation of the building/land in order to discharge their statutory obligation. Action regarding removal of the unauthorized religious structures in the NDMC area is taken on the recommendation of a Religious Committee constituted by the Lieutenant Governor, Delhi.

Releasing prisoners who have completed 14 years imprisonment

†1897. SHRI NARESH CHANDRA AGARWAL : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether in view of the overcrowded prisons of country, amendment in law is being contemplated for releasing prisoners who have completed fourteen years in imprisonment;

(b) if so, by when the said amendment would be introduced; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) At present, there is no such proposal to amend the law for releasing prisoners who have completed fourteen years in imprisonment.

(b) and (c) Does not arise.

MPF in Maharashtra

1898. SHRI RANJITSINH VIJAYSINH MOHITE-PATIL : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has received a plan for Modernization of Police Force (MPF) for Rs. 58,54,652 from Maharashtra Government;

(b) whether the amount involved is for purchase of equipment and weaponry of State police force; and

(c) by when the funds are likely to be released by Government?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : (a) and (b) The State Government of Maharashtra had forwarded to this Ministry annual action plan for 2010-11 amounting to Rs. 175.00 crore under the Scheme for Modernization of State Police Force (MPF Scheme). The Proposal, *inter-alia*, includes purchase of equipment and weaponry for Maharashtra State Police Forces.

(c) The action plan of the State Govt. of Maharashtra was approved "in principle" by the High Powered Committee in Ministry of Home Affairs in its meeting held on 06.05.2010. Release of Central funds to the State under MPF Scheme during the current financial year, 2010-11 has started with release of Rs. 13.72 crore to the State Government in July, 2010 against Central allocation of Rs. 82.34 crore under the MPF Scheme for 2010-11.

Tripartite meeting with GJM on Gorkhaland

1899. SHRIMATI JHARNA DAS BAIDYA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) what prompted Government to call a tripartite meeting with Gorkha Janamukti Morcha (GJM) on the Gorkhaland issue;

(b) whether the Chief Minister of West Bengal has requested the Government to defer the meeting till the killers of All India Gorkha League President, Madan Tamang are nabbed; and

(c) if so, whether Government is aware that this talk will only give legitimacy to the GJM and will increase trouble further in the hills?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) Tripartite talks with the Gorkha Janamukti Morcha (GJM) on the Gorkhaland issue are in ongoing process. The fifth round of talks were held at political level on 18 March 2010 wherein it was decided that the next round of political level talks may be held in May 2010. However, the talks could not be held in May, 2010. As part of the ongoing process the Government decided to continue with the process of tripartite talks to find a solution to the Gorkhaland issue.

(b) The Chief Minister requested the Government of India to defer the meeting as he felt that in view of the development that had taken place after the murder of Madan Tamang, President, All India Gorkha League and the continued agitation by the Gorkha Janamukti Morcha, sitting with the leaders of GJM for talks would send a wrong signal to those who want peace and democracy to be restored in the hills. Subsequently however, after discussion with Union Home Minister, the Government of West Bengal agreed to participate at the tripartite talks which were held in New Delhi on 24 July, 2010.

(c) No, Sir.

Funds to Bihar for Holistic Development of maoist affected districts

1900. SHRI RAJNITI PRASAD : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details of funds released to the State of Bihar for holistic development of those districts affected by maoist violence;

(b) the strategy of Government for modernization of police forces to enable them to fight the maoist groups; and

(c) will Government revisit its policy of deployment of central forces in the trouble areas in view of recent attacks on central para-military forces?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) Allocation of funds for Bihar under the 9 flagship schemes in the year 2009-10 was Rs. 2983.23 crores. The implementation of the flagship schemes is being monitored by Planning Commission through online Management Information System (MIS) and the Information about these schemes can be accessed at <http://pcserver.nic.in/lwe>.

(b) The following amounts have been released under the modernisation of Police Force (MPF) Scheme to Bihar during the last three years and in the current year.

S.No.	Year	Amount (In crore)
1.	2007-08	16.24
2.	2008-09	41.57*
3.	2009-10	59.34**
4.	2010-11	12.76 out of 74.76 allocated

(c) The review pertaining to the deployment of Central Paramilitary Forces (CPMFs) in the naxal affected states is a continuous process and the appropriate process and the appropriate decisions are taken at the state level as per the ground situation in different affected States.

Cases registered for atrocities against SCs/STs

1901. SHRI Y.P. TRIVEDI : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of cases registered with the Police against atrocities on scheduled castes/scheduled tribes in past three years;

(b) what is the number of cases in which action was taken and closed; and

(c) what is the status of pending cases?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (c) As per information provided by National Crime Records Bureau (NCRB), a total of 27070, 30031 and 33615 cases of atrocities against Scheduled Castes were registered during 2006-2008 respectively. A total of 5791, 5532 and 5608 cases of atrocities against Scheduled Tribes were registered during 2006-2008. The State/UT-wise details of cases registered, and their disposal by Police and Courts during 2006-2008 are given in Statement-I and II (See below). State/UT-wise details of pending cases under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act.) during 2006-2008 are given in Statement-III and IV.

Statement-I

*Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) & Persons Convicted Under **Total Crimes** Against SCs during 2006-2008*

Sl.No. 2008		State	2006						2007										
			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	3891	2080	226	4286	4055	503	3383	1885	292	4175	3963	445	3998	1744	213	4626	4041	384
2	Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3.	Assam	282	103	21	387	119	24	126	101	33	155	115	40	104	37	7	140	76	18
4.	Bihar	2043	1237	173	3452	2807	307	2786	1810	175	4573	3734	268	3617	1937	232	5231	3991	372
5.	Chhattisgarh 280		444	395	105	780	789	222	511	461	128	1203	1183	374	600	590	122	1293	1274
6.	Goa	4	1	0	0	1	0	0	0	0	0	0	0	4	3	0	4	3	0
7.	Gujarat	995	910	42	2489	2443	113	1040	947	47	2787	2808	120	1231	1119	38	3060	3049	86

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
8.	Haryana	283	196	13	420	416	35	227	168	44	354	346	88	341	278	16	649	657	36
9	Himachal Pradesh	92	56	18	126	151	15	91	37	2	81	72	2	71	31	3	72	51	4
10.	Jammu & Kashmir	2	2	1	6	5	9	1	1	1	3	3	1	0	0	0	0	0	0
11.	Jharkhand	333	203	17	510	536	64	538	241	55	580	488	46	598	272	30	516	602	77
12.	Karnataka	1730	1356	35	4718	4599	83	1844	1422	48	4533	4527	127	2361	1808	47	5283	4951	143
13.	Kerala	364	206	33	379	374	91	477	273	19	506	483	34	519	275	9	585	695	12
14.	Madhya Pradesh	4214	4001	1321	8359	8371	3126	4106	3976	1695	8867	8846	3223	2965	3003	1665	6531	6547	3051
15.	Maharashtra	1053	800	44	2917	2573	81	1166	979	38	3436	3450	63	1192	1031	60	3530	3248	127
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	5	2	0	2	2	0	0	0	2	0	0	2	0	0	0	0	0	0
20.	Orissa	1153	933	99	1570	1520	243	1355	997	82	2317	2207	161	1836	1367	89	1696	1642	140
21.	Punjab	184	96	8	293	199	14	177	90	10	313	193	28	101	86	9	219	228	31
22.	Rajasthan	3910	1919	893	3850	3873	2088	4174	2028	821	3626	3642	1275	4302	1952	711	3817	3792	1263
23.	Sikkim	2	1	0	1	1	0	10	11	5	10	10	5	17	12	12	24	13	11
24.	Tamil Nadu	991	777	176	2026	1795	358	1743	945	140	2588	2108	327	1618	968	140	2126	2031	311
25.	Tripura	14	3	0	19	6	0	8	8	10	7	6	13	4	3	0	3	4	0
26.	Uttar Pradesh	4960	3934	2402	11106	10189	6197	6144	4885	2888	15926	13327	7159	8009	5980	3299	21523	16495	9655
27.	Uttarakhand	68	48	30	125	133	78	71	46	33	122	116	64	42	35	37	60	58	112
28.	West Bengal	13	9	0	16	14	0	4	7	0	13	9	0	19	8	1	15	6	1
	Total State	27030	19268	5657	47837	44971	13621	29982	21318	6568	56175	51636	13865	33549	22539	6740	61003	53454	16114
29.	A & N Islands	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
30.	Chandigarh	2	0	0	0	0	0	0	0	0	0	0	0	2	2	0	3	3	0
31.	D & N Haveli	2	3	0	2	5	0	0	1	0	0	1	0	1	1	0	5	5	0
32.	Daman & Diu	1	2	0	10	10	0	0	0	0	0	0	0	0	0	0	0	0	0
33.	Delhi UT	21	8	2	11	20	3	24	13	3	16	13	5	34	19	3	14	29	2
34.	Lakshadeep	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35.	Puducherry	14	5	1	12	10	2	25	23	1	54	55	1	29	17	0	41	28	0
TOTAL UT		40	18	5	35	45	5	49	37	4	70	69	6	66	39	3	63	65	2
TOTAL		27070	19283	5662	47872	45016	13626	30031	21355	6572	56245	51705	13871	33615	22578	6743	61066	53519	16116
ALL INDIA																			

Statement-II

*Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) & Persons Convicted Under **Total Crimes** Against STs during 2006-2008*

Sl.No. 2008	State	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	793	443	42	877	962	71	753	521	53	909	867	77	750	410	40	953	932	69
2	Arunachal Pradesh	27	18	2	18	16	2	32	19	0	21	17	0	63	50	0	52	52	0
3.	Assam	244	114	20	278	125	20	49	91	31	63	110	48	130	35	4	133	52	12
4.	Bihar	56	31	5	87	59	8	65	46	2	134	110	4	99	53	2	155	89	2
5.	Chhattisgarh 181		583	524	172	895	877	172	615	584	137	801	823	285	614	587	159	917	913
6.	Goa	0	1	0	1	1	0	0	0	0	0	0	0	1	0	0	8	0	0
7.	Gujarat	164	159	5	382	371	9	156	139	6	389	389	12	223	215	8	586	588	21

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
8.	Haryana	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9	Himachal Pradesh	17	11	1	18	18	4	2	2	0	25	16	0	0	1	1	0	9	1
10.	Jammu & Kashmir	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11.	Jharkhand	332	229	23	295	338	58	268	191	56	206	218	35	231	159	16	335	232	31
12.	Karnataka	214	157	10	612	590	16	205	140	4	337	333	5	400	248	5	945	856	12
13.	Kerala	75	51	11	57	62	22	88	59	12	96	81	28	106	72	4	142	210	6
14.	Madhya Pradesh	1498	1437	584	2680	2751	1213	1501	1455	715	2868	2833	1205	1071	1106	504	2079	2086	960
15.	Maharashtra	267	227	8	631	691	15	239	203	7	797	708	13	268	230	26	785	767	42
16.	Manipur	26	0	0	0	0	0	1	0	0	0	0	0	1	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	109	32	17	38	38	17	0	0	17	0	0	26	26	16	4	0	0	0
20.	Orissa	349	256	64	348	349	75	394	264	37	733	716	41	508	422	37	770	748	43
21.	Punjab	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
22.	Rajasthan	967	440	222	963	946	453	110	470	195	921	934	355	1038	462	192	970	969	401
23.	Sikkim	0	0	0	0	0	0	13	17	10	24	28	10	12	6	5	11	6	5
24.	Tamil Nadu	24	16	1	53	35	1	17	11	1	28	15	3	14	14	0	27	47	0
25.	Tripura	9	8	0	12	6	0	6	8	2	6	8	2	14	10	3	11	9	3
26.	Uttar Pradesh	11	9	18	21	21	28	4	4	15	6	6	31	9	7	9	18	18	30
27.	Uttarakhand	1	2	3	0	0	0	1	1	3	8	8	3	0	0	3	0	0	9
28.	West Bengal	7	13	1	9	18	2	5	0	0	2	0	0	17	10	0	25	15	0
Total State		5773	4178	1209	8275	8274	2186	5524	4225	1302	8374	8220	2183	5595	4113	1022	8922	8598	1828

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
29.	A & N Islands	17	16	0	60	59	0	1	0	0	1	0	0	3	2	0	9	2	0
30.	Chandigarh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
31.	D & N Haveli	1	2	0	2	6	0	3	2	0	5	5	0	10	7	0	23	21	0
32.	Daman & Diu	0	0	0	0	0	0	3	1	0	2	2	0	0	0	0	0	0	0
33.	Delhi UT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
34.	Lakshadweep	0	0	0	0	0	0	1	1	0	1	1	0	0	0	0	0	0	0
35.	Puducherry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL UT		18	18	0	62	65	0	8	4	0	9	8	0	13	9	0	32	23	0
TOTAL ALL INDIA		5791	4196	1209	8337	8339	2186	5532	4229	1302	8383	8228	2183	5608	4122	1022	8954	8621	1828

Statement-III

(A) Cases for trial including pending cases from previous year (CST), trial completed (TC), Cases convicted (CV), Cases pending trial at end of year (CPT), Conviction Rate (CVR) under atrocities against scheduled castes during 2006

Sl.No.	State	CST	TC	CV	CPT	CVR
1	2	3	4	5	6	7
1.	Andhra Pradesh	5726	1382	219	4278	15.8
2.	Arunachal Pradesh	2	0	0	2	-
3.	Assam	155	55	21	100	38.2
4.	Bihar	6179	763	173	5346	22.7
5.	Chhattisgarh	1202	263	105	909	39.9
6.	Goa	2	1	0	1	0.0
7.	Gujarat	7826	799	41	7019	5.1
8.	Haryana	692	157	13	35	8.3
9.	Himachal Pradesh	271	72	18	187	25.0
10.	Jammu & Kashmir*	12	8	0	3	0.0
11.	Jharkhand	618	110	17	504	15.5
12.	Karnataka	6704	1468	35	5222	2.4

1	2	3	4	5	6	7
13.	Kerala	1694	579	33	1110	5.7
14.	Madhya Pradesh	17483	4690	1318	12452	28.1
15.	Maharashtra	6020	955	44	5030	4.6
16.	Manipur	0	0	0	0	-
17.	Meghalaya	0	0	0	0	-
18.	Mizoram	0	0	0	0	-
19.	Nagaland	3	0	0	2	-
20.	Orissa	5428	729	99	4699	13.6
21.	Punjab	2833	60	8	215	13.3
22.	Rajasthan	10421	2162	884	7992	40.9
23.	Sikkim	10	0	0	10	-
24.	Tamil Nadu	293	708	170	2225	24.0
25.	Tripura	32	0	0	32	-
26.	Uttar Pradesh	29620	4900	2343	24586	47.8

27.	Uttarakhand	369	59	30	310	50.8
28.	West Bengal	16	3	0	13	0.0
Total State		103701	19923	5571	82782	28.0
29.	A & N Islands	0	0	0	0	-
30.	Chandigarh	5	3	0	2	0.0
31.	D & N Haveli	4	0	0	4	-
32.	Daman & Diu	3	2	0	1	0.00
33.	Delhi UT	38	5	2	33	40.0
34.	Lakshadweep	2	2	2	0	100.0
35.	Puducherry	9	0	0	9	-
TOTAL UT		61	12	4	49	33.3
TOTAL ALL INDIA		103762	19935	5575	82831	28.0

Source : Crime in India

SC/ST (POA) Act is not applicable in J & K. However, figures shown here relate to crime committed against SC/STs by non-SC/STs.

(B) Cases for trial including pending cases from previous year (CST), trial completed (TC), Cases convicted (CV), Cases pending trial at end of year (CPT), Conviction Rate (CVR) under atrocities against scheduled castes during 2007

Sl.No.	State	CST	TC	CV	CPT	CVR
1	2	3	4	5	6	7
1.	Andhra Pradesh	6081	1955	289	4109	14.8
2.	Arunachal Pradesh	2	0	0	2	-
3.	Assam	201	76	33	125	4.43
4.	Bihar	7156	1010	173	6075	17.1
5.	Chhattisgarh	1370	336	128	1030	38.1
6.	Goa	1	0	0	1	-
7.	Gujarat	7964	766	47	7195	6.1
8.	Haryana	703	186	44	517	23.7
9.	Himachal Pradesh	220	23	2	197	8.7
10.	Jammu & Kashmir*	3	0	0	3	-
11.	Jharkhand	744	153	53	580	34.5
12.	Karnataka	6625	1525	48	5089	3.1

13.	Kerala	1383	451	19	903	4.2
14.	Madhya Pradesh	16428	4239	1693	11790	39.9
15.	Maharashtra	5989	1178	34	4805	2.9
16.	Manipur	0	0	0	0	-
17.	Meghalaya	0	0	0	0	-
18.	Mizoram	0	0	0	0	-
19.	Nagaland	2	2	2	0	100.0
20.	Orissa	5696	820	82	4876	10.0
21.	Punjab	305	73	10	232	13.7
22.	Rajasthan	10020	1737	821	8090	47.3
23.	Sikkim	21	7	5	14	71.4
24.	Tamil Nadu	3155	831	122	2324	14.7
25.	Tripura	40	29	10	11	34.5
26.	Uttar Pradesh	29458	5220	2854	24171	54.7
27.	Uttarakhand	356	93	33	263	35.5

1	2	3	4	5	6	7
28.	West Bengal	19	1	0	18	0.0
	Total State	103942	20711	6502	82420	31.4
29.	A & N Islands	0	0	0	0	-
30.	Chandigarh	2	0	0	2	-
31.	D & N Haveli	5	1	0	4	0.00
32.	Daman & Diu	1	0	0	1	-
33.	Delhi UT	46	8	3	38	37.5
34.	Lakshadweep	0	0	0	0	-
35.	Puducherry	10	2	0	7	0.0
	TOTAL UT	64	11	3	52	27.3
	TOTAL ALL INDIA	104006	20722	6505	82472	31.4

Statement-IV

(A) Cases for trial including pending Cases from previous year (CST), Trial completed (TC), Cases convicted (CV), Cases Pending Trial at end of year (CPT), Conviction Rate (CVR) under atrocities against scheduled tribes during 2006

Sl.No.	State	CST	TC	CV	CPT	CVR
1	2	3	4	5	6	7
1.	Andhra Pradesh	1094	308	42	779	13.6
2.	Arunachal Pradesh	154	6	2	147	33.3
3.	Assam	172	66	20	106	30.3
4.	Bihar	123	16	5	107	31.3
5.	Chhattisgarh	1673	355	172	1234	48.5
6.	Goa	1	0	0	1	-
7.	Gujarat	1764	152	5	1612	3.3
8.	Haryana	0	0	0	0	-
9.	Himachal Pradesh	13	2	1	11	50.0
10.	Jammu & Kashmir*	1	1	0	0	0.0
11.	Jharkhand	643	81	23	540	28.4

1	2	3	4	5	6	7
12.	Karnataka	838	195	10	638	5.1
13.	Kerala	465	234	11	231	4.7
14.	Madhya Pradesh	6068	1673	584	4248	34.9
15.	Maharashtra	2292	258	8	2027	3.1
16.	Manipur	0	0	0	0	-
17.	Meghalaya	1	0	0	1	-
18.	Mizoram	0	0	0	0	-
19.	Nagaland	34	17	17	17	100.0
20.	Orissa	2228	233	64	1995	27.5
21.	Punjab	0	0	0	0	-
22.	Rajasthan	2509	601	220	1855	36.6
23.	Sikkim	11	0	0	11	-
24.	Tamil Nadu	46	1	1	45	100.0
25.	Tripura	15	0	0	15	-

26.	Uttar Pradesh	157	40	18	117	45.0
27.	Uttarakhand	22	3	3	19	100.0
28.	West Bengal	19	1	1	18	100.0
TOTAL STATE		20343	4243	1207	15774	28.4
29.	A & N Islands	21	0	0	21	-
30.	Chandigarh	0	0	0	0	-
31.	D & N Haveli	16	2	0	14	0.0
32.	Daman & Diu	1	0	0	1	-
33.	Delhi UT	1	0	0	1	-
34.	Lakshadweep	0	0	0	0	-
35.	Puducherry	0	0	0	0	-
TOTAL UT		39	2	0	37	0.0
TOTAL ALL INDIA		20382	4245	1207	15811	28.4

Source : Crime in India *SC/ST(POA) ACT is not applicable in J & K. However, figures shown here relate to crimes committed against SC/STs by non-SC/STs

(B) Cases for trial including pending cases from previous year (CST), Trial completed (TC), Cases convicted (CV), Cases Pending Trial at end of year (CPT), Conviction Rate (CVR) under atrocities against scheduled castes during 2008

Sl. No.	State	CST	TC	CV	CPT	CVR
1	2	3	4	5	6	7
1.	Andhra Pradesh	5806	1515	192	4221	17.2
2.	Arunachal Pradesh	2	0	0	2	-
3.	Assam	162	26	7	136	26.9
4.	Bihar	8012	1244	229	6719	18.4
5.	Chhattisgarh	1620	357	122	1217	34.2
6.	Goa	4	0	0	4	-
7.	Gujarat	8311	1024	38	7278	3.7
8.	Haryana	794	151	16	643	10.6
9.	Himachal Pradesh	225	50	3	168	6.0
10.	Jammu & Kashmir*	3	0	0	3	-
11.	Jharkhand	852	188	30	630	16.0
12.	Karnataka	6877	1664	47	5193	2.8

13.	Kerala	1178	208	9	966	4.3
14.	Madhya Pradesh	14792	4501	1665	9924	37.0
15.	Maharashtra	5824	681	59	5135	8.7
16.	Manipur	0	0	0	0	-
17.	Meghalaya	0	0	0	0	-
18.	Mizoram	0	0	0	0	-
19.	Nagaland	0	0	0	0	-
20.	Orissa	6243	780	89	5454	11.4
21.	Punjab	318	56	9	262	16.1
22.	Rajasthan	10042	1546	711	8356	46.0
23.	Sikkim	26	15	12	11	80.0
24.	Tamil Nadu	3286	767	126	2505	16.4
25.	Tripura	14	6	0	8	0.0
26.	Uttar Pradesh	30112	5987	3283	24083	54.8
27.	Uttarakhand	300	81	37	219	45.7

1	2	3	4	5	6	7
28.	West Bengal	26	5	1	21	20.0
	Total State	104829	20852	6685	83158	32.1
29.	A & N Islands	0	0	0	0	-
30.	Chandigarh	4	0	0	4	-
31.	D & N Haveli	5	1	0	4	0.0
32.	Daman & Diu	1	1	0	0	0.0
33.	Delhi UT	57	5	3	52	60.0
34.	Lakshadweep	0	0	0	0	-
35.	Puducherry	7	2	0	4	0.0
	TOTAL UT	74	9	3	64	33.3
	TOTAL ALL INDIA	104903	20861	6688	83222	32.1

(C) Cases for trial including pending cases from previous year (CST), Trial completed (TC), Cases convicted (CV), Cases Pending Trial at end of year (CPT), Conviction Rate (CVR) under atrocities against scheduled tribes during 2007

Sl. No.	State	CST	TC	CV	CPT	CVR
1	2	3	4	5	6	7
1.	Andhra Pradesh	1299	393	53	905	13.5
2.	Arunachal Pradesh	166	0	0	166	-
3.	Assam	197	81	31	116	38.3
4.	Bihar	153	32	2	121	6.3
5.	Chhattisgarh	1818	329	137	1461	41.6
6.	Goa	1	0	0	1	-
7.	Gujarat	1751	139	6	1612	4.3
8.	Haryana	0	0	0	0	-
9.	Himachal Pradesh	13	4	0	9	-
10.	Jammu & Kashmir*	0	0	0	0	-
11.	Jharkhand	731	237	49	487	20.7
12.	Karnataka	778	214	4	560	1.9

1	2	3	4	5	6	7
13.	Kerala	290	107	12	182	11.2
14.	Madhya Pradesh	5703	1694	714	3856	42.1
15.	Maharashtra	2230	400	7	1820	1.8
16.	Manipur	0	0	0	0	-
17.	Meghalaya	1	0	0	1	-
18.	Mizoram	0	0	0	0	-
19.	Nagaland	17	17	17	0	100.0
20.	Orissa	2259	231	37	2028	16.0
21.	Punjab	0	0	0	0	-
22.	Rajasthan	2325	518	195	1777	37.6
23.	Sikkim	27	19	10	8	52.6
24.	Tamil Nadu	56	6	1	50	16.7
25.	Tripura	23	4	2	19	50.0
26.	Uttar Pradesh	121	25	15	96	60.0

27.	Uttarakhand	20	5	3	15	60.0
28.	West Bengal	18	0	0	18	-
TOTAL STATE		19997	4455	1295	15308	29.1
29.	A & N Islands	21	0	0	21	-
30.	Chandigarh	0	0	0	0	-
31.	D & N Haveli	16	2	0	14	0.0
32.	Daman & Diu	2	0	0	2	-
33.	Delhi UT	1	0	0	1	-
34.	Lakshadeep	1	0	0	1	-
35.	Puducherry	0	0	0	0	-
TOTAL UT		41	2	0	39	0.0
TOTAL ALL INDIA		20038	4457	1295	15347	29.1

(D) Cases for trial including pending cases from previous year (CST), Trial completed (TC), Cases convicted (CV), Cases Pending Trial at end of year (CPT), Conviction Rate (CVR) under atrocities against scheduled tribes during 2008

Sl. No.	State	CST	TC	CV	CPT	CVR
1	2	3	4	5	6	7
1.	Andhra Pradesh	1313	392	40	907	10.2
2.	Arunachal Pradesh	216	0	0	216	-
3.	Assam	151	20	4	131	20.0
4.	Bihar	174	14	2	156	14.3
5.	Chhattisgarh	2050	494	159	1494	32.2
6.	Goa	1	1	0	0	0.0
7.	Gujarat	1827	261	8	1560	3.1
8.	Haryana	0	0	0	0	-
9.	Himachal Pradesh	10	3	1	7	33.3
10.	Jammu & Kashmir*	0	0	0	0	-
11.	Jharkhand	646	96	16	513	16.7
12.	Karnataka	806	141	5	662	3.5

13.	Kerala	254	41	4	212	9.8
14.	Madhya Pradesh	4962	1257	504	3562	40.1
15.	Maharashtra	2050	225	26	1824	11.6
16.	Manipur	0	0	0	0	-
17.	Meghalaya	1	0	0	1	-
18.	Mizoram	0	0	0	0	-
19.	Nagaland	0	0	0	0	-
20.	Orissa	2450	236	37	2214	15.7
21.	Punjab	0	0	0	0	-
22.	Rajasthan	2239	444	192	1776	43.2
23.	Sikkim	14	8	5	6	62.5
24.	Tamil Nadu	64	8	0	56	0.0
25.	Tripura	29	16	3	13	18.8
26.	Uttar Pradesh	103	14	9	89	64.3
27.	Uttarakhand	14	3	3	11	100.0

1	2	3	4	5	6	7
28.	West Bengal	28	2	0	26	0.0
	Total State	19402	3676	1018	15436	27.7
29.	A & N Islands	23	0	0	23	-
30.	Chandigarh	0	0	0	0	-
31.	D & N Haveli	21	4	0	17	0.0
32.	Daman & Diu	2	0	0	2	-
33.	Delhi UT	1	0	0	1	-
34.	Lakshawdeep	1	0	0	1	-
35.	Puducherry	0	0	0	0	-
	TOTAL UT	48	4	0	44	0.0
	TOTAL ALL INDIA	19450	3680	1018	15480	27.7

Criminal cases against serving IPS officers

1902. SHRI THOMAS SANGMA : Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of criminal cases registered, sanction for the criminal prosecution granted, cases for sanction pending, request for sanction rejected separately against serving officers of Indian Police Service (IPS), year-wise and State-wise;

(b) the total number of cases where serving IPS officers are currently undergoing criminal trial, State-wise; and

(c) the total number of cases where serving IPS officers have been convicted or acquitted in criminal proceedings, year-wise and State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI AJAY MAKEN) : (a) to (c) The information is being collected and will be laid on the table of the House.

Increase in unemployment despite increasing economic growth rate

1903. DR. MANOHAR JOSHI : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the unemployment in the country has increased despite increasing economic growth rate;

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

(c) whether such growth is limited to certain sectors only;

(d) if so, the details thereof and the reasons therefor; and

(e) the steps taken by Government to increase employment growth at par with economic growth rate?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) and (b) Reliable estimates of employment and unemployment are obtained through quinquennial labour force surveys conducted by National Sample Survey Organisation (NSSO) and data for Gross Domestic Product are compiled quarterly and annually by Central Statistical Organisation. Last quinquennial labour force survey was conducted during 2004-05. Employment elasticity with respect to Gross Domestic Product measured as employment content of growth seems to have improved significantly from 0.15 during 1993-94 - 1999-2000 to 0.44 during 1999-2000

to 2004-05 on current daily status basis. Simultaneously, unemployment rates also increased from 7.3 per cent in 1999-2000 to 8.3 per cent in 2004-05. This was due to the fact that the pace of growth in labour force at 2.84 per cent annum exceeded the growth in the work force of 2.62 per cent per annum. The next labour force survey has been conducted during 2009-10 and its results are expected to be available during 2011.

(c) and (d) Percentage share of different sectors in Gross Domestic Product (G.D.P.) at factor cost at constant prices (2004-05) during the year 2009-10 is given below :

Sector	% share in G.D.P.
Agriculture and allied	14.6
Industry	28.5
Services	56.9

(e) Eleventh Five Year Plan aims at creating 58 million job opportunities through normal growth process and by implementing various employment generation schemes, such as, Swarana Jayanti Rozgar Yojana (SJSRY); Prime Minister's Employment Generation Programme (PMEGP); Swarnajayanti Gram Swarozgar Yojana (SGSY) and Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS).

Increase in pension to industrial workers under EPS-1995

1904. SHRI PRAKASH JAVADEKAR : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that minimum pension granted under EPS-1995 to industrial workers has not been increased since the year 2000;

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

(c) the action Government is contemplating in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) and (b) It is true that the minimum pension granted under the Employees' Pension

Scheme to industrial workers after the year 2000 has not been increased. This has not been possible as the annual valuation of Employees' Pension Fund has revealed actuarial deficit after 01.04.2000.

(c) The Central Government has Constituted an Expert Committee on the Employees' Pension Scheme, 1995. The issue of increase in minimum pension alongwith other issues was placed before this Committee for examination and consideration. The Committee has since submitted its report on 5th August, 2010 which will be examined by the Government.

Outstanding dues of workers retired from various industrial units

1905. SHRIMATI VIPLOVE THAKUR : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the State-wise details of cases pending regarding outstanding dues like gratuity, provident fund, insurance claims and other financial benefits to be paid to the workers retired from various industrial units in the country;

(b) the reasons for pendency of such cases;

(c) whether Government has taken any steps for early disposal of such pending cases; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) The Employees' Provident Fund Organisation (EPFO) is concerned with only the provident fund and pension benefits payable on retirement of provident fund subscriber. The State-wise details of EPF and Pension claims of provident fund subscribers pending as on 31.03.2010 given in Statement I and II (See below).

With regard to outstanding dues like gratuity, no data is centrally maintained since such labour laws are implemented by the State Government concerned as per provisions of the Payment of Gratuity Act, 1972. However, in respect of Central Sector units, information is given in Statement-III (See below).

In so far as Employees' State Insurance Scheme of ESIC, the question of any outstanding dues of workers retired from various industrial units does not arise.

(b) to (d) The reason for pending of claims is due to shortage of manpower. However, steps are being taken by the field offices of EPFO by monitoring the settlement of claims by providing adequate manpower in fields offices. Computerisation of all offices of EPFO is also being done on priority basis which will help reduce the pendency claim.

Statement-I

*State-wise details of pending provident fund claims as on 31.03.2010**

Sl.No.	State	No. of Pending Claims
1	2	3
1.	Andhra Pradesh	19500
2.	Bihar	34
3.	Chhattisgarh	19
4.	Delhi	29062
5.	Goa	137
6.	Gujarat	17841
7.	Haryana	46921
8.	Himachal Pradesh	0
9.	Jharkhand	1200
10.	Karnataka	18026
11.	Kerala	1129
12.	Madhya Pradesh	1136
13.	Maharashtra	74085
14.	North Eastern Region	67
15.	Orissa	1715
16.	Punjab	2180
17.	Rajasthan	4333

1	2	3
18.	Tamil Nadu	41785
19.	Uttar Pradesh	1121
20.	Uttarakhand	3770
21.	West Bengal	6464
TOTAL		270525

Statement-II

*State-wise details of pending pension (10A/10D) claims as on 31.3.2010**

Sl.No.	State	No. of Pending Claims
1	2	3
1.	Andhra Pradesh	4372
2.	Bihar	09
3.	Chhattisgarh	19
4.	Delhi	2803
5.	Goa	84
6.	Gujarat	3492
7.	Haryana	2133
8.	Himachal Pradesh	00
9.	Jharkhand	1113
10.	Karnataka	5375
11.	Kerala	601
12.	Madhya Pradesh	610
13.	Maharashtra	28431
14.	North Eastern Region	156
15.	Orissa	2293

1	2	3
16.	Punjab	149
17.	Rajasthan	1005
18.	Tamil Nadu	5435
19.	Uttar Pradesh	1072
20.	Uttarakhand	1211
21.	West Bengal	6216
TOTAL		66579

*Provisional

Statement-III

Details of disposal of Gratuity dues for closed industries for the year 2007-08, 2008-09, 2009-10 under Central Sphere.

Ahmadabad Region

(Gujarat)

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	03	01	02	40787
2009-10	02	02	02	448198

Ajmer Region

(Rajasthan)

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Asansol Region**(Part of West Bengal)**

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Bangalore Region**(Karnataka)**

Year	Registered	Disposed of	Pending	Amount
2007-08	336	Nil	336	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	134	Nil	470	Nil

Bhubaneswar Region**(Orissa)**

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	37	37	Nil	400000

Chandigarh Region**(Punjab, Haryana, Himachal Pradesh and Jammu & Kashmir)**

Year	Registered	Disposed of	Pending	Amount
2007-08	1	1	Nil	-
2008-09	60	4	56	555450
2009-10	100	49	107	3674380

Chennai Region**(Tamil Nadu)**

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Coachin Region**(Kerala)**

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Dehradun Region**(Uttaranchal)**

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Dhanbad Region**(Bihar and Jharkhand)**

Year	Registered	Disposed of	Pending	Amount
2007-08	11	Nil	11	Nil
2008-09	04	Nil	04	Nil
2009-10	119	09	110	790620

Guwahati Region**(Eastern States)**

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Hyderabad Region**(Andhra Pradesh)**

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Jabalpur Region**(Madhya Pradesh)**

Year	Registered	Disposed of	Pending	Amount
2007-08	59	59	Nil	1730560
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Kanpur Region**(Uttar Pradesh)**

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Kolkata Region**(Part of West Bengal)**

Year	Registered	Disposed of	Pending	Amount
2007-08	3	Nil	6	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	3	Nil	43	23,09,304*

*The cases belong to Jute Mill Workers.

Mumbai Region
(Part of Maharashtra)

Year	Registered	Disposed of	Pending	Amount
2007-08	13	16	16	Nil
2008-09	09	20	05	Nil
2009-10	Nil	Nil	Nil	Nil

Nagpur Region
(Part of Maharashtra)

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

New Delhi Region

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Patna Region
(Part of Bihar)

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	Nil	Nil	Nil	Nil

Raipur Region
(Chhattisgarh)

Year	Registered	Disposed of	Pending	Amount
2007-08	Nil	Nil	Nil	Nil
2008-09	Nil	Nil	Nil	Nil
2009-10	12	12	Nil	300000

Non-Payment of minimum wages to workers

1906. SHRIMATI VIPLOVE THAKUR : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Government has received complaints regarding non-payment of minimum wages to workers and labourers in several companies/factories/industries established under public and private sectors during each of the last three years and current year;

(b) if so, the State-wise and sector-wise details thereof;

(c) the steps taken by Government against such organizations;

(d) whether any inquiry has been conducted on the basis of these complaints; and

(e) if so, the details thereof along with the action taken against the officials found guilty?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) to (e) The minimum wages, fixed/revised under the Minimum Wages Act, 1948 for different categories of workers engaged in different scheduled employments in the Central and State sphere are applicable to establishments both in the public and private sectors. The enforcement of the act is secured at two levels. While in the Central sphere, the enforcement is secured through the inspecting Officers of the Chief Labour Commissioner (Central) commonly designated as Central Industrial Relations Machinery (CIRM), the compliance in the State sphere is ensured through the State Enforcement Machinery. They conduct regular inspections and in the event of detection of any case of non-payment or under-payment of minimum wages, they advise the employers to make payment of the shortfall of wages. In case of non-compliance, penal provisions against the defaulting employers are invoked.

On the basis of information made available, the details regarding enforcement of Minimum Wages Act, 1948 in the Central and State sphere for the last three years *i.e.*, 2006-07, 2007-08 and 2008-09, is given in Statement I, II and III.

Statement-I

Details regarding enforcement of minimum wages Act, 1948 during 2006-07

S.No. cases	Name of the State/UT made	Inspection		Irregularities					Claims		Prosecution	
		Amount	Amount of Fine						Compensation		(Rs.	
		Defected	Rectified	Field	Settled	Pending	Filed	Decided	Awarded	Imposed	Recovered	(Rs. '000)
1	2	3	4	5	6	7	8	9	10	11	12	13
	Central Sphere	15147	-	-	1706	1860	-	5692	4942	20421	-	-
	State Sphere											
1.	Andhra Pradesh	88957	12389	10458	19952	14847	661	389	394	5683	67	51
2.	Arunachal Pradesh	187	10	6	1	Nil	4	4	Nil	Nil	Nil	Nil
3.	Assam	9432	6067	5020	59	21	24	58	19	908	16	14
4.	Bihar	278336	54700	51253	20763	19177	1152	122	35	11738	696	-
5.	Chhattisgarh*	5214	2678	782	367	337	9394	1222	919	1335	234	300
6.	Goa	582	2319	513	5	-	13	20	10	-	6	-
7.	Gujarat	99966	19592	19444	1	69	2210	208	380	-	132	-
8.	Haryana	2320	389	45	218	277	990	93	155	2090	70	-

1	2	3	4	5	6	7	8	9	10	11	12	13
9.	Himachal Pradesh	1331	469	358	Nil	26	142	55	Nil	Nil	34	Nil
10.	Jharkhand	69460	9882	9212	1514	1337	1274	25	7	4474	11	10
11.	Karnataka	35171	12474	9371	2126	1335	621	526	389	14522	337	-
12.	Kerala	28744	48962	22085	117	42	523	808	794	544	532	532
13.	Madhya Pradesh	29483	2845	1458	643	414	8711	1387	485	162	314	314
14.	Maharashtra	64714	54739	45748	3	-	1402	156	90	1677	59	-
15.	Manipur	319	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
16.	Meghalaya	425	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
17.	Mizoram	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
18.	Nagaland	20	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
19.	Orissa	26787	23910	12414	269	27	9144	770	551	Nil	105	-
20.	Punjab	14851	2833	2469	181	278	2563	589	326	130	181	-
21.	Rajasthan	8393	195	42	229	216	864	123	217	5798	68	68
22.	Tamil Nadu	94483	1154	91	1996	1298	4627	713	638	18479	221	221
23.	Tripura	6803	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
24.	Uttarakhand	3238	1337	663	335	255	105	508	351	2888	168	157

1	2	3	4	5	6	7	8	9	10	11	12	13
25.	Uttar Pradesh	16990	12836	5208	3639	2933	8906	1066	883	96861	188	-
26.	West Bengal	25467	7004	6753	-	-	708	73	68	-	33	33
27.	Andaman & Nicobar Islands	243	972	972	-	-	-	-	-	-	-	-
28.	Chandigarh	277	196	-	123	86	94	84	132	97	111	-
29.	Dadra & Nagar Haveli	13	2	2	-	-	-	-	-	-	-	-
30.	Daman & Diu	511	-	-	-	-	-	-	-	-	-	-
31.	Delhi	8575	7002	6333	451	513	11382	1060	612	1373	459	252
32.	Lakshadweep	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
33.	Pudhcherry	7138	215	215	Nil	Nil	2	3	1	Nil	0.7	0.7

Note : The information from Jammu & Kashmir and Sikkim are awaited.

*Relates to the Calendar Year, i.e. 2006.

Statement-II

Details regarding enforcement of minimum wages act, 1948 during 2007-08

S.No. cases	Name of the State/UT made	Inspection		Irregularities					Claims		Prosecution	
		Amount	Amount of Fine						Compensation		(Rs.	
		Defected	Rectified	Field	Settled	Pending	Filed	Decided	Awarded	Imposed	Recovered	(Rs. '000)
1	2	3	4	5	6	7	8	9	10	11	12	13
	Central Sphere	14039	132496	140913	2005	2697	44389	2486	-	7960	-	-
	State Sphere											
1.	Andhra Pradesh	77683	17829	12505	27071	23051	1057	328	458	152	86	83
2.	Arunachal Pradesh	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
3.	Assam	37905	16464	4936	476	247	307	148	66	570	Nil	Nil
4.	Bihar	217682	44534	41225	18134	14596	1160	85	25	14282	541	-
5.	Chhattisgarh*	5380	2159	605	146	95	9579	1245	866	1280	0.1	573
6.	Delhi	8992	6279	6086	481	452	1432	993	210	2106	334	211
7.	Goa*	1195	7172	6159	6	6	1	6	5	-	28	-

1	2	3	4	5	6	7	8	9	10	11	12	13
8.	Gujarat	140381	119143	81790	-	81	49763	6146	4015	5586	3268	172
9.	Haryana	2433	531	531	238	262	1029	189	76	4160	44	-
10.	Himachal Pradesh	2595	2595	2217	2	1	31	378	347	2	284	-
11.	Jammu and Kashmir	2041	330	227	3	-	447	105	135	-	0.3	0.3
12.	Jharkhand	80839	9237	8971	1364	1623	989	17	44	7802	6	0
13.	Karnataka	27482	9638	8291	1085	659	685	1368	578	13198	783	738
14.	Kerala	29160	60850	19634	179	90	537	807	847	992	866	866
15.	Madhya Pradesh	22831	1629	158	627	993	5337	1471	719	278	156	156
16.	Maharashtra	87459	79921	68386	-	-	6079	317	1162	-	495	-
17.	Manipur	595	30	18	-	-	-	-	-	-	-	-
18.	Meghalaya	384	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
19.	Mizoram	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
20.	Nagaland	12	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
21.	Orissa	23962	18903	11538	197	-	9674	675	145	Nil	39	-
22.	Punjab	15301	1295	1188	88	120	306	317	202	479	86	-

23. Rajasthan	9527	307	112	385	282	770	197	137	5275	52	-
24. Sikkim	7003	-	-	-	-	-	-	-	-	-	-
25. Tamil Nadu	105906	746	98	644	1134	7969	616	295	39349	176	122
26. Tripura	5989	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
27. Uttarakhand	3804	1136	374	251	295	107	233	243	5904	90	88
28. Uttar Pradesh	37022	19227	842	4996	4716	7494	1225	909	2690000	247	-
29. West Bengal	16188	3838	3715	-	-	713	61	51	-	22	-
30. Andaman & Nicobar Islands*	272	1088	1088	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
31. Chandigarh	222	145	-	47	164	201	55	73	13	53	-
32. Dadra & Nagar Haveli	28	7	7	1	1	-	2	-	41	-	-
33. Daman & Diu*	397	-	-	-	-	-	-	-	-	-	-
34. Lakshadweep	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
35. Puducherry	9225	185	185	Nil	Nil	2	Nil	Nil	Nil	0.7	0.7

*Relates to the Calendar year *i.e.* 2007.

Statement-III

Details regarding enforcement of minimum wages act, 1948 during 2008-09

S.No. cases	Name of the State/UT made	Inspection		Irregularities			Claims			Prosecution		
		Amount		Amount of Fine			Compensation			(Rs.		
		Defected	Rectified	Field	Settled	Pending	Filed	Decided	Awarded	Imposed	Recovered	
									(Rs. '000)			
1	2	3	4	5	6	7	8	9	10	11	12	13
	Central Sphere	14720	147815	153373	2015	2236	199721	4382	3591	8017	-	-
	State Sphere											
1.	Assam	15485	7207	5699	92	66	24	44	33	128	Nil	Nil
2.	Bihar	218923	46465	43267	19289	13080	1374	136	14	11447	2979	-
3.	Chhattisgarh*	5438	2127	770	93	125	10107	1361	337	-	8964	-
4.	Delhi	8750	5627	5073	248	52	1475	657	267	2087	158	57
5.	Goa*	2012	5866	328	6	10	56	11	25	-	21	2
6.	Gujarat	99263	17941	17825	26	2	1743	274	278	-	118	118
7.	Haryana	2305	793	793	329	286	1123	282	188	17780	1366	-
8.	Himachal Pradesh	2310	1363	867	21	101	257	210	Nil	Nil	135	Nil
9.	Karnataka	13555	10027	8523	1313	968	926	1116	415	10829	1372	-
10.	Kerala	32146	67780	23139	137	117	497	1191	998	5045	1068	1068

11.	Maharashtra	57994	62016	43868	16	-	4725	375	303	8514	267	3
12.	Manipur	985	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
13.	Mizoram	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
14.	Nagaland	25	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
15.	Punjab	15063	1160	1031	64	142	5196	355	411	384	195	-
16.	Rajasthan	9797	325	93	428	284	828	79	69	12238	30	-
17.	Tamil Nadu	79798	520	324	683	625	4323	661	286	20663	223	176
18.	Tripura	1746	37	37	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
19.	Uttarakhand	3653	1158	585	112	93	167	401	281	2038	57	57
20.	Uttar Pradesh	53581	26805	1324	5563	5143	7809	2147	4579	1398000	509	-
21.	West Bengal	13749	5237	3941	-	-	716	253	40	-	28	-
22.	Andaman & Nicobar Islands*	168	672	672	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
23.	Chandigarh	248	145	7	9	31	724	-	25	-	-	-
24.	Dadra & Nagar Haveli	30	8	8	-	-	-	-	-	-	-	-
25.	Puducherry	10894	220	195	Nil	Nil	2	2	2	Nil	Nil	Nil

Note : The information from Andhra Pradesh, Jammu & Kashmir, Jharkhand, Madhya Pradesh, Meghalaya, Orissa, Sikkim, Daman & Diu and Lakshadweep are awaited.

*Relates to the Calender Year, i.e. 2008.

Interest rate on EPF

1907. SHRI MOHD. ALI KHAN : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether EPF interest rate is likely to be fixed at 8.5 per cent for 2010-11;

(b) if so, the details thereof;

(c) the demands pending with the Board in this regard; and

(d) by when action will be taken on each demand?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) to (d) The rate of interest for the year 2010-11 is to be based on the income receivable on the corpus during the year and it is likely to be declared by the Central Board of Trustees, Employees' Provident Fund [CBT(EPF)] in its next meeting scheduled to be held on 04.09.2010.

Employment for urban educated youth and rural working class

1908. SHRI PRAVEEN RASHTRAPAL : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the status of employment made available to urban educated youth and rural working class during financial year 2007-08 and 2008-09 in the States of Gujarat, Maharashtra, Madhya Pradesh and Rajasthan; and

(b) the details regarding employment opportunities to unemployed in the cities of Delhi, Lucknow, Kanpur, Ahmedabad, Jaipur, Mumbai, Hyderabad, Bangalore and Kolkata during the year 2007-08 and 2008-09?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) Number of job-seekers including youth residing both in rural and urban areas provided employment through employment exchanges in the states of Gujarat, Maharashtra, Madhya Pradesh and Rajasthan during financial years 2007-08 and 2008-09 is given below :-

Sl.	State	2007-08	2008-09
1.	Gujarat	193297	156880
2.	Maharashtra	7366	12160
3.	Madhya Pradesh	4238	6452

4.	Rajasthan	2810	4108
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Details of employment generated for the rural working class under the Mahatma Gandhi National Rural Employment Gurantee Scheme (MGNREGS) and Swarnjayanti Gram Swarozgar Yojana (SGSY) in the financial year 2007-08 and 2008-09 are given in Statement (See below).

(b) Details of employment provided to the job-seekers, all of whom may not necessarily be unemployed, through the employment exchanges located in the following cities during the financial years are given below:-

Sl.No.	City	2007-08	2008-09
1.	Delhi	82	26
2.	Lucknow	104	169
3.	Kanpur	87	800
4.	Ahmedabad	25587	23664
5.	Jaipur	72	132
6.	Mumbai	364	201
7.	Hyderabad	54	0
8.	Bangalore	849	477
9.	Kolkata	297	298

Statement

Employment generated through Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) and Swarnjayanti Gram Swarozgar Yojana (SGSY) during financial year 2007-08 and 2008-09

(in lakh)

State	MGNREGS		SGSY	
	Persondays generated		No. of swarozgaris assisted	
	2007-08	2008-09	2007-08	2008-09
Gujarat	90.06	213.07	0.45	0.41
Madhya Pradesh	2753.01	2946.97	0.73	0.99
Maharashtra	184.86	419.85	1.19	1.55
Rajasthan	1678.38	4829.55	0.50	0.58

National policy on skill development

1909. SHRIMATI KANIMOZHI : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the details of National Policy on Skill Development;
- (b) whether Government aims to provide under this effort;
- (c) what types of skills will be provided skills training to 500 million people by 2022 and if so, the details thereof;
- (d) the total number of job opportunities created since 2007; and
- (e) whether Government is on track to meeting the target of creating 58 million job opportunities as envisaged by the Eleventh Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT): (a) National Policy on Skill Development (NPSD) was approved by the Cabinet on 23rd February, 2009. The policy envisions a roadmap for skill development in the country with a mission to empower all individuals through improved skills which are nationally and internationally recognized so as to gain access to decent employment and ensure India's competitiveness in the global skills market. Following are the objectives of the NPSD:

- i. Create opportunities for all to acquire skills throughout life, and especially for youth, women and disadvantaged groups.
- ii. Promote commitment by all stakeholder to own skill development initiatives.
- iii. Develop a high-quality skilled workforce/entrepreneur relevant to current and emerging employment market needs.
- iv. Enable the establishment of flexible delivery mechanism that respond to the characteristics of a wide range of needs of standards.
- v. Enable effective coordination between different ministries, the Centre and the States and public and also private skill providers.

(b) NPSD has set a target for skill development of 500 million persons by the year 2022 by involving all stake holders through concerned Ministries and Departments. The details of target for different Ministries/Departments is given in Statement (See below).

(c) Efforts would be made to provide diversified skills covering both - range and depth of skills, in traditional, industrial era and post-industrial era to present vast array of skills that individual can choose from.

(d) and (e) The 11th Five Year Plan envisages generation of 58 million new work opportunities. The actual achievement of employment generation with reference to the 11th Plan target would be known after the result of the next round of quinquennial survey of NSSO becomes available during 2011. Accordingly, the target set for employment generation may be re-visited on the basis of these results.

Statement

<i>Details of targets</i>	
National Skill Development Corporation	150
Labour & Employment	100
Tourism	5
Textiles	10
Road Transport and Highways	30
Rural Development	20
Women & Child Development	10
Agriculture	20
HRD Higher Education	50
HRD Vocational Education	
Heavy Industry	10
Urban Development	15
Information Technology	10
Food Processing	5
Construction Industry Development Council (under Planning Commission)	20

Health & Family Welfare	10
Micro Small and Medium Enterprises	15
Social Justice & Empowerment	5
Overseas Indian Affairs	5
Finance-Insurance/Banking	10
Consumer Affairs	10
Chemicals & Fertilizers	5
Others (Power, Petroleum etc.)	15
TOTAL	*530

*Distribution amongst different Ministries/Department has been kept more than 500 millions.

Status of National Child Labour Project Scheme

1910. DR. GYAN PRAKASH PILANIA : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the status of National Child Labour Project Scheme launched in 1988;

(b) the steps taken by Government for rehabilitation of migrant and trafficked child labour under the scheme; and

(c) the State-wise achievement thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) Under the Scheme of National Child Labour Project (NCLP), the children withdrawn from work are enrolled in the special schools, where they are provided bridging education, vocational training, nutrition, health care, stipend etc., for preparing them to mainstream into format education. At present, special schools are operational in 266 districts under the Scheme.

(b) A Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked & Migrant Child Labour was developed and circulated among the State/UT Governments to deal with the issue of migrant child labour which envisages pre-rescue and rescue operations, post rescue and

repatriation, rehabilitation and prevention. Role of all the key stakeholders, viz. labour departments, police, district administration, health department etc. has been defined in the protocol.

(c) Details of the number of children mainstreamed into formal system of education, state-wise, is given in Statement.

Statement

*Details of the children mainstreamed under
National Child Labour Project Scheme*

Andhra Pradesh	2,78,735
Bihar	14,631
Chhattisgarh	8,383
Jharkhand	16,465
Karnataka	17,714
Madhya Pradesh	7,751
Maharashtra	7,945
Orissa	93,893
Rajasthan	15,642
Tamil Nadu	84,212
Uttar Pradesh	67,172
West Bengal	27,198
Punjab	3,762
SUB-TOTAL (upto 1995-96)	4,205
GRAND TOTAL	6,47,708

Regulation of employment and social security to agriculture workers

1911. SHRI RAMA CHANDRA KHUNTIA : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the Ministry is bringing labour legislation for regulation of employment and social security for the workers in agriculture; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) and (b) With a view to providing social security to unorganized workers, including agriculture workers, the Government has enacted the Unorganized Workers' Social Security Act, 2008. The National Social Security Board has met twice and has deliberated upon extension of social security schemes to unorganized workers, including workers in agriculture.

Women in hilly areas covered by RSBY

1912. SHRI RAMA CHANDRA KHUNTIA : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether many women in hilly areas like Himachal Pradesh, Uttarakhand, Assam, Kashmir and North East are dying by snake bites and accidents while working on the hills;

(b) whether these women workers are already covered by the Rashtriya Swasthya Bima Yojana (RSBY); and

(c) if so, the details thereof and how many workers in Himachal Pradesh, Uttarakhand have been covered under this scheme?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) As per information received from Central Bureau of Health Intelligence under Ministry of Health & Family Welfare, total number of deaths of women due to snake bite in India during 2009 was 1162 (provisional).

(b) and (c) All BPL families (a unit of five) including women are covered under Rashtriya Swasthya Bima Yojana (RSBY). Diseases/procedures which require hospitalization are covered under the scheme. As on 31.07.2010, 947 BPL families in Himachal Pradesh and 1,42,177 BPL families in Uttarakhand have been covered under the scheme.

Liberalising labour laws to attract FDI

1913. SHRI RAJEEV SHUKLA : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the Ministry proposes to take any initiative to liberalize the current Labour Laws in order to increase inflow of FDI, with the growing concern of foreign companies regarding the rigid labour laws of our country;

(b) whether the current procedure mandating Government approval for the termination of employment of people employed in organisation having more than 100 employees is unfair and restrictive, thus effecting FDI in India; and

(c) if so, what steps are being taken to liberalize the same?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) Review/updation of labour laws are a continuous process in order to bring them in tune with emerging needs of the economy including promotion of both domestic and foreign investment. Accordingly, Bills to amend the Industrial Disputes Act, 1947 and the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988 have been passed and introduced, both in the Rajya Sabha, respectively.

(b) and (c) Chapter V B of the Industrial Disputes Act, 1947, which has provision for seeking permission relating to lay-off, retrenchment and closure in respect of industrial establishments in which not less than one hundred workmen were employed on an average per working day for preceding twelve months, is equally applicable to both domestic and foreign establishments.

Kaushal Vikas Yojana

1914. SHRI M.V. MYSURA REDDY : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the details of aims and objectives of the 'Kaushal Vikas Yojana';

(b) the criteria adopted in identifying blocks;

(c) whether it is a fact that the above scheme is implemented through Public Private Participation (PPP) mode; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EMPLOYMENT (SHRI HARISH RAWAT) : (a) The aim of 'Kaushal Vikas Yojana (KVY)' is to provide more equitable access to skill development opportunities across the country by reducing regional imbalances in skill development institutions.

Immediate objective of KVV is to set up 1500 new Industrial Training Institutes, 5000 Skill Development Centres across the country.

(b) The institutes will be set up preferably in unserved blocks (blocks where no ITIs/ITCs exists), difficult & backward areas including hilly areas, border areas etc.

(c) and (d) The scheme is yet to be started and would be implemented through Public Private Partnership (PPP) mode involving three partners:-

(i) Private Training Provider the lead role;

(ii) State Governments are expected to extend all the possible logistical support, provide land & basic infrastructural facilities free of cost; and

(iii) Central Government providing Viability Gap Funding (VGF).

Schools running under NCLP in Tamil Nadu

1915. SHRI N. BALAGANGA : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the details of the number of schools being run as part of the National Child Labour Project (NCLP) in Tamil Nadu;

(b) if so, the place where these schools are located in Tamil Nadu;

(c) whether Government is aware that many schools have been closed due to lack of funds in Tamil Nadu; and

(d) the details of steps initiated by Government to reopen these schools?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) and (b) Under the Scheme of National Child Labour Projects (NCLP), 433 schools are running in 18 districts of Tamil Nadu. District wise details are given in Statement. (See below).

(c) No schools were closed due to lack of funds.

(d) Does not arise.

Statement

Details of the schools being run under NCLP

Name of the District	No. of Schools running
1	2
Chennai	20
Coimbatore	11

1	2
Dharmapuri	32
Dindigul	25
Erode	28
Krishnagiri	27
Theni	9
Tirunelveli	14
Tiruchirapalli	30
Toothukudi	17
Salem	40
Vellore	41
Tiruvannamalai	28
Namakkal	31
Virudhunagar	41
Thirvallur	12
Kanchipuram	27
TOTAL	433

ITIs sanctioned for Jharkhand

1916. MS. MABEL REBELLOW : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) how many ITIs are sanctioned for Jharkhand specially for the LWE districts, indicating the details thereof, district-wise and year-wise for the last three years; and

(b) the completion status of these projects indicating the details thereof, district-wise and year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) and (b) Sir, Government has not yet sanctioned any Industrial Training Institute

specially in districts affected by Left Wing Extremism (LWE) in last three years. However, Government is formulating a scheme titled "Skill Development of Youth in 34 districts affected by LWE" wherein it has also been proposed to set up new ITIs in districts affected by LWE.

Skill development training to youths

1917. SHRI NARESH GUJRAL : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Government has figures of number of youths who were imparted skill development training during the last three years by various Government institutions;

(b) how many of these students were able to find jobs thereafter; and

(c) how much money was spent by Central and State Government on these Skill Development Centres?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) to (c) Information is being collected from concerned Ministries and would be submitted after compilation.

Welfare of Rag pickers

†1918. SHRI PRABHAT JHA : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Government is aware that children and women constitute about 90 to 92 percentage of the rag pickers in the country;

(b) if so, the details thereof;

(c) whether any action plan is being implemented by Government in the country for the welfare of rag pickers; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) to (d) Rag pickers are unorganized workers who are presently not covered by any substantial labour laws. The exact number of rag pickers is not known. However, the Government

†Original notice of the question was received in Hindi.

has enacted the Unorganised Workers' Social Security Act, 2008 for social security and welfare of unorganized workers including rag pickers. The Government has also set up a Task Force to evolve a policy frame work for rag pickers in the context of regulatory mechanism and providing social security.

Child labour in coal mines

1919. SHRI H.K. DUA : Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that several thousand children under the age of 14 are being used in the coal mines in Meghalaya; and

(b) if so, what steps have been taken to check this serious violation of the law which strictly forbids the use of child labour in mines?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : (a) and (b) The Government is in receipt of a report brought out by impulse NGO Network and Asian Human Rights Commission alleging rampat use of child labour in the coal mines in Jaintia Hills in Meghalaya. The Government of India has constituted a team to investigate into the matters, a stringent action will be taken on the outcome of the investigation.

Irregularities in recruitment of Deputy General Manager

1920. SHRI AMAR SINGH : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that a large number of persons have been appointed in National Highways Authority of India as Deputy General Manager etc., who have neither applied for the post nor appeared for interviews in the said organization;

(b) whether it is also a fact the preliminary vigilance report submitted by the Vigilance Department to Chairman of NHAI has pointed out the likely involvement of high ranking officials like NHAI Member, Chief General Manager etc. in the said recruitment scam for appointment of Deputy General Manager; and

(c) if so, the details thereof and what action Government has taken against them?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) to (c) The allegations of wrong doings in recruitment/appointment to the post of Deputy General Manager etc., in the National Highways Authority of India are being enquired into.

Compensation to land owners for setting up SEZ

†1921. SHRI DHIRAJ PRASAD SAHU : Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the details of earlier sanctions taken on Special Economic Zone (SEZ) projects after the Special Economic Zone Act, 2005 came into force in the country region-wise and State-wise;

(b) the details of the acquired land for the Special Economic Zone and compensation given to land owners for the same, State-wise;

(c) the steps being taken by Government to take on the sanctioned projects in a time bound manner;

(d) whether any study has been carried out to identify the problems faced by the project affected farmers; and

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

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : (a) In addition to seven Central Government Special Economic Zones (SEZs) and 12 State/Private Sector SEZs set up prior to the enactment of SEZ Act, 2005, formal approval has been accorded to 576 proposals out of which 358 SEZs have been notified state-wise details of distribution of SEZs is given in Statement (See below). Further details about these SEZs including sector, location etc. are available on the website www.sezindia.nic.in.

(b) The total land involved in 358 notified SEZs is 44,826 hectares. Land is a State subject. Land for SEZs is procured as per the policy and procedures of the respective State Governments. Relief and rehabilitation package for any affected person varies from State to State depending upon the provisions of the State policies.

(c) Setting up of Single Window Clearance Mechanism, fiscal benefits and duty concessions, continuous monitoring of SEZs by the Development Commissioners and Approval Committee,

†Original notice of the question was received in Hindi.

simplification of rules and procedures are some of the steps taken by the Govt. for speedy operationalisation of SEZs.

(d) and (e) The studies commissioned by the Department of Commerce have indicated that the new generation SEZs could create local area impact in terms of direct employment, emergence of new activities, changes in consumption pattern and social life, human development facilities (such as for education, healthcare) etc.

Statement

State-wise Distribution of approved Special Economic Zones

State	Formal Approvals	Notified SEZs
Andhra Pradesh	106	73
Chandigarh	2	2
Chhattisgarh	2	0
Delhi	3	0
Dadra & Nagar Haveli	4	2
Goa	7	3
Gujarat	47	30
Haryana	45	32
Himachal Pradesh	0	0
Jharkhand	1	1
Karnataka	51	31
Kerala	28	16
Madhya Pradesh	14	6
Maharashtra	108	61
Nagaland	2	1
Orissa	10	5
Puducherry	1	0
Punjab	8	2

State	Formal Approvals	Notified SEZs
Rajasthan	8	7
Tamil Nadu	70	57
Uttar Pradesh	34	17
Uttarakhand	3	2
West Bengal	22	10
GRAND TOTAL :	576	358

Kalindi Kunj by pass project on NH-2

1922. SHRI PARVEZ HASHMI : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether on NH-2 Kalindi Kunj bypass has been approved in 1991;
- (b) if so, whether work was started for this bypass;
- (c) if so, the reasons of non-completion of this bypass; and
- (d) the time limit fixed for completion of the project?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) The project of Kalindi Kunj bypass on NH-2 was conceived in the year 1990-91 and the financial sanction for the phase-I of project from Ring Road to Kalindi Kunj (Maharani Bagh) for a length of 6.3 km, was issued in November, 2002.

(b) The Constrcution of phase-I was started on 15.05.2003.

(c) The work has not been completed due to objection by Irrigation Department of U.P. Govt., Noida Toll Bridge Company, litigation between U.P. Govt. & M/s. Doon Company and environmental and rehabilitation issues.

(d) No time limit has been fixed as clearances from various bodies are required.

NHS prosposed under vision 2020

†1923. SHRI Y.P. TRIVEDI : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

†Original notice of the question was received in Hindi.

- (a) the number of proposed National Highways under Vision 2020;
- (b) the number of highways, where work has started so far; and
- (c) the number and details of highways where work has yet to start and the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) to (c) The Ministry in 2001 had prepared, through Indian Roads Congress (IRC), 'Road Development Plan Vision : 2021' for a period of 20 years (2001-2021). This document serves as only a valuable guide to the Centre and the State Governments for the planning purpose. The document *inter-alia* recommended a limited expansion of the National Highways (NH) system so as to have total length of NH Network of 80,000 km upto 2021 as compared to existing total NH length of about 57,700 km during the year 2000. The total length of NHs in the country at present is 70,934 km. The Government declares States roads as new NHs from time to time. However, priority is given for development and maintenance of the already existing NHs.

Fencing on both sides on busy and important highways

1924. SHRI PARVEZ HASHMI : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether there is any plan of the Ministry to put fencing on both the sides of all important and busy highways of the country;
- (b) whether Government is aware that cattle and wild animals are always being killed in road accidents; and
- (c) if so, the number of wild animals and cattles killed in road accidents in Delhi, Uttar Pradesh and Bihar during the last two years?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI MAHADEV S. KHANDELA) : (a) This Ministry is primarily responsible for development and maintenance of National Highways (NHs). There is no proposal to provide fencing on all the NHs.

(b) Yes, Sir.

(c) Accident data is compiled in the Ministry in a format developed as per the Asia Pacific Road Accident Database (APRAD) project of United Nations Economic and Social Commission for Asia

Pacific (UNESCAP). In this format, accident data is prepared on the basis of information provided by the concerned State Government in the 19 item format. The data regarding animals killed on National Highways in Delhi during the last two years is not available. The number of animals killed on National Highways in Bihar and Uttar Pradesh during the year 2007 is 42 and 58 respectively.

Upgradation of State roads of Bharuch district in Gujarat

1925. SHRI BHARATSINH PRABHATSINH PARMAR : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that Government of Gujarat has forwarded a proposal for the upgradation of two State roads of Bharuch district Dahej-Jolva-Navipur road and Dazhej-Muler Anand Jambuar road to National Highway under Petroleum-Chemical and Petroleum Investment Region (PCPIR);

(b) if so, the present status of the proposal and action taken thereon; and

(c) whether his Ministry has approved the proposal and earmarked the funds under the Central Road Fund (CRF) and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) No, Sir.

(b) and (c) Do not arise.

Implementation of New National Permit Scheme

1926. SHRI BHARATSINH PRABHATSINH PARMAR : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the salient features of the New National Permit Scheme;

(b) whether scheme of the New National Permit has been implemented in all States;

(c) if not, the number of States which have not implemented the scheme along with the reasons therefor; and

(d) the steps being taken by Government to implement the scheme throughout the country in a uniform manner?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI MAHADEV S. KHANDELA) : (a) National permit as per new National Permit Scheme can be

obtained for goods carriages for operation throughout the country on payment of Rs. 15000/- per annum per truck towards consolidated fee. Under this scheme, the consolidated fee is to be distributed among the States/UTs on the basis of an agreed formula.

(b) and (c) As per information available with this Ministry, the new National Permit System has been implemented in all the States/UTs except in Jammu & Kashmir due to prevailing situation in that State.

(d) The new National Permit System has been made effective by way of amending the Central Motor Vehicle Rules, 1989. The Central Motor Vehicle Rules are uniformly applicable throughout the country. The States have been advised to take measures to implement the system in accordance with the amended rules from time to time.

Pathetic condition of NHs in Uttarakhand

1927. SHRI BHAGAT SINGH KOSHYARI : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government is aware that the National Highways in Uttarakhand are in very bad shape;

(b) if so, the steps being taken by Government to improve the situation;

(c) whether it is a fact that the National Highway 87 E running through Kathgodam and Almora is in the worst shape;

(d) if so, the authorities responsible for this and whether the funds being provided for the maintenance of these National Highways are not being utilized properly; and

(e) if so, the funds provided so far and the details of the amount for which Centre has received appropriation certificate?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) to (e) National Highways including National Highway 87 E running through Kathgodam and Almora are maintained in traffic worthy condition within available funds and inter-se-priority. Details of funds allocated and utilized in respect of maintenance of National Highways in the State of Uttarakhand for the last 3 years and the current year is given in Statement.

Statement

*Details of funds allocated and utilized for
maintenance of National Highways*

(Rs. in Crore)

Year	Funds of maintenance	
	Allocation	Expenditure
2007-08	14.91	14.87
2008-09	20.04	19.89
2009-10	18.42	18.24
2010-11 (upto July 2010)	9.10	1.35

National Expressway Network in Gujarat

1928. SHRI KANJIBHAI PATEL : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the State Government of Gujarat has submitted a proposal for inclusion of 2871 Km. of roads as National Expressway Network;

(b) whether it is a fact that the Government has given its approval for only 725 Km roads as National Expressway Network;

(c) if so, whether Government is considering to give its approval on remaining 2146 Km. roads as National Expressway Network; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) to (d) This Ministry had awarded a Consultancy Services for Formulation of a Master Plan for a National Expressway Network in the country in December, 2008. All the State Governments were requested to offer their views on the Draft Report submitted by the Consultants. The Government of Gujarat requested for inclusion of about 2,871 km streteches of roads in the proposed Master Plan. The Final Report submitted by the Consultants, duly considering the views/observations received from the State Governments (including Gujarat) and recommending

inter-alia an Expressway Network of about 18,637 km for completion in prioritized manner in three phases spanning upto the year 2022, has been accepted by the Government. However, from an overall perspective of broad integration of the Expressway Network in the entire country, the exact alignment proposed by various States could not be adhered to by the Consultants while proposing the National Expressway Master Plan in the Final Report.

The Master Plan includes the following segments of National Expressway Corridors passing through the State of Gujarat (i) Ahmedabad-Rajkot (215 km) (ii) Bamanbore-Kandla (210 km) (iii) Surat-Nagpur-Raipur-Kolkata (1760 km) and (iv) Ahmedabad-Ratlam (350 km).

Improvement of border roads in Gujarat

1929. SHRI KANJIBHAI PATEL : Will the Minister of ROADS TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that a meeting was convened by the officials of Road Transport and Highways with the officials of the State Government of Gujarat in April, 2009;

(b) whether it is also a fact that as per the decision taken in this meeting, the State Government of Gujarat has submitted a proposal for the improvement of 965 km. of boarder roads in May, 2009;

(c) if so, whether the proposal has been approved by the Central Government; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) and (b) Yes, Sir. The State PWD has submitted the proposals to Ministry of Home Affairs being nodal Ministry for border roads. It is intimated by the Ministry of Home Affairs that the technical security of a proposal for a length of 255 km has been completed.

Establishing Expressway Authority to cater high speed traffic

1930. SHRI A. ELAVARASAN : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government has proposed to establish Expressway Authority a nodal body to facilitate building of over 18,000 kms of roads catering to high speed traffic on the pattern of the National Highways Authority of India (NHAI); and

(b) if so, the details thereof and timeframe proposed by Government for this move?;

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) to (b) The Eleventh Five Year Plan document *inter-alia*, envisages setting up of an Expressway Authority of India to formulate and implement a master Plan for 15600 kms of high density access-controlled expressways. The Expressways network plan is at the initial stage of planning. Hence, it is too early to indicate the completion date.

Conversion of single lane highways into double-lane highways in Rajasthan

1931. DR. GYAN PRAKASH PILANIA : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the details of single-lane highways in Rajasthan;

(b) whether the Central Government proposes to convert them into double-lane highways;

(c) if so, the details thereof, and their road map for completion;

(d) what is projected financial outlay and what is their present status;

(e) whether the construction has been delayed, if so, the reasons therefor and what is their anticipated completion schedule;

(f) the cost escalation due to delay, project-wise; and

(g) whether any enquiry has been conducted to fix automatically for delay and whether anyone has been punished?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) to (d) The details of single lane highways in Rajasthan are furnished in Statement (See below). Government proposes to convert single lane National Highways in Rajasthan to double lane. The details are given in Statement.

(e) No, Sir.

(f) and (g) Does not arise.

Statement

Details of Single Lane Highways in Rajasthan

Sl. No.	NH No.	Reach	Length in km	Project outlay/sanctioned cost (Rs. in crores)	Target date for completion
1.	11-A	Km 22.0 to 45.0	23.00	56.98	November, 2012
2.	90	Km 0 to 5, km 11 to 31, Km 50 to 51, km 57 to 59.1 km 64.25 to 88.5 (Baran-Aklara road)	52.35	122.08	December, 2012
3.	65	Km 95/200 to 96/0, km 97/0 to 129/0 & km 141/0 to 153/0	44.80	The stretches from part of the projects identified for two laning with paved shoulder and therefore it is too early to indicate the outlay. The NHDP projects are expected to be completed by 2015.	
4.	89	Km 78/0 to 85/0	7.00		

Number and Length of NHs in Rajasthan

†1932. SHRI ASHK ALI TAK : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the number of approved National Highways in Rajasthan and the local length thereof;

(b) whether any proposal to approve new National Highways for the State of Rajasthan is under consideration with the Central Government, if so, the details thereof; and

(c) by when the approval is likely to be given by Government?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) There are twenty one approval National Highways in Rajasthan. The total length of these National Highways is 5721.70 km.

(b) The Government of Rajasthan has submitted 26 proposals for declaring approximately 4718 km of state roads of Rajasthan at National Highways. Details of these proposals are given in Statement (See below).

†Original notice of the question was received in Hindi.

(c) Expansion of National Highway network is a continuous process and declaration of new National, Highways is taken up from time to time depending upon requirement of connectivity, inter-se priority and availability of funds;

Statement

Details of proposals of National Highways in Rajasthan

Sl.No.	Proposed NHs	Length (in km)
1	2	3
1.	Mathura-Bharatpur road	40
2.	Nasirabad-Devli road	95
3.	Kotputli-Sikar road	125
4.	Khairwada-Doongarpur-Banswara-Ratlam road	210
5.	Swarup-Ganj-Kotra-Som-Kherwada road	147
6.	Faludi-Nagore road	140
7.	Shridungargarh-Sardarshahar-Pulasar-Jasarasar	115
8.	Sawaimadhopur-Shivpuri (MP)	44
9.	Koshi-Kama-Deeg-Bharatpur-Roopwas-Dholpur	139
10.	Gaumti-Chauraha-Desuri-Sadri-Ahor-Jalore-Barmer	306
11.	Phalodi-Balotra-Jalore-Sirohi	343
12.	Nagaur-Deedwana-Khur-Sikar	176
13.	Kirki Chowki-Bhinder-Saiulumber-Aspur-Durgapur	146
14.	Hodel-Punhana-Nharatpur-Roopwas-Dholpur	202
15.	Chandwaji-Chomu-Bagru on NH-8	171
16.	Sirohi-Mandar-Deesa (Gujarat)	68
17.	Gurgaon-Alwar-Sariska-Dausa-Sawaimadhopur	248
18.	Barmer (NH-15)-Jalore-Ahor-Sdri-Desuri-Gaumati ka Chauraha-Kankroli-Bhilwara-Mandalgarh	446
19.	Jaipur (NH-8)-Jobner-Kuchaman-Nagaur-Phalodi (NH-15)	336

1	2	3
20.	Mathua (NH-3)-Bharatpur-Banyana-Bhadoti-Sawaimadhopur-Palighat-Itawa-Mangrol-Baran (NH-76)	332
21.	Bharatpur (NH-11)-Alwar-Bansur-Kotputli-Neem Ka Thana-Sikar-Salasar (NH-65)	301
22.	Fetehpur (NH-11)-Jhunjhunu-Chirawa-Singhana-Namol-Rewari (NH-8)	164
23.	Pratapgarh (NH-113)-Dungarpur-Bichiwada (NH-8)	226
24.	Jaipur (NH-12)-Diggi-Kekri-Shahpura-Mandal-Bhilwara (NH-79)	123
25.	Pali-Udaipur road	-
26.	Gomati Chauraha (NH-8) to Pali City via Nodal (NH-14) SH-16 and SH-67	45
SUB TOTAL :		4718

Compensation to State Governments for land given to NHAI Projects

1933. SHRI PARSHOTTAM KHODABHAI RUPALA : Will the Minister of TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether there is any demand raised by State Governments for compensation to hand over Government land to National Highways Authority of India for their projects; and

(b) the steps being taken by his Ministry for compensation of land of State Government for highways projects?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) Yes, Sir. Some State Governments insist on payment of compensation for their land.

(b) The National Highways Authority of India (NHAI) has a mandate to develop the National Highways under the National Highways Act 1988 and the NHAI is acquiring the land for the same on behalf of the Union Government. Considering the importance of the National Highways Development

Project for the economic development of the State as well as the country, the land owned by the State Government is required to be handed over to the NHAI free of cost.

Annual Target for Highways

1934. SHRI T.K. RANGARAJAN : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether his Ministry has set up any annual target for the development of highways in the country;

(b) if so, the details of the target fixed;

(c) whether work has been done in achieving the targets; and

(d) if so, the details of total length of Highways built during 2009-10?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) to (c) This Ministry is primarily responsible for the development and maintenance of National Highways (NHs) and roads other than NHs are under the purview of the respective State Governments. The details of targets fixed for development of NHs during 2010-11 and achievements thereof, along with details of targets fixed and length of NHs built during 2009-10 are given in the table.

Sl.No.	Name of the scheme	Targets for the year 2010-11	Achievements (up to June, 2010)	Targets for the year 2009-10	Length of NHs built during 2009-10
1	2	3	4	5	6
1.	Widening single lane to two lanes (kms)	1116.97	297.00	1320.95	1233.85
2.	Strengthening of existing weak two lane pavement (kms)	1213.41	229.88	1058.08	1012.70
3.	Widening to four/six lanes (kms)	2637.55	554.10	3244.50	2742.58
4.	Improvement of riding quality (kms)	2307.04	715.76	2510.31	3168.02

1	2	3	4	5	6
5. Construction of missing links (kms)	2.60	0.00	8.80	3.21	
6. Improvement to low grade sections (kms)	1.00	1.00	20.03	30.67	
7. Construction of bypaasses (Nos)	27	0	19	3	
8. Construction/rehabilitation of bridges (Nos)	189	9	134	122	

(d) A total length of 4,989 km of NHs was built during the year 2009-10.

Bar to bid more than three projects under new contract policy

1935. SHRI ISHWAR SINGH : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the new contract award policy for building highways bars bidders to take on more than three projects even if they have the resources and expertise;

(b) whether addendums have been issued in modification of Clause 2.1.18 in case of prestigious six-lane DBFOT (Toll) project under Delhi-Agra NHDP-V, to this effect and if so, the details thereof;

(c) whether Government feels that such restrictions are necessary to prevent bidders from over-stretching themselves; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) and (b) The Request for Proposal (RFP) documents for the road sector projects have been recently been amended for Build-Operate-Transfer projects, which would, *inter-alia*, curb international or accidental accumulation of projects for various National Highways projects, by bidders who may overstretch themselves and may result in difficulty in securing financing. According to these amendments, a Bidder shall not be eligible for bidding if,

(i) For projects with TPC less than Rs. 3000 crore, as on Bid Due Date, the Bidder, its Member or any Associate, either by itself or as member of a

Consortium has been declared by the

Authority as the Selected Bidder for undertaking 3 (three) such projects and the bidder is yet to achieve Financial Closure.

(ii) For projects with TPC in excess or equal to Rs. 3000 crore, a bidder shall not be eligible for bidding if, as on Bid Due Date, the Bidder, its Member or any Associate, either by itself or as member of a Consortium has been declared by the Authority as the Selected Bidder for undertaking 2 (two) such projects and the bidder is yet to achieve Financial Closure, subject, however, to the provision that total number projects under (i) & (ii) above for which the bidder is yet to achieve financial closure shall not exceed 3 (three).

The addendum in modification of Clause 2.1.18 in case of Delhi-Agra project under NHDP Phase-V, was issued by the NHAI on 22.04.2010 in terms of (i) above.

(c) and (d) Yes, Sir. In case of delay in achieving Financing Close by a bidder, as prescribed under the amendments, it has been considered prudent not to permit further bidding by that bidder with a view to restrict NHAI's exposure to such developers.

World Bank loan for road projects in NE States

1936. SHRI BIRENDRA PRASAD BAISHYA : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the World Bank has provided funds for the development of roads/highways/national highways/by-passes in NE States; and

(b) if so, the details of three years and achievement thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) and (b) Ministry of Road Transport & Highways is primarily responsible for development & maintenance of National Highways in the country including North Eastern States, wherein no fund has been provided by the World Bank for last three years. However, as per information received from Ministry of Finance, Department of Economic Affairs for State Roads, there is one road project namely Mizoram State Roads Project (CR 3618-IN) at the cost of US \$ 91 million is being implemented in the State of Mizoram with the assistance of World Bank credit. Total expenditure incurred on this project is US \$ 89.37 million out of which expenditure of US \$ 40.96 million incurred during the last three years.

New measures to quicken the pace of road projects

1937. SHRI N.K. SINGH : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the National Highways Authority of India has decided to undertake a number of new measures to quicken the pace of lagged projects;

(b) if so, the details thereof;

(c) whether several road projects are not properly implemented due to dispute between partners and non-serious bidders; and

(d) if so, to what extent new measures undertaken by NHAI are going to remove such hurdles in the development of road projects?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : (a) Yes Sir.

(b) In order to expedite implementation of projects, 12 Regional Officers have been set up by National Highways Authority of India (NHAI) each headed by Chief General Manager (CGM) with delegation of financial/administrative powers to speed up the Land Acquisition (LA) activities and progress of work. High powered committee under Chief Secretaries have been set up in the states with CGM in Regional offices of NHAI made as Members Secretary for coordinating the meetings on the issues related to National Highways Development Project (NHDP). Projects are also closely and periodically reviewed at the Headquarter as well as the field units.

(c) No, Sir.

(d) Does not arise.

Setting up separate board for road, security and traffic management

†1938. SHRI BIRJLAL KHABRI : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that Government is considering to set up a separate Board for road, security and traffic management;

†Original notice of the question was received in Hindi.

(b) if so, the details thereof; and

(c) by when this Board is likely to start functioning?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
(SHRI MAHADEV S. KHANDELA) : (a) and (b) There is no such proposal to create a Board for road, security and traffic management. However, a Bill was introduced in Lok Sabha on 4.5.2010 to create the National Road Safety and Traffic Management Board to oversee road safety activities in the country which was referred to Department related Parliamentary Standing Committee for examination. The Committee has submitted its report to the Chairman, Rajya Sabha on 21.7.2010.

(c) No definite time frame could be envisaged at this stage for constitution of the Board.

Funds to Bihar for development and maintenance of NHs

†1939. SHRI RAJNITI PRASAD : Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the details of the amount allocated to the State of Bihar for development and maintenance of National Highways during the last three years;

(b) the reasons for not yet reimbursing the amount spent on repairing of damaged highways by Government of Bihar;

(c) the details of the Government's plan for strengthening or constructing new highways for the development of under developed areas; and

(d) the details of the highways identified for construction, maintenance and development in Bihar by the Central Government during the current phase and the phase of development they are in?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
(SHRI R.P.N. SINGH) : (a) The amount allocated to the State of Bihar for development and maintenance of National Highways during the last three years are brought out as under along with the year-wise expenditure:

†Original notice of the question was received in Hindi.

(Rs. in Crore)

Year	Original Work		Maintenance and repair work	
	Allocation	Expenditure	Allocation	Expenditure
2007-08	96.82	90.28	29.90	25.32
2008-09	104.02	95.02	44.50	38.02
2009-10	245.45	245.45	69.51	50.70
TOTAL	446.29	430.75	143.91	114.04

(b) As per procedure, the State Government have to send proposals included in the Annual Plans and these are sanctioned depending upon the allocation to the stages, commitment of previously sanctioned works and the limit of sanction. The State Government did not follow these procedures, accorded technical sanctions and made financial commitments without any prior sanction or consultation with the Ministry. Notwithstanding the non-compliance with the procedures, it is not possible to find funds out of any given year's budget to reimburse the expenditure.

(c) The development and maintenance of National Highways including strengthening, expansion of the National Highways network is a continuous process depending upon availability of resources, traffic density, inter-se-priority and requirement of connectivity. However, development and maintenance of National Highways and expansion of the National Highways are not taken up on the basis of demographic or regional pattern.

(d) Besides sanctioning the various improvement and maintenance works out of the budgetary resources, the Government has taken up capacity augmentation of an aggregate length of 2042 km of various National Highways in Bihar under National Highways Development Project (NHDP) Phase-I, Phase-II, Phase-III and Phase-IV. In addition, 981 km length of various National Highways with single/intermediate lane carriageway has been identified under Special Project for development to 2-lane carriageway.

Special package for protection of textile industries

1940. SHRI P. RAJEEVE : Will the Minister of TEXTILES be pleased to state:

(a) whether Government has taken any decision to give special package

for protecting the textile industries;

(b) if so, the details thereof; and

(c) whether Government has any statistics regarding the number of workers who have lost jobs in textile sector during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) No, Sir.

(b) Does not arise.

(c) The Government do not have any statistics regarding the number of workers who have lost jobs in the textile sector during last three years. However, the details of workers who were on the roll of the cotton man-made fibre textile mills which closed down during the last three years are as under :-

(In nos.)

Year	No. of workers on roll of the closed mills
01.06.2007 to 31.05.2008	8255
01.06.2008 to 31.05.2009	2933
01.06.2009 to 31.05.2010	2744

Functioning of NTC Mills

1941. SHRI PRAVEEN RASHTRAPAL : Will the Minister of TEXTILES be pleased to state:

(a) how many NTC mills are functioning as on 1st April, 2010;

(b) the details of NTC mills which are closed but workers are given wages;

(c) the details of NTC mills which are likely to be revived in near future; and

(d) why closed mill like Indoo in Mumbai are not disposed of after appropriate procedure?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) 20 NTC mills were functioning as on 1st April, 2010.

(b) List of closed NTC mills where workers are given wages is given in Statement (See below).

(c) The revival of New Finlay Mills, Achalpur (Maharashtra), New Minerva Mills, Hasan (Karnataka), New Udaipur Cotton Mills, Beawar (Rajasthan) and New Rajnagar Textile Mill No. 1, Ahmedabad (Gujarat) is on as per the approval of the Board for Industrial and Financial Reconstruction (BIFR).

(d) The closed Indu Mill No. 2 & Indu mill No. 3 have been surrendered to Maharashtra Housing & Area Development Authority (MHADA) as per the Integrated Development Scheme of the State Government of Maharashtra. Lands of Indu Mill No. 4 & Indu Mill No. 6 were not disposed off earlier due to a slump in real estate market.

Statement

NTC Mills

S.No.	Name of Mill	No. of workers
1.	Rajanagar Textile Mill, Ahmedabad, Gujarat	14
2.	Swadeshi Cotton Mill, Naini, Uttar Pradesh	10
3.	Bengal Nagpur Cotton Mill, Rajnadgaon, Chhattisgarh	03
4.	Associated Industries, Chandrapur, Assam	05
5.	Bihar Cooperative, Gaya, Mokama	15
TOTAL		47

Proposal to Modernise powerloom, handloom and textile units

1942. SHRI NATUJI HALAJI THAKOR : Will the Minister of TEXTILES be pleased to state:

(a) whether Government proposes to modernize powerloom, handloom and textile units in the country including Surat-Navsari-Ahmedabad and Rajkot;

(b) if so, the specific programmes chalked out for this purpose;

(c) the amount of funds proposed to be spent thereon during the current Five Year Plan and the funds spent during each of last three years, head-wise in Surat-Navsari-Rajkot and Ahmedabad;

(d) whether any foreign assistance has been provided for the modernization of the units in said cities; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) and (b) (i) To facilitate the modernization and upgradation of the textile industry both in the organised and unorganized sector, the Technology Upgradation Fund Scheme (TUFS) was launched in 1999. The Technology Upgradation Fund Scheme (TUFS) is applicable all over country including Surat-Navsari-Ahmedabad. All textile units/powerloom units desiring to modernize their units are covered subject to fulfillment of eligibility condition under the scheme (In pursuance of Expenditure Finance Committee (EFC) decision dated 28.6.2010, Government has suspended sanction of project under TUFS w.e.f. 29.06.2010).

(ii) In addition, Govt. has also initiated various schemes like Scheme for Integrated Textile Parks (SITP) for providing world class infrastructure support to textile units, Group workshed scheme for powerloom sector which aims at setting up of Powerloom Parks with modern weaving machinery to enhance their competitiveness in the Global Market and other schemes which directly/indirectly helps the textile units in their modernization.

(iii) In the Handloom sector, the modernization/upgradation of handlooms is done on need basis and the proposals in this regard are received under the Integrated Handlooms Development Scheme (IHDS) duly recommended by State Govt. concerned.

(c) (i) The amount of Rs. 8000 crore was approved in the 11th five year plan for TUFS.

(ii) The fund released as subsidy under TUFS in Gujarat State during last three years are as under :-

Year-wise subsidy released under TUFS under 5% Interest Reimbursement

(IR) (Form-1) 10% Credit Linked Capital Subsidy (CLCS) (Form-2)

15% CLCS/MMS (Margin Money Subsidy) (Form-3)

(Rs. in crore)				
Place	2007-08	2008-09	2009-10	2010-11 upto June 2010
Gujarat	155.76	501.5	323.20	129.60

(iii) Separate data for subsidy released in Surat-Navsari-Ahmedabad is not available.

(iii) The fund utilised/released as subsidy to powerloom units under 20% MMS in Gujarat State during three years are as under :-

Fund released under 20% CLCS

	2007-2008			2008-2009			2009-2010		
No. of Units Released	Price of machinery Released	Amount	No. of units	Price of machinery Released	Amount	No. of units	Price of machinery Released	Amount	No. of units
Gujarat	112	4,371.88	864.66	72	1,879.57	362.86	29	1,203.64	240.63

(iv) Towards the developments of different powerloom clusters identified, 30 CDOs were given training in cluster development by the EDI, Ahmedabad during 2007-08 involving the total expenditure of Rs. 15.97 lakh and during the year 2008-09, Rs. 4.80 lakh has been spent for refresher training of Officers from Regional Officers & Headquarters.

Under IHDS, no specific budgetary allocation is made for any component and the expenditure is incurred based on the viable proposals received from the State Government concerned.

No proposal has been received from the State Government of Gujarat for modernization of handlooms in Surat, Nausari and Rajkot. One Cluster at Ahmadabad was sanctioned in 2007-08. Year-wise details of funds released under the following sub-companies of the Cluster Development Programme of IHDS for modernization of looms is a under :-

Components	Funds released (Rs. in lakh)		
	2007-08	2008-09	2009-10
New Looms	2.30	0	0
Dobby	1.90	0	0
Jacquard	1.60	0	0
Total	5.80	0	0

(d) No, Sir.

(e) Does not arise.

Transfer of Bharat Textile Mill land by NTC

1943. SHRI ISHWARLAL SHANKARLAL JAIN : Will the Minister of TEXTILES be pleased to state:

(a) whether it is a fact that National Textile Corporation has given advertisement for transfer of land of Bharat Textile Mill, Mumbai for housing projects;

(b) if so, the details thereof;

(c) whether it is also a fact that Government of Maharashtra has submitted the proposal to transfer in their favour for construction of houses of economically weaker section and low income group; and

(d) if so, Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) and (b) The National Textile Corporation (NTC) had released an advertisement on 21.6.2010 for the sale of land of Bharat Textile Mills, Mumbai.

(c) and (d) The Maharashtra Housing & Area Development Authority (MHADA) had requested for transfer of the land for affordable housing. Since the NTC Revival Plan as approved by the Board for Industrial and Financial Reconstruction (BIFR) is self-financing and is based on the sale of surplus lands, an online e-auction for the sale of this land has been conducted from 4th to 6th August, 2010 in accordance with BIFR approval.

Restructuring textile policies

1944. SHRI M. V. MYSURA REDDY : Will the Minister of TEXTILES be pleased to state:

(a) whether there are any plans before Government for restructuring its textile policies for infrastructural development so as to achieve a growth target of 12 per cent in the coming five years;

(b) if so, the details thereof;

(c) how his Ministry is planning to get cooperation from international players and collaborate them with the Indian textile industry; and

(d) to what extent the recommendations of the Working Group help in rejuvenating the textile sector in the country?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) and (b) Government is implementing several schemes viz., Technology Upgradation Fund Scheme, Scheme for Integrated Textile Park, Jute Technology Mission etc., as a continuous process for infrastructure development of textile sector. However, no growth target of 12% has been laid in the coming 5 years.

(c) The Ministry is pursuing a Plan Scheme, initiated in 2008-09 viz., the Foreign Direct Investment mobilization scheme under which road shows and investors meet have been organized in 5 countries which are considered potential investors in the textile sector. Under the scheme, the Ministry has facilitated interface between reputed international players and domestic industry in the textile sector.

(d) A Working Group was constituted in 2009 for formulation of draft National Fibre Policy which is aimed at providing filip to man made fibres, silk, jute, wool and other natural fibres sectors with a view to rejuvenate the entire spectrum of textile industry in India.

Export of Cotton

†1945. SHRI OM PRAKASH MATHUR : Will the Minister of TEXTILES be pleased to state:

(a) the quantum of cotton exported during the last five years and the value thereof;

(b) whether it is a fact that the production of cotton in the country has not been steady in the last few years; and

(c) if so, the reasons therefor and whether Government is contemplating to offer any special incentive to the cotton growing farmers?

THE MIINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) The quantum of cotton exported during the last five years and the value is as under :-

†Original notice of the question was received in Hindi.

Cotton Year (Oct.-Sept.)	Quantity of Cotton Exported (In lakh bales)	Value In Rs. Crores
2005-06	47.00	3887.62
2006-07	58.00	5463.27
2007-08	85.50	9351.74
2008-09*	35.00	3841.45
2009-10*	83.00	9208.43

*Provisional

Source : Textiles Commissioner; Mumbai

(b) and (c) No Sir, the production of cotton in the country has increased from 241 lac bales in cotton season 2005-06 to 295 lac bales in 2009-10. In the five year period from cotton season 2005-06 to 2009-10, there has been an overall increase of 22.4% in production.

Schemes for welfare of weavers

1946. SHRI ALI ANWAR ANSARI : Will the Minister of TEXTILES be pleased to state:

(a) the details of schemes being run by Government for welfare of weavers in the country;

(b) whether Government is aware that weavers are facing financial hardships and even they are committing suicide and are also victims of malnutrition;

(c) if so, the State-wise details thereof and financial assistance given to these weavers; and

(d) the details of loan granted thereof and financial assistance for their upliftment?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) The Government of India has been implementing the following Five Schemes for welfare of Handloom Weavers all over the country:-

Integrated Handloom Development Scheme

This scheme provides need based inputs to "Clusters" of 300-500 Handloom or "Groups" of 10-100 weavers for making them self sustainable by providing them financial assistance for margin money, working capital, new looms and accessories, skill upgradation, marketing opportunities and construction of Workshed. From 2007-08 to 2009-10, 213834 weavers have been benefited under Cluster Approach and 30727 weavers have been benefited under Group Approach, under the scheme.

Marketing and Export Promotion Scheme

This scheme provides marketing opportunities and infrastructure support through design development and marketing linkages to assist in the sale of the Handloom products both in domestic and international market.

Handloom Weavers Comprehensive Welfare Scheme

This comprises of two separate schemes viz., the Health Insurance scheme for providing Health Insurance to the Handloom Weavers and Mahatma Gandhi Bunkar Bima Yojana for provide Life Insurance Cover in case of natural/accidental death, total/partial disability due to accident. During (2007-08 to 2009-10, 52640205 weavers have been benefited under Health Insurance Scheme and 1552885 weavers have been benefited under Mahatma Gandhi Bunkar Bima Yojana.

Mill Gate Price Scheme

This scheme makes available all types of yarn at Mill Gate Price to the eligible handloom agencies to facilitate regular supply of basic raw material to the handloom weavers and to optimize their employment potential.

Diversified Handloom Development Scheme

This scheme provides assistance to technological and skill upgradation of weavers for design and product development through 25 Weavers Service Centres and 05 Indian Institutes of Handloom Technology all over the country to improve the productivity and earnings of the handloom weavers.

(b) and (c) No State Government except Government of Andhra Pradesh has reported the suicide of persons belonging to weavers' community during recent months. In the state of Andhra

Pradesh, 6 persons belonging to weavers community have reportedly committed suicide during months i.e. May and June, 2010. However, in the absence of any confirmation from the Sub Committee constituted for the purpose by the State Government, the State Government has concluded there are no instance of weavers having committed suicide to financial hardship.

(d) There is no loan component in any of the scheme of this office.

Including Parvathi Mills in NTC modernisation scheme

1947. SHRI K.N. BALAGOPAL : Will the Minister of TEXTILES be pleased to state:

(a) whether Government is considering inclusion of Parvathi Mills, Kollam in NTC modernisation scheme;

(b) if so, the details thereof;

(c) whether Government is aware of plight of Parvathi Mill workers who had taken VRS and left to live with a poor monthly pension; and

(d) if so, what steps have been taken to mitigate their sufferings?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) and (b) Parvathi Mills, Kollam is one of the mills included in the modernization scheme sanctioned by the Board for Industrial and Financial Reconstruction (BIFR) in the Modified Rehabilitation Scheme for NTC.

(c) and (d) The Workers of Parvathi Mills who took voluntary retirement have been paid full compensation in accordance with an attractive Modified Voluntary Retirement Schemes (MVRS). Apart from the *ex-gratia* payment made to the workers, compensation in the form of additional *ex-gratia* in those case where there was no wage revision after 1987 was also made. These benefits were in addition to the normal eligible EPF benefits, cash equivalent to the accumulated eligible Earned Leave, Gratuity etc. The pension payment received by the employees is as per their eligibility under the Employees 'Providend Fund Scheme.

Need for a mega cluster in Bihar

1948. SHRI TARIQ ANWAR : Will the Minister of TEXTILES be pleased to state:

(a) whether it is a fact that not even a single mega cluster has been given to handloom sector of Bihar on which a large number of minority handloom weavers are based;

(b) if so, the reasons therefor; and

(c) what action Government will take to have at least one mega cluster?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) to (c) So far, mega handloom clusters at Varanasi (Uttar Pradesh), Sivasagar (Assam), Virudhunagar (Tamilnadu) and Murshidabad (West Bengal) have been taken up as announced in the Budget for 2008-09 and 2009-10. One handloom cluster in Bhagalpur, covering about 5000 handlooms has been taken up in 2006-07 for its integrated and holistic development and is under implementation. In addition, 14 handloom clusters, each covering 300-500 handlooms have been taken up in the State of Bihar under the Integrated Handlooms Development Scheme during the period 2007-08 to 2009-10. Further, six Group Approach projects have been sanctioned upto 2009-10.

Child labour in Textile Industry

1949. DR. K.P. RAMALINGAM : Will the Minister of TEXTILES be pleased to state:

(a) whether the USA has warned that Indian textile companies will be included in Trafficking Victims Protection Reauthorisation Act (TVPRA) List saying that our textile companies are using child labour;

(b) if so, whether Government has set up dedicated cells to investigate the cases of suspected child labour in the textile industry; and

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

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) The United States Department of Labour has listed Indian Garments in the Trafficking Victims Protection Reauthorisation Act (TVPRA) list 2009. The TVPRA list is a list of 122 goods from 58 countries, and does not name companies/industry.

(b) No Sir.

(c) Does not arise.

Condition of weavers in UP

†1950. SHRI ALI ANWAR ANSARI : Will the Minister of TEXTILES be pleased to state:

†Original notice of the question was received in Hindi.

(a) whether Government is aware that the condition of weavers in the entire Uttar Pradesh including Varanasi and Chandausi is very deplorable and the weavers are forced to give up their traditional profession and take up other jobs;

(b) if so, the schemes Government proposes to implement, to bring the weavers back to their traditional profession and provide them financial assistance;

(c) whether it is a fact that hundreds of weavers have died due to hunger and poverty in Uttar Pradesh so far; and

(d) if so, by when Government will extend immediate relief to the weavers?

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : (a) and (b) No such report has been received from the State Government. The office of the Development Commissioner for Handlooms has been implementing the following schemes for the overall development of Handloom Sector in all over the country, including the State of Uttar Pradesh:

- (i) Integrated Handlooms Development Scheme
- (ii) Marketing and Export Promotion Scheme
- (iii) Handloom Weavers Comprehensive Welfare Scheme
- (iv) Mill Gate Price Scheme
- (v) Diversified Handloom Development Scheme

The details of Central assistance provided to the Uttar Pradesh State for development of the Handloom Sector and welfare of handloom weavers during XI Five Year Plan (till date) are as under:-

Sl.No.	Financial Year	Funds released (Rs. in lakh)
1.	2007-08	371.00
2.	2008-09	1367.00
3.	2009-10	1347.75
4.	2010-11 (till date)	507.45

(c) No such report has been received from the State Government

(d) Does not arise.

12.00 NOON

PAPERS LAID ON THE TABLE

Notification of the Ministry of Home Affairs

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM) : Sir, I lay on the Table, under sub-section (3) of Section 44 of the Arms Act, 1959, a copy (in English and Hindi) of the Ministry of Home Affairs Notification No. G.S.R. 453 (E), dated the 28th May, 2010, publishing the Arms (Amendment) Rules, 2010. [Placed in Library. See No. L.T. 2810/15/10]

(MR. DEPUTY CHAIRMAN, in the Chair)

Notifications of the Ministry of Commerce and Industry

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA MADHAVRAO SCINDIA) : Sir, I lay on the Table -

(i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Commerce and Industry (Department of Commerce), under sub-section (3) of Section 55 of the Special Economic Zones Act, 2005, together with Explanatory Memorandum on the Notifications :-

(1) G.S.R. 501 (E), dated the 14th June, 2010, publishing the Special Economic Zones (Amendment) Rules, 2010. [Placed in Library. See No. L.T. 2797/15/10]

(2) G.S.R. 597 (E), dated the 12th July, 2010, publishing the Special Economic Zones (Second Amendment) Rules, 2010. [Placed in Library. See No. L.T. 2798/10/10]

(ii) A copy (in English and Hindi) of the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) Notification No. S.O. 1465 (E), dated the 17th June, 2010, amending Notification No. S.O. 1105 (E), dated the 11th October, 2004, to substitute certain entries in the original Notification, under sub-section (2H) of Section 29B of the Industries (Development and Regulation) Act, 1951. [Placed in Library. See No. L.T. 2797/15/10]

Notifications of the Ministry of Home Affairs

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN) : Sir, I lay on the Table, a copy each (in English and Hindi) of the following Notifications of the Ministry of Home Affairs-

- (1) G.S.R. 67, dated the 11th April-17th April, 2010, publishing the National Security Guard (Group 'B' Non Gazetted posts) Recruitment (Amendment) Rules, 2010, under sub-section (3) of Section 139 of the National Security Gurad Act, 1986. [Placed in Library. See No. LT. 2813/15/10]
- (2) G.S.R. 323 (E), dated the 15th April, 2010, publishing the Indo-Tibetan Border Police Force, Medical Cadre (Group 'C') Posts, Recruitment Rules, 2010, under sub-section (3) of Section 156 of the Indo-Tibetan Border-Police Act, 1992, along with delay statement. [Placed in Library. See No. LT. 2874/15/10]
- (3) G.S.R. 490 (E), dated the 9th June, 2010, publishing the Central Reserve Police Force, Pioneer Cadre (Group 'B' and 'C' Posts) Recruitment Rules, 2010, under sub-section (3) of Section 18 of the Central Reserve Police Force Act, 1949. [Placed in Library. See No. LT. 2812/15/10]

**Report and Accounts (2008-09) of the JMDC, Kolkata
and NIFT, New Delhi and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF TEXTILES (SHRIMATI PANABAKA LAKSHMI) : Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers :-

- (i) (a) Twenty-fourth Annual Report and Accounts of the Jute Manufacturers Development Council (JMDC), Kolkata, 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.
- (ii) (a) Twenty-third Annual Report and Accounts of the National Institute of Fashion Technology (NIFT), 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 Institute.
- (c) Statement giving reasons for the delay in laying the papers mentioned (i) (a) above. [Placed in Library. See No. LT.

2752/15/10]

I. Notifications of the Ministry of Defence

II. Report and Accounts (2006-07) of the CAPS, New Delhi and related papers

III. Memorandum of Understanding (2010-11) between Government of India and HAL and BEML Ltd.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI M.M. PALLAM RAJU) : Sir, I lay on the Table-

I. A copy each (in English and Hindi) of the following Notifications of the Ministry of Defence :-

- (1) SRO 22, dated the 23rd-29th May, 2010, publishing the Army (Amendment) Rules, 2010, under Section 193A of the Army Act, 1950. [Placed in Library. See No. L.T. 2803/15/2010]
- (2) SRO 5, dated the 21st-27th February, 2010, publishing the Coast Guard (General) Amendment Rules, 2010, under sub-section 3 of Section 123 of the Coast Guard Act, 1978. [Placed in Library. See No. L.T. 2804/15/2010]

II. A copy each (in English and Hindi) of the following papers:-

- (i) (a) Annual Report and Accounts of the Centre for Air Power Studies (CAPS), New Delhi, for the year 2006-07, together with the Auditor's Report on the Accounts.
- (b) Statement by Government accepting the above Report.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (i) (a) above. [Placed in Library See No. L.T. 2802/15/2010]

III. (i) Memorandum of Understanding between the Government of India (Ministry of Defence, Department of Production) and the Hindustan Aeronautics Limited (HAL), for the year 2010-11. [Placed in Library. See No. L.T. 2801/15/2010]

(ii) Memorandum of Understanding between the Government of India (Ministry of Defence, Department of Defence Production) and the BEML Limited, for the year 2010-11. [Placed in Library. See No. L.T. 2800/15/2010]

I. Notification of the Ministry of Labour and Employment

II. Financial Estimates and Performance Budget of the ESIC, New Delhi

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT) : Sir, I lay on the Table-

I. A copy (in English and Hindi) of the Ministry of Labour and Employment Notification No. S.O. 1258 (E), dated the 31st May, 2010, publishing the amended monthly wages, under Section 36 of the Employees' Compensation Act, 1923. [Placed in Library. See. No. 2805/15/10]

II. A copy (in English and Hindi) of the Financial Estimates and Performance Budget of the Employees' State Insurance Corporation (ESIC), New Delhi for the year 2010-11. [Placed in Library. See No. L.T. 2806/15/10]

Notifications of the Ministry of Road, Transport and Highways

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI R.P.N. SINGH) : Sir, I lay on the Table -

(i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Road Transport and Highways, under Section 10 of the National Highways Act, 1956:-

- (1) S.O. 578 (E), dated the 11th March, 2010, regarding acquisition of land, with or without structure, from K.M. 131.000 to K.M. 152.000 (Muzaffarnagar-Haridwar Section) on National Highway No. 58 in Muzaffarnagar District in the State of Uttar Pradesh.
- (2) S.O. 632 (E), dated the 22nd March, 2010, regarding acquisition of land, with or without structure, from K.M. 148.430 to K.M. 180.600 (Moradabad-Bareilly Section) on National Highway No. 24 in Moradabad District in the State of Uttar Pradesh.
- (3) S.O. 762 (E), dated the 6th April, 2010, regarding acquisition of land, with or without structure, from K.M. 210.620 to K.M. 218.200 on National Highway No. 58 and K.M. 141.000 to K.M.

196.800 (Haridwar-Dehradun Section) on National Highway No. 72
in Dehradun District in the State of Uttarakhand.

- (4) S.O. 768 (E), dated the 6th April, 2010, regarding acquisition of land, with or without structure, from K.M. 152.000 to K.M. 210.620 (Muzaffarnagar-Haridwar Section) on National Highway No. 58 in Haridwar District in the State of Uttarakhand.
- (5) S.O. 798(E), dated the 9th April, 2010, regarding acquisition of land, with or without structure, from K.M. 80.000 to KM. 173.600 (Jhansi-Bhognipur Section) on National Highway No. 25 in Jhansi District in the State of Uttar Pradesh. [Placed in Library. For (1) to (5). See. No. L.T. 2815/15/10]
- (6) S.O. 799 (E), dated the 9th April, 2010, regarding acquisition of land with or without structure, from K.M. 43.000 to K.M. 96.714 (Project chainage) (Kerala/Tamil Nadu Border-Kanniyakumari Section) on National Highway No. 47 in Kanniyakumari District in the State of Tamil Nadu. [Placed in Library. See No. L.T. 2721/15/10]
- (7) S.O. 808 (E), dated the 9th April, 2010, regarding acquisition of land, with or without structure, from K.M. 104.563 to K.M. 166.725 (Talegaon-Amravati Section) on National Highway No. 6 in Chandur (Dhore) Village of Tiwasa Taluk of Amravati District in the State of Maharashtra. [Placed in Library. See No. L.T. 2815/15/10]
- (8) S.O. 809 (E), dated the 9th April, 2010, regarding acquisition of land, with or without structure, from K.M. 17.000 to K.M. 60.000 (Nagapattinam-Thanjavur Section) on National Highway No. 67 in Thiruvarur District in the State of Tamil Nadu. [Placed in Library, See No. L.T. 2721/15/10]
- (9) S.O. 813 (E), dated the 9th April, 2010, regarding acquisition of land, with or without structure, K.M. 10.400 to K.M. 14.920 (Jabalpur-Rajmarg Crossing Section) on National Highway No. 12 in Jabalpur District in the State of Madhya Pradesh.
- (10) S.O. 814 (E), dated the 9th April, 2010, regarding acquisition

of land, with or without structure, from K.M. 65.120 to K.M. 103.020 (Jabalpur-Rajmarg Crossing Section) on National Highway No. 12 in Narsinghpur District in the State of Madhya Pradesh.

- (11) S.O. 815 (E), dated the 9th April, 2010, regarding appointment of competent authority for acquisition of land, from K.M. 73.165 to K.M. 74.500 (Patna-Buxar Section) on National Highway No. 84 in Balia District in the State of Uttar Pradesh.
- (12) S.O. 833 (E), dated the 12th April, 2010, regarding acquisition of land, with or without structure, from K.M. 104.563 to K.M. 166.725 (Talegaon-Amravati Section) on National Highway No. 6 in Tiwasa Village of Tiwasa Taluk of Amravati District in the State
- (13) S.O. 836 (E), dated the 12th April, 2010, regarding acquisition of land, with or without structure, (Chhindwara-Chhindwara/Seoni District Border) on National Highway No. 69(A) in Chhindwara District in the State of Madhya Pradesh.
- (14) S.O. 837 (E), dated the 12th April, 2010, regarding acquisition of land, with or without structure, from K.M. 148.000 to K.M. 171.200 (Kannur-Kuttipuram Section) on National Highway No. 17 in Kannur District in the State of Kerala.
- (15) S.O. 838 (E), dated the 12th April, 2010, regarding acquisition of land, with or without structure, from K.M. 152.000 to K.M. 210.620 (Muzaffarnagar-Haridwar Section) on National Highway No. 58 in Haridwar District in the State of Uttarakhand. [Placed in Library. For (9) to (15). See No. L.T. 2815/15/10]
- (16) S.O. 882 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 459.350 to K.M. 502.370 (Bharol-Dahisar Section) on National Highway No. 8 in Thane District in State of Maharashtra. [Placed in Library. See No. L.T. 2879/15/10]
- (17) S.O. 883 (E), dated the 20th April, 2010, amending Notification No. S.O. 2083 (E), dated the 4th December, 2007, to insert certain entries in the original Notification.
- (18) S.O. 884 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M.

81.600 (Tiruttani-Chennai Section) or National Highway No. 205
in Veepampattu-B Village of Tiruvalur Taluk of Tiruvallur
District in the State of Tamil Nadu.

- (19) S.O. 886 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 40.000 to K.M. 85.600 (Tindivanam-Krishnagiri Section) or National Highway No. 66 in Villuppuram District in the State of Tamil Nadu.
- (20) S.O. 889 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M. 81.600 (Tiruttani-Chennai Section) on National Highway No. 205 in Thaneerkulam Village of Tiruvallur Taluk of Tiruvallur District in the State of Tamil Nadu.
- (21) S.O. 891 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 10,000 to K.M. 94.000 on National Highway No. 210 in Pudukottai District in the State of Tamil Nadu.
- (22) S.O. 893 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 56.500 to K.M. 100.000 (Salem-Coimbatore Section) on National Highway No. 14 in Erode District in the State of Tamil Nadu. [Placed in Library. For [17] to (22) See No. L.T. 2721/15/10]
- (23) S.O. 894 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 212.900 to K.M. 236.200 (Moradabad-Bareilly Section) on National Highway No. 24 in Bareilly District in the State of Uttar Pradesh.
- (24) S.O. 896 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 40.000 to K.M. 144.400 (Pune-Solapur Section) on National Highway No. 9 in Pune District in the State of Maharashtra.
- (25) S.O. 897 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 96.000 to K.M. 100.000 (Panipat-Jalandhar Section) on National Highway No. 1 in Panipat District in the State of Haryana.
- (26) S.O. 898 (E), dated the 20th April, 2010, regarding acquisition

of land, with or without structure, from K.M. 100.000 to K.M. 152.225 (Panipat-Jalandhar Section) on National Highway No. 1 in Karnal District in the State of Haryana.

- (27) S.O. 899 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 152.225 to K.M. 189.810 (Panipat-Jalandhar Section) on National Highway No. 1 in Kurukshetra District in the State of Haryana.
- (28) S.O. 900 (E), dated the 20th April, 2010, regarding acquisition of land, with or without structure, from K.M. 189.810 to K.M. 212.161 (Panipat-Jalandhar Section) on National Highway No. 1 in Ambala District in the State of Haryana. [Placed in Library For (23) to (28). See No. L.T. 2815/15/10]
- (29) S.O. 911 (E), dated the 21st April, 2010, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M. 39.800, K.M. 43.000 to K.M. 45.800 and K.M. 49.900 to K.M. 50.800 (Salem-Coimbatore Section) on National Highway No. 47 in Sankari Taluk of Salem District in the State of Tamil Nadu. [Placed in Library. See No. L.T. 2721/15/10]
- (30) S.O. 911 (E), dated the 21st April, 2010, amending Notification No. S.O. 1096 (E), dated the 4th August, 2005, to substitute certain entries in the original Notification.
- (31) S.O. 948 (E), dated the 26th April, 2010, regarding acquisition of land, with or without structure, (Betul/Chhindwara District Border-Chhindwara/Section) on National Highway No. 69 (A) in Chhindwara District in the State of Madhya Pradesh.
- (32) S.O. 949 (E), dated the 26th April, 2010, regarding acquisition of land, with or without structure, (Betul/Chhindwara District Border-Chhindwara/Section) on National Highway No. 69 (A) in Chhindwara District in the State of Madhya Pradesh.
- (33) S.O. 950 (E), dated the 26th April, 2010, regarding acquisition of land, with or without structure, (Umaranala-Madhya Pradesh/Maharashtra State Border Section) on National Highway No. 26(B) in Chhindwara District in the State of Madhya Pradesh.
- (34) S.O. 951 (E), dated the 26th April, 2010, regarding acquisition

of land, with or without structure, (lmlikhera Junction-Linga Village Section) on National Highway No. 26 (B), in Chhindwara District in the State of Madhya Pradesh.

- (35) S.O. 952 (E), dated the, 26th April, 2010, regarding acquisition of land, with or without structure, (Chhindwara-Chhindwara/Seoni District Border Section) on National Highway No. 69(A) in Chhindwara District in the State of Madhya Pradesh.
- (36) S.O. 953 (E), dated the 26th April, 2010, regarding acquisition of land, with or without structure, (Amarwara-Chhindwara Section) on National Highway No. 26(B) in Chhindwara District in the State of Madhya Pradesh.
- (37) S.O. 954 (E), dated the 26th April, 2010, regarding acquisition of land, with or without structure (Narsinghpur/Chhindwara District border to Amarwara Section) on National Highway No. 26 (B) in Chhindwara District in the State of Madhya Pradesh.
- (38) S.O. 955 (E), dated the 26th April, 2010, regarding acquisition of land, with or without structure (Chhindwara bypass Section) on National Highway No. 26(B) in Chhindwara District in the State of Madhya Pradesh. [Placed in Library. For (30) to (38) See No. L.T. 2815/10]
- (39) S.O. 962 (E), dated the 27th April, 2010, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M. 39.800, K.M. 43.000 to K.M. 45.800 and K.M. 49.900 to K.M. 50.800 (Salem-Coimbatore Section) on National Highway No. 47 in Salem and Sankari Taluks of Salem District in the State of Tamil Nadu. [Placed in Library. See. No. L.T. 2721/15/10]
- (40) S.O. 965 (E), dated the 27th April, 2010, amending Notification No. S.O. 3197 (E), dated the 14th December 2009, to substitute certain entries in the original Notification.
- (41) S.O. 971 (E), dated the 27th April, 2010, regarding acquisition of land, with or without structure, (Narsinghpur-Narsinghpur/Chhindwara District Border Section) on National Highway No. 26 (B) in Narsinghpur District in the State of Madhya Pradesh. [Placed in Library. For (40) and (41) See No.

L.T. 2815/15/10]

- (42) S.O. 972 (E), dated the 27th April, 2010, regarding appointment of Competent authority for acquisition of land, from K.M. 5.000 to K.M. 10.400 (Madurai-Ramanathapuram-Rameshwaram-Dhanushkodi Section) on National Highway No. 49 in Madurai District in the Same of Tamil Nadu.

- (43) S.O. 973(E), dated the 27th April, 2010, regarding acquisition of land, with or without structure, at K.M. 13.800 on National Highway No. 4 and at K.M. 12.600 on National Highway No. 5 in Tiruvallur District in the State of Tamil Nadu.
- (44) S.O. 974 (E), dated the 27th April, 2010, regarding acquisition of land, with or without structure, from K.M. 73.900 to K.M. 136.670 (Salem-Ulundurpet Section) on National Highway No. 68 in Olagamkattan Village of Kalakurichchi Taluk of Villupuram District in the State of Tamil Nadu.
- (45) S.O. 975 (E), dated the 27th April, 2010, regarding acquisition of land, with or without structure, from K.M. 73.900 to K.M. 136.670 (Salem-Ulundurpet Section) on National Highway No. 68 in Neelamangalam Village of Kallukurichchi Taluk of Villupuram District in the State of Tamil Nadu. [Placed in Library. For (42 to (45) See No. 272/15/10)]
- (46) S.O. 1007 (E), dated the 4th May, 2010, regarding acquisition of land, with or without structure, from K.M. 983.000 to K.M. 1013.000 (Nalbari-Bijni Section) on National Highway No. 31 in Barpeta District in the State of Assam. [Placed in Library. See No. L.T. 3117/15/10]
- (47) S.O. 1007 (E), dated the 4th May, 2010, regarding acquisition of land, with or without structure, from K.M. 44.200 to K.M. 93.800 (Delhi-Agra Section) on National Highway No. 2 in Palwal District in the State of Haryana.
- (48) S.O. 1015 (E), dated the 5th May, 2010, regarding acquisition of land, with or without structure (Multai to Betul/Chhindwara District Border Section) on National Highway No. 69 (A) in Chhindwara District in the State of Madhya Pradesh. [Placed in Library. For (47) and (48) See No. L.T. 2815/15/10]
- (49) S.O. I 017 (E), dated the 5th May, 2010, regarding acquisition of land, with or without structure, from K.M. 217.600 to K.M.

278.600 (Salem-Karur Section) on National Highway No. 7 in
Namakkal District in the State of Tamil Nadu. [Placed in
Library. See No. L.T. 2721/15/10]

- (50) S.O. 1018 (E), dated the 5th May, 2010, regarding acquisition of land, with or without structure, (Chhindwara bypass Section) on National Highway No. 26 (B) in Chhindwara District in the State of Madhya Pradesh.
- (51) S.O. 1019 (E), dated the 5th May, 2010, regarding acquisition of land, with or without structure, from K.M. 28.100 to K.M. 57.150 (Rohtak-Panipat Section) on National Highway No. 71A in Sonapat District in the State of Haryana.
- (52) S.O. 1020 (E), dated the 5th May, 2010, regarding acquisition of land, with or without structure, from K.M. 176.760 to K.M. 199.600 (Delhi-Agra Section) on National Highway No. 2 in Agra District in the State of Uttar Pradesh.
- (53) S.O. 1022 (E), dated the 5th May, 2010, regarding acquisition of land, with or without structure, from K.M. 90.200 to K.M. 131.000 (Meerut-Muzaffarnagar Section) on National Highway No. 58 in Muzaffarnagar District in the State of Uttar Pradesh.
- (54) S.O. 1031 (E), dated the 7th May, 2010, regarding acquisition of land, with or without structure, from K.M. 23.600 to K.M. 23.845 and K.M. 25.347 to K.M. 48.000 and K.M. 23.600 to K.M. 48.000 (left side) (Ghaziabad-Aligarh Section) on National Highway No. 91 in Gautam Budh Nagar District in the State of Uttar Pradesh.
- (55) S.O. 1032 (E), dated the 7th May, 2010, regarding acquisition of land, with or without structure, from K.M. 23.600 to K.M. 23.845 and K.M. 25.347 to K.M. 48.000 and K.M. 23.600 to K.M. 48.000 (right side) (Ghaziabad-Aligarh Section) on National Highway No. 91 in Gautam Budh Nagar District in the State of Uttar Pradesh.
- (56) S.O. 1036 (E), dated the 7th May, 2010, amending Notification No. S.O. 1046 (E), dated the 4th August, 2005, to substitute certain entries in the original Notification.
- (57) S.O. 1044 (E), dated the 10th May, 2010, regarding acquisition of land, with or without structure, from K.M. 180.000 to K.M.

182.200 (Kannur Section) on National Highway No. 17 in Kannur District in the State of Kerala. [Placed in Library. For (50) to (57) See No. L.T. 2815/15/10]

- (58) S.O. 1048 (E), dated the 10th May, 2010, regarding appointment of competent authority for acquisition of land on National Highway No. 75 and 76 (Jhansi-Khajuraho Section) in Jhansi District in the State of Uttar Pradesh. [Placed in Library. See No. L.T. 2721/15/10]
- (59) S.O. 1066 (E), dated the 13th May, 2010, regarding acquisition of land, with or without structure, from K.M. 216.900 to K.M. 238.000 (Mulbagal-AP/Karnataka Border Section) on National Highway No. 4 in Kolar District in the State of Karnataka.
- (60) S.O. 1069 (E), dated the 13th May, 2010, regarding acquisition of land, with or without structure, from K.M. 118.400 to K.M. 139.000 (Khalghat-M.P./Maharashtra Border Section) on National Highway No. 3 in Barwani District in the State of Madhya Pradesh.
- (61) S.O. 1071 (E), dated the 13th May, 2010, regarding acquisition of land, with or without structure, from K.M. 581.500 to K.M. 595.100 (Dewas-Indore Section) on National Highway No. 3 in Indore District in the State of Madhya Pradesh.
- (62) S.O. 1077 (E), dated the 13th May, 2010, regarding acquisition of land, with or without structure, from K.M. 17.756 to K.M. 42.525 (Agra-Bharatpur Section) on National Highway No. 11 in Agra District in the State of Uttar Pradesh.
- (63) S.O. 1078 (E), dated the 13th May, 2010, regarding acquisition of land, with or without structure, from K.M. 9.500 to K.M. 15.500 (Indore-MP/Gujarat Border Section) on National Highway No. 59 in Indore District in the State of Madhya Pradesh.
- (64) S.O. 1079 (E), dated the 13th May, 2010, regarding acquisition of land, (Jhansi-Khajuraho Section) on National Highway No. 75 and 76 in Tikamgarh District in the State of Madhya Pradesh.
- (65) S.O. 1091 (E), dated the 14th May, 2010, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M.

13.035 (Sonepat Section) on National Highway No. NE-II (Eastern Peripheral Expressway) in Sonapat District in the State of Haryana.

- (66) S.O. 1999 (E), dated the 14th May, 2010, regarding acquisition of land, with or without structure, from K.M. 358.000 to K.M. 366.000 (Bareilly-Sitapur Section) on National Highway No. 24 in Hardoi District in the State of Uttar Pradesh.
- (67) S.O. 1100 (E), dated the 14th May, 2010, regarding acquisition of land, with or without structure, from K.M. 358.000 to K.M. 366.000 (Bareilly-Sitapur Section) on National Highway No. 24 in Hardoi District in the State of Uttar Pradesh. [Placed in Library. For (59) to (67) See No. 2815/15/10]
- (68) S.O. 1101 (E), dated the 14th May, 2010, regarding acquisition of land, with or without structure, from K.M. 57.852 to K.M. 99.400 (Gautam Budh Nagar Section) on National Highway No. NE-II in Gautam Budh Nagar District in the State of Uttar Pradesh [Placed in Library. See No. L.T. 2721/15/10]
- (69) S.O. 1162 (E), dated the 18th May, 2010, amending Notification No. S.O. 785 (E), dated the 19th March, 2009, to substitute certain entries in the original Notification.
- (70) S.O. 1163 (E), dated the 18th May, 2010, regarding acquisition of land, with or without structure, from K.M. 30.000 to K.M. 86.500 (Bahadurgarh-Rohtak Section) on National Highway No. 10 in Jhajjar District in the State of Haryana.
- (71) S.O. 1164 (E), dated the 18th May, 2010 amending Notification No. S.O. 1713 (E), dated the 13th July, 2009, to substitute certain entries in the original Notification.
- (72) S.O. 1165 (E), dated the 18th May, 2010, regarding acquisition of land, with or without structure, from K.M. 94.000 to K.M. 122.000 (Karaikudi-Ramanathapuram Section) on National Highway No. 210 in Sivaganga District in the State of Tamil Nadu. [Placed in Library. For (69) to (12) See No. L.T. 2815/15/10]
- (73) S.O. 1166 (E), dated the 18th May, 2010, regarding acquisition of land, with or without structure, from K.M. 262.000 to K.M.

288.000 (Bareilly-Sitapur Section) on National Highway No. 24 in
Bareilly District in the State of Uttar Pradesh. [Placed in
Library. See No. L.T.2721/15/10]

- (74) S.O. 1167 (E), dated the 18th May, 2010, regarding acquisition of land, with or without structure, from K.M. 262.000 to K.M. 288.000 (Bareilly-Sitapur Section) on National Highway No. 24 in Bareilly District in the State of Uttar Pradesh.
- (75) S.O. 1168 (E), dated the 18th May, 2010, regarding acquisition of land, with or without structure, from K.M. 82.500 to K.M. 86.000 (Khalghat-M.P./Maharashtra Border Section) on National Highway No. 3 in Dhar District in the State of Madhya Pradesh.
- (76) S.O. 1169 (E), dated the 18th May, 2010, regarding acquisition of land, with or without structure, from K.M. 377.200 to K.M. 413.200 (Bareilly-Sitapur Section) on National Highway No. 24 in Sitapur District in the State of Uttar Pradesh.
- (77) S.O. 1170 (E), dated the, 18th May, 2010 regarding acquisition of land, with or without structure, from K.M. 377.200 to K.M. 413.200 (Bareilly-Sitapur Section) on National Highway No. 24 in Sitapur District in the State of Uttar Pradesh.
- (78) S.O. 1180 (E), dated the 19th May, 2010, regarding acquisition of land, with or without structure, from K.M. 102.000 to K.M. 164.400 (Bijapur-Hungund Section on National Highway No. 13 in Bijapur District in the State of Karnataka.
- (79) S.O. 1181 (E), dated the 19th May, 2010, regarding acquisition of land, with or without structures, from K.M. 164.400 to K.M. 218.000 (Bijapur-Hungund Section) on National Highway No. 13 in Bagalkot District in the State of Karnataka.
- (80) S.O. 1182 (E), dated the 19th May, 2010, regarding acquisition of land, with or without structure, from K.M. 218.000 to K.M. 295.700 (Hungund-Hospet Section) on National Highway No. 13 in Koppal District in the State of Karnataka.
- (81) S.O. 1198 (E), dated the 20th May, 2010, regarding appointment of competent authority for acquisition of land on National Highway No. 26 (B) in Chhindwara District in the State of Madhya

Pradesh. [Placed in Library. For (74) to 81) See No. L.T.
2815/15/10]

- (82) S.O. 1200 (E), dated the 20th May, 2010, regarding acquisition of land, with or without structure, from K.M. 180.600 to K.M. 212.900 (Moradabad-Bareilly Section) on National Highway No. 24 in Rampur District in the State of Uttar Pradesh. [Placed in Library. See No. L.T. 2721/15/10]
- (83) S.O. 1201 (E), dated the 20th May, 2010, regarding acquisition of land, with or without structure, from K.M. 37.500 to K.M. 45.000 (Rohtak-Panipat Section) on National Highway NO. 71A in Sonipat District in the State of Haryana.
- (84) S.O. 1202 (E), dated the 20th May, 2010, regarding acquisition of land, with or without structure, from K.M. 57.150 to K.M. 65.800 (Rohtak-Panipat Section) on National Highway No. 71A in Panipat District in the State of Haryana.
- (85) S.O. 1203 (E), dated the 20th May, 2010, regarding acquisition of land, with or without structure, from K.M. 65.800 to K.M. 80.580 (Rohtak-Panipat Section) on National Highway No. 71A in Panipat District in the State of Haryana.
- (86) S.O. 1222 (E), dated the 25th May, 2010, regarding acquisition of land, with or without structure, from K.M. 343.400 to K.M. 358.200 and K.M. 366.000 to K.M. 377.200 (Bareilly-Sitapur Section) on National Highway No. 24 in Kheri District in the State of Uttar Pradesh.
- (87) S.O. 1226 (E), dated the 25th May, 2010, regarding acquisition of land, with or without structure, from K.M. 343.400 to K.M. 358.200 and K.M. 366.000 to K.M. 377.200 (Bareilly-Sitapur Section) on National Highway No. 24 in Kheri District in the State of Uttar Pradesh.
- (88) S.O. 1227 (E), dated the 25th May, 2010, amending Notification No. S.O. 525 (E), dated the 9th April, 2007, to substitute certain entries in the original Notification.
- (89) S.O. 1270 (E), dated the 1st June, 2010, regarding acquisition

of land, with or without structure, from K.M. 11.000 to K.M. 53.685 (Madras-Vijayawada Section) on National Highway No. 5 in Tiruvallur District in the State of Tamil Nadu. [Placed in Library. For (83) to (89) See No. L.T. 2815/15/10]

- (90) S.O. 1283 (E), dated the 1st June, 2010, regarding acquisition of land, with or without structure, from K.M. 0.000 to K.M. 81.600 (Tiruttani-Chennai Section) on National Highway No. 205 in Tiruvallur District in the State of Tamil Nadu. [Placed in Library. See No. L.T. 2721/15/10]
- (91) S.O. 1289 (E), dated the 1st June, 2010, regarding appointment of competent authority for acquisition of land, from K.M. 30.000 to K.M. 86.500 on National Highway No. 10 in Jhajjar District in the State of Haryana.
- (92) S.O. 1290 (E), dated the, 1st June, 2010, regarding appointment of competent authority for acquisition of land, from K.M. 30.000 to K.M. 86.500 on National Highway No. 10 in Jhajjar District in the State of Haryana.
- (93) S.O. 1291 (E), dated the 1st June, 2010, amending Notification No. S.O. 167 (E), dated the 22nd January, 2010, to substitute certain entries in the original Notification. [Placed in Library. For (91) to (93) See No. L.T. 2815/15/10]
- (94) S.O. 1309 (E), dated the 3rd June, 2010, regarding acquisition of land, with or without structure, from K.M. 1121.000 to K.M. 1126.000 on National Highway No. 31 in Kamrup (Metro) District in the State of Assam. [Placed in Library. See No. L.T. 2879/15/10]
- (95) S.O. 1360 (E), dated the 10th June, 2010, amending Notification No. S.O. 2853 (E), dated the 9th November, 2009, to substitute certain entries in the original Notification.
- (96) S.O. 1361 (E), dated the 10th June, 2010, amending Notification No. S.O. 940 (E), dated the 9th April, 2009, to substitute certain entries in the original Notification.
- (97) S.O. 1362 (E), dated the 10th June, 2010, amending Notification No. S.O. 2837 (E), dated the 4th November, 2010 to substitute certain entries in the original Notification. [Placed in

Library. For (95) to 97) See No. L.T. 2721/15/10]

(98) S.O. 1364 (E), dated the 10th June, 2010, amending Notification No. S.O. 887 (E), dated the 13th June, 2006, to substitute certain entries in the original Notification.

- (99) S.O. 1365 (E), dated the 10th June, 2010, amending Notification No. S.O. 464 (E), dated the 26th May, 1998, to substitute certain entries in the original Notification.
- (100) S.O. 1366 (E), dated the 10th June, 2010, amending Notification No. S.O. 2457 (E), dated the 24th September, 2009, to substitute certain entries in the original Notification.
- (101) S.O. 1375 (E), dated the 10th June, 2010, regarding acquisition of land, with or without structure, from K.M. 6,585 to K.M. 28.100 (Rohtak-Panipat Section) on National Highway No. 71A in Rohtak District in the State of Haryana. [Placed in Library. For (98 to (101) See No. L.T. 2815/15/10]
- (102) S.O. 1442 (E), dated the 16th June, 2010, regarding acquisition of land, with or without structure, from K.M. 48.000 to K.M. 107.100 (Ghaziabad-Aligarh Section) on National Highway No. 91 in Bulandshahar District in the State of Uttar Pradesh. [Placed in Library. See No. L.T. 2721/15/10]
- (103) S.O. 1443 (E), dated the 16th June, 2010, regarding acquisition of land, with or without structure, from K.M. 48.000 to K.M. 107.100 (Ghaziabad-Aligarh Section) on National Highway No. 91 in Bulandshahar District in the State of Uttar Pradesh. [Placed in Library. See No. L.T. 2815/15/10]
- (104) S.O. 1445 (E), dated the 16th June, 2010, regarding acquisition of land, with or without structure, from K.M. 52.250 to K.M. 90.220 (Meerut-Muzaffarnagar Section) on National Highway No. 58 in Meerut District in the State of Uttar Pradesh. [Placed in Library. See No. L.T. 2721/15/10]
- (105) S.O. 1452 (E), dated the 16th June, 2010, amending Notification No. S.O. 514 (E), dated the 7th April, 2006, to substitute certain entries in the original notification.
- (106) S.O. 1445 (E), dated the 16th June, 2010, regarding acquisition of land, with or without structure, from K.M. 41.945

to K.M. 62.960 (Zirakpur to Parwanoo Section) on National
Highway No. 22 in Panchkkula District in the State of Haryana.

- (107) S.O. 1457 (E), dated the 16th June, 2010, regarding acquisition of land, with or without structure, from K.M. 75.000 to K.M. 189.000 on National Highway No. 4 in Tumkur and Chitradurga Districts in the State of Karnataka.
- (108) S.O. 1520 (E), dated the 24th June, 2010, amending Notification No. S.O. 1096 (E), dated the 4th August, 2005 to substitute certain entries in the original Notification. [Placed in Library. For (105) to (108) See No. L.T. 2815/15/10]
- (109) S.O. 1535 (E), dated the 25th June, 2010, regarding acquisition of land, with or without structure, from K.M. 93.800 to K.M. 176.760 (Delhi-Agra Section) on National Highway No. 2 in Mathura District in the State of Uttar Pradesh.
- (110) S.O. 1538 (E), dated the 25th June, 2010, regarding acquisition of land, with or without structure, from K.M. 73.165 to K.M. 74.500 (Patna-Buxar Section) on National Highway No. 84 in Balia District in the State of Uttar Pradesh.
- (111) S.O. 1546 (E), dated the 25th June, 2010, regarding acquisition of land, with or without structure, from K.M. 107.100 to K.M. 140.200 (Ghaziabad-Aligarh Section) on National Highway No. 91 in Aligarh District in the State of Uttar Pradesh.
- (112) S.O. 1288 (E), dated the 1st June, 2010, publishing Corrigendum to Notification No. S.O. 810 (E), dated the 9th April, 2010 [Placed in Library. See No. L.T. 2721/15/10]
- (ii) A copy each (in English and Hindi) of the following Notifications
of the Ministry of Road Transport and Highways, under Section 37 of the National Highways Authority of India Act, 1988:-
- (1) S.O. 910 (E), dated the 21st April, 2010, regarding entrustment of stretches of certain National Highways to National Highways Authority of India from State Government of Madhya Pradesh.

(2) S.O. 1035 (E), dated the 7th May, 2010, regarding entrustment of stretches of certain National Highways to National Highways Authority of India for its development and maintenance in various States/UTs.

- (3) S.O. 1037 (E), dated the 7th May, 2010, regarding entrustment of newly declared National Highway Nos. 69A and 26B in the State of Madhya Pradesh to National Highways Authority of India for its maintenance and development.
- (4) S.O. 1521 (E), dated the 24th June, 2010, regarding entrustment of stretches of certain National Highways in Uttar Pradesh to National Highways Authority of India for its development and maintenance. [Placed in Library. See No. L.T. 2815/15/76]

MESSAGE FROM LOK SABHA

The Industrial Disputes (Amendment) Bill, 2010

SECRETARY-GENERAL : Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha :

"In accordance with the provisions of rule 120 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to inform you that Lok Sabha, at its sitting held on the 10th August, 2010, agreed without any amendment to the Industrial Disputes (Amendment) Bill, 2010, which was passed by Rajya Sabha at its sitting held on the 3rd August, 2010."

**REPORT OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE ON
HEALTH AND FAMILY WELFARE**

DR. PRABHAKAR KORE (Karnataka) : Sir, I lay on the Table a copy (in English and Hindi) of the Forty-sixth Report of the Committee on the Indian Medicine Central Council (Amendment) Bill, 2010.

**EVIDENCE TENDERED BEFORE THE DEPARTMENT RELATED PARLIAMENTARY STANDING
COMMITTEE ON HEALTH AND WELFARE**

DR. PRABHAKAR KORE (Karnataka) : Sir, I lay on the Table, a copy of the Evidence tendered before the Committee on the Indian Medicine Central Council (Amendment) Bill, 2010

**REPORT OF THE COMMITTEE ON THE WELFARE OF
SCHDEULED CASTES AND SCHEDULED TRIBES**

SHRI MUKUT MITHI (Arunachal Pradesh) : Sir, I lay on the Table, a copy (in English and Hindi) of the Ninth Report (Fifteenth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on Action Taken by the Government on the recommendations contained in the Thirty-seventh Report (Fourteenth Lok Sabha) on 'Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat Sanchar Nigam Limited (BSNL)' pertaining to the Ministry of Communications and Information Technology.

LEAVE OF ABSENCE

MR. DEPUTY CHAIRMAN : I have to inform Members that a letter has been received from Shri Arjun Kumar Sengupta, stating that he is unable to attend the House due to ill health. He has, therefore, requested for grant of Leave of Absence for the entire current 220th Session of the Rajya Sabha.

Does he have the permission of the House for remaining absent for the entire current session of the Rajya Sabha?

(No Hon. Member dissented)

MR. DEPUTY CHAIRMAN : Permission to remain absent is granted.

STATEMENTS BY MINISTERS

Status of Implementation of recommendations contained in the Thirty-fourth report of the Department-related Parliamentary Standing Committee on Defence

THE MINISTER OF DEFENCE (SHRI A.K. ANTONY) : Sir, I lay a statement regarding status of implementation of recommendations contained in the Thirty-fourth Report of the Department-related Parliamentary Standing Committee on Defence.

Status of Implementation of recommendations/observations contained in the Eighty-seventh report of the Department-related Parliamentary Standing Committee on Commerce on action taken by the Government on the recommendations/observations contained in its Eighty-third report on the "Functioning of Special Economic Zones"

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI
JYOTIRADITYA MADHAVRAO SCINDIA) : Sir, I lay a statement regarding status
of implementation of

recommendations/observations contained in the Eighty-seventh Report of the Department-related Parliamentary Standing Committee on Commerce on action taken by the Government on the recommendations/observations contained in its Eighty-third Report on the "Functioning of Special Economic Zones".

MATTER RAISED WITH PERMISSION

Recent Train Dacoities

DR. ASHOK S. GANGULY (Nominated) : Sir, I want to bring to the attention of the House the frequent instances of dacoities on trains during the last ten days especially the trains going through a particular section and between the stations where women were molsted...(Interruptions)... Sir, I was talking about the alarming number of dacoities that are taking place on trains passing through a particular part of the country where women have been molested, children have been hurt, men have been manhandled and lakhs of rupees worth of personal effects of the passengers have been stolen with impunity by dacoits who have stopped trains, come on horses and then gone away without anybody being caught. In addition to that, the accidents that have already been referred to, are frightening instances. Newspapers have reported that in one particular Gitanjali train between Kolkata and Bombay, the passengers were insulted and manhandled by the catering staff. Frequent accidents of incidents of violence on trains is making the train travel in this country particularly unsafe. I wish to bring to the attention of the hon. Minister that if such incidents are not checked, if protection is not given to passengers, such sort of incidents will create a sense of fear amongst the hundreds of thousands of people who travel everyday on trains. I wish this to be recorded, and as a particular instance, a response to be obtained from the Minister concerned as to what steps are being taken in order to safeguard the passengers on trains traveling throughout India. Thank you.

Need to reconstitute the National Commission

for Scheduled Castes

सुश्री अनुसुइया उइके (मध्य प्रदेश) : माननीय उपसभापति महोदय, मैं आपका ध्यान एक बहुत ही महत्वपूर्ण और गंभीर की ओर आकर्षित करना चाहती हूँ। देश की अनुसूचित जाति और जनजाति की रक्षा और उनको शोषण और अत्याचार से बचाने के लिए संविधान में अनुसूचित जाति आयोग का गठन किया गया। इस विषय को लेकर मैं आपका ध्यान आकर्षित करना चाहती हूँ। भारत में अनुसूचित जाति वर्ग के हितों की रक्षा हेतु संविधान के

अनुच्छेद, 338 के अंतर्गत राष्ट्रीय अनुसूचित जाति आयोग का गठन किया गया तथा इस आयोग को व्यापक अधिकार सम्पन्न बनाया गया ताकि आयोग इस वर्ग के व्यक्तियों के हितों की रक्षा करे। आयोग को अनुसूचित जाति के व्यक्तियों से संबंधित प्रकरणों की जांच करने, दोषी व्यक्तियों को वारंट द्वारा तलब करने, अनुसूचित जाति वर्ग के हितों की योजना में सलाह देने, अनुसूचित जाति वर्ग के विकास की योजनाओं का मूल्यांकन करने आदि के अधिकार प्राप्त होते हैं। इस आयोग का महत्व इसी बात से स्पष्ट हो जाता है कि आयोग का वार्षिक प्रतिवेदन महामहिम राष्ट्रपति द्वारा सदन में प्रस्तुत किया जाता है।

उल्लेखनीय है कि शासन द्वारा अनुसूचित जाति वर्ग के हितों को प्रभावित करने वाले नीतिगत निर्णयों में आयोग की सलाह आवश्यक है। विदित है कि राष्ट्रीय अनुसूचित जाति आयोग का कार्यकाल 24 मई 2010 को समाप्त हो चुका है। वर्तमान में लगभग तीन माह का समय व्यतीत हो जाने के उपरान्त भी आयोग का पुनर्गठन नहीं किया गया है जिसकी वजह से अनुसूचित जाति वर्ग से संबंधित अनेकों महत्वपूर्ण प्रकरण लम्बे समय से लंबित पड़े हुए हैं।

अतः मैं भारत सरकार से अनुरोध करना चाहती हूँ कि राष्ट्रीय अनुसूचित जाति आयोग का तत्काल पुनर्गठन करें तथा भविष्य में इस प्रकार से व्यवस्था की जाए कि इस प्रकार की महत्वपूर्ण संवैधानिक संस्थाओं का पुनर्गठन समय पर किया जाए। महोदय, मैं एक बात और कहना चाहती हूँ कि अनुसूचित जाति आयोग में जो महिला कर्मचारी है, उनको भी काफी प्रताड़ित किया जा रहा है। इसके पहले अनुसूचित जाति आयोग के जो पूर्व अध्यक्ष थे, *उनके बेटे के द्वारा भी भारी भ्रष्टाचार इस आयोग में किया गया।

श्री उपसभापति : आप नाम मत लीजिए।(व्यवधान)..... उनका भी नहीं लेना है। उनका नाम रिकॉर्ड से निकाल दीजिए।

सुश्री अनुसुइया उइके : मेरा आपके माध्यम से सरकार से अनुरोध है कि जो भी इसमें भ्रष्टाचार हुए और महिला अधिकारियों के साथ जो प्रताड़ना की जा रही है, उनकी जांच की जाए और सदन को इसकी जानकारी से अवगत कराया जाए।

Circulation of fake Ten rupees coins in Delhi

श्री रामदास अग्रवाल (राजस्थान) : उपसभापति महोदय, मैं आपका ध्यान आकर्षित करने के लिए तथा सरकार की ओर से जवाब की अपेक्षा से यह विषय उठा रहा हूँ। अब तक हमने अखबारों के जरिए और स्वयं के अनुभव से यह बात समझी थी कि हमारे में Fake currency चल रही है। वह कितनी मात्रा में चल रही है और कितनी amount इस देश के अंदर आ चुकी है, यह किसी को मालूम नहीं है।

*Expunged as ordered by the Chair.

इस fake करेंसी का धंधा हमारे देश में, देश के बाहर सीमा के आर-पार से बराबर कई वर्षों से चल रहा है, लेकिन अभी तक केन्द्र सरकार या उसकी जो एजेंसियां हैं, वे इस समस्या की जड़ तक नहीं पहुंच पाई हैं। वे केवल कुछ लोगों को गिरफ्तार करती हैं और उनकी जांच करती हैं, फिर मामला वहीं का वहीं रफा-दफा हो जाता है। उसके कारण किसी कोई exemplary punishment अभी तक मेरी नॉलेज में नहीं आई है कि fake currency का धंधा करने वाले या नोट छापने वाले जो लोग हैं, उन तक हमारी पहुंच हुई है या हमने उनको कोई बड़ी सजा दी है, ऐसा उदाहरण अभी हमारे देश के अंदर, हमारे सामने नहीं आया है।

उपसभापति जी, मैं इस संदर्भ में यह जानना चाहता हूं कि अभी तक fake करेंसी का धंधा तो चल ही रहा था, अब दूसरा धंधा शुरू हो गया है। भारत सरकार ने अभी दस रुपये के नये सिक्के जारी किए हैं। पिछले एक साल या छह महीने के अंदर ही नये दस रुपये के सिक्के जारी हुई हैं, लेकिन आश्चर्य की बात यह है कि हमारे देश में दस रुपये के सिक्कों को अभी तक मैंने नहीं देखा है, परन्तु हमारे देश में इन दस रुपये के सिक्कों के डुप्लीकेट, नकली दस रुपये के सिक्के हमारे देश के अंदर करोड़ों रुपये के चल निकले हैं। मेरी समझ में नहीं आता है कि आखिर हमारे देश में सरकार है या नहीं है? हमारे देश में fake करेंसी चल रही है और भी कई प्रकार की गतिविधियां चल रही हैं, मैं उनके बारे में चर्चा नहीं करूंगा, सब कुछ हो रहा है, लेकिन सरकार की तरफ से इस मामले में केवल लीपापोती जैसा जैसा कोई कदम उठाया जाता है, कोई गंभीर कदम नहीं उठाया जाता है। सरकार की तरफ से fake करेंसी चलाने वाले लोगों पर गंभीर प्रहार किया जाए। जो राष्ट्रविरोधी काम कर रहे हैं, जो समाज विरोधी काम कर रहे हैं, जो हमारी करेंसी को फेल करने का काम कर रहे हैं, जो हमारे देश की आर्थिक स्थिति के ऊपर आघात करने का प्रयास कर रहे हैं, ऐसे लोगों के खिलाफ सरकार कार्यवाही करने में क्यों हिचकिचाती है? क्यों नहीं उनके खिलाफ सख्त कार्यवाही की जाती है, उनके लिए कड़े से कड़े दंड का प्रावधान क्यों नहीं किया जाता है? ऐसी गतिविधियों में इन्वाल्व होने वाले लोगों को यह चेतावनी मिलनी चाहिए कि अगर वे fake करेंसी का आयात करते हुए या छापते हुए पकड़े गये तो, . उनको कड़ी सजा दी जाएगी। सरकार द्वारा इस तरह से कदम उठाए जाने चाहिए। मैं सरकार से निवेदन करता हूं कि fake सिक्कों का धंधा अभी नया-नया शुरू हुआ है. अभी से ही इसकी जड़ खोदकर इसको समाप्त करना चाहिए, यह मेरी मांग है।

SHRIMATI JAYANTHI NATRAJAN (Tamil Nadu) : Sir, I have a point of order. How come a Calling Attention, particularly regarding the attacks on Tamilian fisherman by Sri Lankans, can be taken up later? How are other motions allowed before the Calling Attention, Sir, with due respect? ... (Interruptions).. Isn't it always that a Calling Attention is to be taken up first?

MR. DEPUTY CHAIRMAN : No, no; I will tell you...(Interruptions)...

Please listen me...(*Interruptions*) ... A decision was taken on that because there are a number of Calling Attentions we are regularly listing. Yesterday, we had a Calling Attention; today, we have a Calling

Attention, and tomorrow also, we will have a Calling Attention. The Zero Hour also was a casualty because of too many Calling Attention. So, it was decided to facilitate a large number of Zero Hour issues also, which are pending. And, as Members have been raising that the Calling Attention is taken up at the cost of Zero Hour, an arrangement has been made to first take up a few Zero Hour issues also and, then, the Calling Attention. ...(*Interruptions*)...

श्री एम. वेंकैया नायडू (कर्णाटक) : सर, यह सब्जेक्ट का मुद्दा है।(*व्यवधान*)...

SHRIMATI JAYANTHI NATARAJAN : Sir, you may not dilute. You may take note of it, Sir.

MR. DEPUTY CHAIRMAN : No, on; I am not diluting...(*Interruptions*)...

SHRIMATI JAYANTHI NATARAJAN : I request that the importance of the Calling Attention is not lost, Sir.

MR. DEPUTY CHAIRMAN : See, it is very clear, and Zero Hour is over also. Now, I am taking up the Calling Attention. Dr. V. Maitreyan to call the attention of the hon. Minister...(*Interruptions*)....

PROF. P.J. KURIEN (Kerala) : It is not dilution...(*Interruptions*)

MR. DEPUTY CHAIRMAN : It is not dilution ...(*Interruptions*).... It is not dilution, please.

PROF. P.J. KURIEN : We are not opposing it...(*Interruptions*)... we are all supporting ...(*Interruptions*)....

MR. DEPUTY CHAIRMAN : MR. Kurien, please sit down...(*Interruptions*).... Please call the attention of the Minister, Dr. Maitreyan.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

**Killing of Indian Fishermen and Continuous Attacks
on them by Sri Lankan Navy**

DR. V. MAITREYAN (Tamil Nadu) : Sir, I would like to speak in Tamil.

MR. DEPUTY CHAIRMAN : You call the attention.

DR. V. MAITREYAN : *Hon'ble Vice Chairman Sir, I would like to call the attention of the Minister of External Affairs with regard to the killing of Indian fishermen and continuous attacks on them by Srilankan Navy.

MR. DEPUTY CHAIRMAN : You have not given a notice for that....(*Interruptions*)...

SHRI D. RAJA (Tamil Nadu) : Sir, there are separate notices. We all have given notices and the Minister should respond. Then, we will speak on that.

MR. DEPUTY CHAIRMAN : See, this is the procedure...(*Interruptions*)... I am asking him because this is the procedure.

SHRI M. VENKAIAH NAIDU (Karnataka) : Yes, this is the procedure...(*Interruptions*)... He is also saying the same thing.

MR. DEPUTY CHAIRMAN : I have asked him to call the attention. The Minister will make a statement. After that, you seek clarifications.

SHRI D. RAJA : That is what I am saying. It should be just clarifications....(*Interruptions*)...

DR. V. MAITREYAN : The procedure followed by the House in respect of Calling Attention yesterday will be followed today also, Sir.

MR. DEPUTY CHAIRMAN : What is this? Before starting itself, you have started behaving like this!...(*Interruptions*)...

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA) : Sir, I rise to respond to the House on the Calling Attention notices regarding the killing of Indian fishermen and continuous attacks on them by Sri Lankan Navy.

I would like to reiterate, at the outset, in this august House that the welfare, safety and security of our fishermen have always received the highest priority of the Government. The Government of India and the High Commission of India in Sri Lanka have consistently taken up issues relating to incidents of firing on or apprehension of our fishermen with the Government of Sri Lanka to ensure that the Sri Lankan Navy act with restraint and our fishermen are treated in a humane manner.

Hon. Members would recall that to avoid recurrence of incidents involving our fishermen, and keeping in mind the humanitarian and livelihood dimensions of the issue, on 26th October, 2008, India

*English translation of the original speech in Tamil.

and Sri Lanka reached an Understanding of Fishing Arrangements under which both of us agreed to put in place practical arrangements to deal with *bona fide* fishermen crossing the International Maritime Boundary Line from either country. As part of these practical arrangements, it was agreed that there will be no firing on Indian fishing vessels and that Indian fishing vessels will not enter into sensitive areas designated by Government of Sri Lanka along its coastline.

I would like to inform this august House that after the October, 2008 Understanding, incidents of apprehension and firing on Indian fishermen in the waters between India and Sri Lanka have come down significantly. In 2008, 1,456 Indian fishermen were apprehended by the Sri Lankan Navy. In 2009, those apprehended came down to 127 fishermen only. In 2010, till end of July, 26 fishermen were apprehended. In 2008, the number of fishermen reportedly killed was five with one missing. In 2009, there were no fishermen killed or missing. Recently, we have had an incident in which one fisherman was reportedly killed. However, there has been a significant decrease in the incidents of apprehension of Indian fishermen after 2008. It is, therefore, evident that the October, 2008 Understanding has had a salutary effect on the situation.

I would also like to reiterate that whenever incidents of firing or apprehension or ill-treatment of our fishermen come to our attention, we have immediately taken them up with the Government of Sri Lanka. Government of Sri Lanka have in most cases responded to our request and have released these fishermen. We have, time and again, emphasised on the Government of Sri Lanka to scrupulously adhere to the Understanding we have reached and they have assured us of their commitment to adhere to this Understanding. However, they have also consistently denied that their Navy has had any responsibility in such incidents of firing on our fishermen. They have also stated that their Navy does not enter Indian territorial waters.

I would like to inform the hon. Members that most such incidents have taken place in Sri Lankan waters where our fishermen stray across the

International Maritime Boundary Line. It is, therefore, important that we sensitize our fishermen to respect the International Maritime Boundary Line and not to stray into Sri Lankan waters for their own safety and security, especially in those areas designed as sensitive by the Government of Sri Lanka. We have also conveyed a similar request to

the Government of Sri Lanka vis-a-vis their fishermen who cross the International Maritime Boundary Line and enter our waters.

India and Sri Lanka are also in discussion in the Joint Working Group constituted to deal with issues related to fishermen and to work out bilateral institutional arrangements for ensuring the safety and security of the fishermen of both countries and addressing such issues in a humane and practical way. Thank you.

DR. V. MAITREYAN : *The customary explanation given by the Hon'ble Minister of External Affairs is disappointing. I would like to quote a couplet from the greatest Tamil epic 'Tirukkural' which has been recognized as the greatest epic throughout the world. Tiruvalluvar has said,

"Though things diverse from diverse sage's lips we learn,

'Tis wisdom's part in each the true thing to discern."

(Couplet No. 423)

That is, real knowledge will find the truth from the facts told by different people. The Sri Lankan Government have never kept any of its promise at any point of time. After having so many incidents of breach of promise by the Sri Lankan Government, it is really sad that the Government of India trust their empty words. The Tamil Nadu fishermen trust only the Government of India for their welfare, safety and security. Our fears about the future of Tamil Nadu fishermen are further heightened at the Government of India's trust in the Sri Lankan Government...(Interruptions)...

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu) : Sir, we are Indians.

DR. V. MAITREYAN : I am also an Indian. I am proud of it.

MR. DEPUTY CHAIRMAN : Mr. Maitreyan, address the Chair. Don't look at others.

SHRIMATI JAYANTHI NATARAJAN : Sir, he is talking of Tamil Nadu. I am asking, "Is it not part of India?" This is what I am asking.

DR. V. MAITREYAN : *My Hon'ble Colleagues from DMK, whose main aim is to occupy offices in the Union Government also, may be satisfied at the explanation given by the Hon'ble Minister of External Affairs and would keep silence as usual. But our revered leader, Hon'ble *Puratchithalaivi*

*English translation of the original speech in Tamil.

Amma and our party AIADMK as a whole, are really concerned about the welfare of Tamil Nadu fishermen...(Interruptions)... It is my duty to find fault with the Government..It is my right to find fault with the Government, for their omissions and commissions. I am not here to praise them, Sir...(Interruptions)...

DR. K.P. RAMALINGAM (Tamil Nadu) : Sir, he must withdraw it...(Interruptions)...

SHRIMATI KANIMOZHI : Sir, he is...(Interruptions)...

MR. DEPUTY CHAIRMAN : Mr. Maitreyan, you speak on the subject. You have to seek clarifications. You speak on the subject...(Interruptions)...

DR. V. MAITREYAN : Sir, it is my duty to find fault with the Government...(Interruptions)...

MR. DEPUTY CHAIRMAN : You have to seek clarifications. Do not talk about the Union Ministers and all that. That is not clarification. Please seek clarifications.

DR. V. MAITREYAN : Sir, it is my right and duty to talk about their acts of omission and commission...(Interruptions).. I am not here to praise the Government...(Interruptions)...

MR. DEPUTY CHAIRMAN : Mr. Maitreyan...(Interruptions)...

SHRIMATI JAYANTHI NATARAJAN : Sir, it is not clarification..
...(Interruptions)...

MR. DEPUTY CHAIRMAN : Just a minute....(Interruptions). Please sit down...(Interruptions).. I am on my legs. Please sit down. I would like to pose a question : is there the Chair or not? Are you being regulated? See, you have to address the Chair. This way we cannot conduct the proceedings of the House. Each one of you is addressing each other. What is the need of the Chair then? ...(Interruptions)... Please ...(Interruptions).. I will control you and everybody. I am here. I am listening to him. If you start attacking each other and do not allow

others to speak, I am sorry. This is Parliament. Everybody has a right to speak. I am not here to say what he wants to say. If there is any unparliamentary word or if he says anything against the rules, I am there. He says, "It is my right to speak in Parliament". Let him speak.

SHRI TIRUCHI SIVA (Tamil Nadu) : But it should not be irrelevant.

MR. DEPUTY CHAIRMAN : Whether it is relevant or irrelevant, it is not for you to decide. Mr. Siva, please tell me...(*Interruptions*).

SHRI TIRUCHI SIVA : It is in the Rules Book ...(Interruptions)...

MR. DEPUTY CHAIRMAN : Mr. Siva, please ...(Interruptions)... Relevant or irrelevant, it is not for the Chair to decide. I have repeated this several times in the House...(Interruptions) He says, he has the freedom of speech ...(Interruptions) Kindly tell me, under what rule, I should say, what the Member is saying is relevant or irrelevant, unless it is unparliamentary...(Interruptions) You quote the rule, and I will take action...(Interruptions)..

DR. V. MAITREYAN : If it is unparliamentary, I can understand. What is relevant or not relevant has to be decided by the Chair and not by Members...(Interruptions)

SHRI TIRUCHI SIVA : Sir, you kindly look at Rule 240.

MR. DEPUTY CHAIRMAN : Then, you raise a point of order under Rule 240.

SHRI TIRUCHI SIVA : The Chairman, after having called the attention of the Council to the conduct of a member who persists in irrelevance...(Interruptions)... I am addressing the Chair...(Interruptions)... The rule further says : "...or in tendious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech."

MR. DEPUTY CHAIRMAN : Yes, it is for the Chair to decide...(Interruptions)

SHRI TIRUCHI SIVA : Sir, you cannot forfeit my right...

MR. DEPUTY CHAIRMAN : Mr. Siva, this is not the way. You have to raise it in a proper way...

SHRI TIRUCHI SIVA : That is why I got up from my seat and am raising it.

MR. DEPUTY CHAIRMAN : You have to raise it as a point of order, but not like this that ten Members would get up at the same time. One member can get up and raise it. But all of you are getting up each time. Why are you cultivating this habit? This is not good.

SHRI TIRUCHI SIVA : If you take the responsibility, then, we will not interfere.

MR. DEPUTY CHAIRMAN : Before I could point out, you get up because I should, first of all, know whether he is speaking relevant or not. And, the Chair is here. Rule 240 is for the Chair, and I should decide. You are not to decide...(*Interruptions*)...

SHRIMATI KANIMOZHI (Tamil Nadu) : Why is he looking at us and pointing out?

MR. DEPUTY CHAIRMAN : That is what I am saying. You too don't look at him... (Interruptions)

DR. V. MAITREYAN : Sir, in so many years of my being here, I have never spoken anything which is irrelevant.

MR. DEPUTY CHAIRMAN : Mr. Maitreyan, you are a senior Member. You have to address the Chair. Why do you look at them every time? ..(Interruptions)

DR. V. MAITREYAN : When they provoke me, I cannot keep silent. Please tell them not to provoke me.

MR. DEPUTY CHAIRMAN : If they commit a mistake, you too want to commit it...(Interruptions) This way we cannot ...(Interruptions).. The Members should help the Chair. It is not that I alone can regulate the House. If the Members are not going to follow the rules, and they go on arguing, the Chair can do very little. In this way, we cannot conduct the business in the House...(Interruptions)...

SHRI D. RAJA : This is a serious issue. We should discuss this.

MR. DEPUTY CHAIRMAN : It is because the issue is very serious, we have listed it, and we are taking it up...(Interruptions).. Is it the way of discussing? ...(Interruptions)....

DR. V. MAITREYAN : Tell me one sentence which, I said, was not relevant.

MR. DEPUTY CHAIRMAN : You are not talking about the issue.

DR. V. MAITREYAN : What I said pertains to this issue.

MR. DEPUTY CHAIRMAN : You are talking about some Cabinet Minister of Tamil Nadu. What is the relevance in it?

DR. V. MAITREYAN : Definitely so, Please read it in the context...(Interruptions)...

MR. DEPUTY CHAIRMAN : If we are not concluding the discussion in one hour...(*Interruptions*)... The rule is very clear. Only one hour is given for the Calling Attention Motion ...(*Interruptions*)...

SHRI D. RAJA : Sir, you cannot deprive my right. It is for you to maintain order in the House.

MR. DEPUTY CHAIRMAN : If you people don't want order, what can I do? I have not policing power, Mr. Raja...(Interruptions)...

SHRI D. RAJA : But you are in the Chair, Sir...(Interruptions)...

MR. DEPUTY CHAIRMAN : If Members are not interested, I can't do anything...(Interruptions)...

PROF. P.J. KURIEN (Kerala) : All of us are interested in this, not only the people of Tamil Nadu...(Interruptions) My request is that all of us...(Interruptions)...

MR. DEPUTY CHAIRMAN : It is not the fishermen; they are interested in other things. They are not interested in fishermen.

DR. V. MAITREYAN : *Our Tamil Nadu fishermen have no fear of the roaring sea. They have high self-esteem and self-respect, to earn their own livelihood, by their own hard work. They are very courageous. They stand on their own legs, unlike the rulers of Tamil Nadu who are in the seat of power with the help of others. Our country is endowed with a long coastline stretching upto seven thousand five hundred kilometres. Among them, Tamil Nadu coastline stretches upto one hundred five hundred kilometres. There are thirteen coastal districts in Tamil Nadu. More than eight lakh Tamil fishermen earn their livelihood by fishing. More than eight lakh Tamil fishermen earn their livelihood by fishing. More than 30 lakh people are dependent on fishing...(Interruptions)...

MR. DEPUTY CHAIRMAN : You seek clarifications, Dr. Maitreyan.

DR. V. MAITREYAN : No. I can speak, Sir, What is this? I will stop it, Sir.

MR. DEPUTY CHAIRMAN : You stop it. I am not worried about it. You stop it. I am only asking you to seek clarifications.

DR. V. MAITREYAN : I have right to explain my points.

MR. DEPUTY CHAIRMAN : No. You have no right to explain.

DR. V. MAITREYAN : But you follow that practice in all other Calling Attentions. What is this? You can't stop me like this. What is this?

MR. DEPUTY CHAIRMAN : Please sit down.

*English translation of the original speech in Tamil.

DR. V. MAITREYAN : What is this?

MR. DEPUTY CHAIRMAN : No, Dr. Maitreyan. By shooting, you can't ask the Chair not to follow ...(*Interruptions*)... Please do not shout at the Chair...(*Interruptions*)...

DR. V. MAITREYAN : No. But you can't interrupt.

MR. DEPUTY CHAIRMAN : Please do not shout at the Chair.

DR. V. MAITREYAN : You tell me what is irrelevant.

MR. DEPUTY CHAIRMAN : I am warning you. Don't shout at the Chair.

DR. V. MAITREYAN : You only warn from the Chair, you don't want...

MR. DEPUTY CHAIRMAN : I am only implementing the rules.

DR. V. MAITREYAN : Sir, rules are for everybody.

MR. DEPUTY CHAIRMAN : The House is adjourned for ten minutes.

The House then adjourned at thirty-two minutes past twelve of the clock

The House re-assembled at forty-one minutes past twelve of the clock,

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN) in the Chair

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN) : The House is adjourned for ten more minutes.

The House then adjourned at forty-one minutes past twelve of the clock.

The House reassembled at fifty-one minutes past twelve of the clock,

MR. DEPUTY CHAIRMAN in the Chair

MR. DEPUTY CHAIRMAN : Yes, Dr. Maitreyan.

DR. V. MAITREYAN : Sir, at the outset, I offer my sincere apologies to the Chair for any disrespect which I have shown. Unconditional apology to you, Sir.

MR. DEPUTY CHAIRMAN : Please carry on.

DR. V. MAITREYAN : *Our Tamil Nadu fishermen have no fear of the roaring sea. They have high self-esteem and self-respect, to earn their own livelihood, by their own hard work. They stand

*English translation of the original speech in Tamil.

on their own legs, unlike the rulers of Tamil Nadu who are in the seat of power with the help of others. Indian coastline has a length of seven thousand five hundred kilometres. Out of this, Tamil Nadu coastline stretches for one thousand five hundred kilometers. There are thirteen coastal districts in Tamil Nadu. More than eight lakh Tamil fishermen earn their livelihood by fishing. They have been mercilessly killed by Srilankan Navy...(Interruptions)...

A fisherman called Chellappan, who belongs to Vellapallam village of Vedharanyam, Nagapattinam district, was shot dead by the Sri Lankan Navy on 7th July, 2010 in Indian territorial waters. So far, more than five hundred fishermen were attacked and killed. Thousands of them have been injured. Many of them have become physically disabled. Some even live as lifeless persons. They are weary of their life after such attacks by the Sri Lankan Navy.

In October 2006, another fisherman called Sounderaj of Karaikal, was severely attacked by the Sri Lankan Navy in Indian territorial waters, at a place called Jagathapattinam near Pudukottai district. He was seriously wounded to the extent that one could find so many bullets from his body. Bullet practicles were found in his brain also. If that bullet particles are removed, he may lose his life, and therefore doctors have left those pieces of bullet in his brain itself. He has lot his ears. He cannot breathe through his nose and breathes only through his mouth. He has lost his left hand and left leg. So many Sounderajs are present in Tamil Nadu. There are many such instances to be cited. During the past twenty four months, more than twenty four atrocious attacks have been carried out by the Sri Lankan Navy. Through the attack that was carried out on 7th July 2010, the Sri Lankan Navy have warned that their attacks would not cease, but would continue in future also. But the people who have the responsibility of protecting our fishermen, say that they can only write letters and in returns enquire us whether they can send armed forces towards that nation.

Tamil Fishermen are truly courageous men. They had no fear of great disasters like tsunamis and cyclones. But they fear the Sri Lankan Navy

as the Indian Government have not come forward to protect them. A fisherman's family keeps waiting for him in the coast with the hope that he would bring a lot of fish. But only the message of his death reaches them now.

Our founder Dr. *Puratchithalaivar* MGR had a great love for the people of Tamil Nadu. He was identified as the true friend of fishermen. He gave his heart and soul to the fishermen. They also

reciprocated his love and had placed him at a high pedestal. He had showered his affection over the fishermen. The fishermen are the sons of the coastal region of Tamil Nadu. Our party AIADMK's affinity with the Tamil fishermen and our real concern for them have never been appreciated by others. It is doubtful whether due to our close proximity with the fishermen, the attacks on them have been neglected here. I would like to quote a few lines about our founder's concern for the fishermen:

"Sea is our real home where the silver moon serves as our lamp;

Our life is uncertain; It can either continue or end at anytime without any hope of survival:

Sir, these words seem to be incomparable in explaining the real life style of Tamil Nadu fishermen. I would like to humbly request the Government that the life and livelihood of fishermen have to be guaranteed.

Sir, the ocean current may change its direction at anytime. There are chances that the fishermen may be carried away by the ocean current when they are on the sea. It is not their fault. None has the right to accuse the fishermen of crossing the territorial waters when they have been actually diverted by the ocean current. This matter should be pointed out to the Sri Lankan Government. That could not be misconstrued that he had entered the territorial waters of Sri Lanka and crossed the International Maritime-Boundary Line. This movement of ocean current has to be understood by all. It is in the hands of the Government to understand their situation and explain that this movement has taken place due to the influence of ocean current but not by any intention to enter the Sri Lankan territorial waters. The Sri Lankan Army enters Indian territorial waters to attack our own fishermen. It is the responsibility of the Union Government to point out this matter also to the Sri Lankan Government. I would like to point out that India is a sovereign nation and it has full freedom and right to warn the Sri Lankan Government not to enter Indian territorial waters and also not to attack our fishermen. I hope that the Union Government take the responsibility of warning the Sri Lankan

Government against its arrogance.

Moreover, there is a necessity to retrieve Katchatheevu from Sri Lanka which has been the cause of all these problems. In the year 1974, Katchatheevu was offered to Sri Lanka. Then State Government of Tamil Nadu remained silent when Katchatheevu was offered to them. That had become the real

cause of all these problems. Kutchatheevu can serve as a fortress for the sovereignty of India. The fact is that we have exposed our fishermen to dangerous situations by offering Kutchatheevu to them.

Similarly, Bangladesh asked for 'Teen Bigha', a part of Cooch Bihar region of West Bengal, for annexing with their country. But severe opposition was raised in West Bengal. Due to this opposition, 'Teen Bigha' was offered to Bangladesh only on the basis of tenancy. The far-sightedness of West Bengal has protected 'Teen Bigha'. But the then Tamil Nadu Government's lack of far-sightedness had allowed the offering of Kutchatheevu to Sri Lanka. Our party AIADMK's stand is that the problem of Tamil Nadu fishermen can never be solved without retrieving Kutchatheevu. That is why our revered leader, Dr. Puratchithalaivi Jayalalitha had filed a case in the Supreme Court of India for retrieving the Kutchatheevu from Sri Lanka.

The Hon'ble Minister did not mention anything about retrieving Kutchatheevu in his statement. I would like to request him to provide the necessary information about the decision of the Government of India with regard to Kutchatheevu in his reply.

India has a long tradition. Tamil Nadu fishermen have sparkling love for their nation. Their patriotism is symbolized in the thousands of tri-coloured flags carried by them in hundreds of their steam boats and in lakhs of their smaller boats. The blue-coloured sea looks tri-coloured due to their boats carrying our tri-coloured flag. It is our duty to protect them and to provide them safety and security. Their life and livelihood has to be guaranteed by the Union Government. The State Government in Tamil Nadu is not responsible for their suffering. On behalf of AIADMK, I would like to request the Union Government to understand their responsibility of guaranteeing the future of Tamil Nadu fishermen by ensuring safety and security for them. I hope I would be given a full-fledged reply to all the clarifications sought by me on behalf of our fishermen and on behalf of our party. With these words, I conclude my speech. Thank you.

MR. DEPUTY CHAIRMAN : Thank you, Mr. Maitreyan, for this excellent presentation.

SHRI D. RAJA : Thank you, Sir. I have spoken on this issue several times in this House. Today, with added sadness, I would like to make some observations and I would like to seek some clarifications. Sir, I think, the Government suffers from a sense of complacency that everything is all

1.00 P.M.

right. I am surprised why the Government should have such a sense of complacency because the statement is nothing but a very routine, a very casual statement and there is nothing new. In fact, I can quote the extract from the *suo motu* statement made by the very same Minister, with all due respect to him, Mr. Krishna, and I quote his speech of 4th December, 2009. He himself admitted that 'the understanding with Sri Lankan Government in October 2008 put in place the practical arrangement to deal with the bona fide Indian and Sri Lankan fishermen crossing the international maritime boundary line. The understanding of October 2008 has had a salutary effect on the situation.' This was in December 2009. The same reply is given in the present statement also. Sir, the fishermen communities have been left behind in economic activities and have remained backward socially and economically, and they need protection. This protection is paramount in the given situation. I do not want to narrate how many incidents took place since the so-called end of war in Sri Lanka. The fishermen continue to be harassed, tortured and killed. They are being fired at directly by the Sri Lankan naval forces. Their boats are being confiscated, their lives are being confiscated, and the damage is being caused.

It is going on whether we admit it or not. These are all going on and that is where I think, there is a need for Government to take more proactive steps in protecting the interests of our fishermen. Sir, the Minister should explain to us whether the question of safeguarding the fishermen has been raised at any point of time in this SAARC forum because we are part of SAARC, Sri Lanka is part of SAARC and several other countries in our region are part of SAARC. I am not speaking only for Tamil fishermen. It can even happen to Sinhala fishermen. I would like to know whether Government of India has raised this issue at any point of time in SAARC forum. The fishermen should be protected. No Government should fire at them. There must be some political understanding on this issue. Did Government of India raise this issue and discuss it with our neighbouring countries, particularly with Sri Lanka?

So, Sir, I suggest the Government should think of new ideas. One, I think, the Government should propose that both Sri Lanka and India should agree for a common peace zone, no fire zone. Sri Lankan naval forces should not fire at our fishermen. There must be some political understanding between both the countries. We must mutually accept that this is peace zone, this is

no fire zone. No military or naval force should fire at fishermen who cross the so-called international waters. I think, Sir, it is high time that Government of India should take up this issue. Secondly, Sir, my previous colleague asked about Kachcha Theevu agreement. Again, I quote the written reply from Mr. Krishna's letter. It was written to me on 30th September, 2009 in which the Minister has said, "The Government considers its maritime boundary with Sri Lanka settled under agreements concluded with Sri Lanka in 1974-76. Under the agreement, the island of Kachcha Theevu lies on the Sri Lankan side of the Indo-Sri Lankan International Maritime Boundary Line." Texts of both these agreements were subsequently laid on the Table of the House. Under the Agreement, Indian fishermen are allowed access to Kachcha Theevu for rest, for drying of nets and for annual St. Anthony's festival. The right of access is not understood to cover fishing rights around the island to Indian fishermen.

Now, I ask a few pertinent questions. Sir, if the right to access is not understood to cover fishing rights, why should our fishermen go to Kachcha Theevu? Why should they go to Kachacha Theevu for rest? Why should they go to Kachcha Theevu for drying the nets? Now technique has changed. You don't need to dry nets also. The techniques has canged and why should they go to Kachcha Theevu at all if they do not have right to fishing? When the agreements were signed and the documents were exchanged between the two Governments, on the very same floor of our Parliament, it was assured to the people of Tamil Nadu the traditional rights of Tamil fishermen, Indian fishermen will be protected. That assurance was given by Government of India. What happened to that assurance, I would like to ask from the Government. Why did you let down the Tamil Fishermen, Indian Fishermen in the name of signing agreements with Sri Lanka and Kachcha Threevu. That is why I have been demanding that Kachacha Theevu agreement should not be taken as closed chapter. These agreements need to be re-opened. These agreements needs to be re-negotiated keeping in view the interest of Tamil Fishermen, the interest of Indian fishermen. It is a serious issue.

The Government cannot treat this Agreement as closed. Bilaterally, we can ask for re-opening. We did it in case of several other countries. We did upgrade our bilateral treaties. We did it in case of Bhutan. So, why cannot we do it in case of Sri Lanka?

MR. DEPUTY CHAIRMAN : Mr. Raja, please conclude.

SHRI D. RAJA : I am concluding, Sir.

So, Sir, I am demanding that the Katchatheevu Agreement needs to be re-opened and re-negotiated.

Finally, I ask the hon. Minister as to why it is happening. The Government of India is not taking any firm position on any issue. The Government of India is succumbing to whether the Government

of Sri Lanka dictates -- I use the word 'dictate' deliberately -- and they think considering the geo-political equations in our region, they can bully the Government of India. But as a sovereign nation, should see the interest of our country. We should see the interest of our fishermen.

The Sri Lankan war against the Sri Lankan Tamils was over.

MR. DEPUTY CHAIRMAN : Please conclude, Mr. Raja.

SHRI D. RAJA : I am concluding, Sir.

Even the UN Secretary General has talked about the war crimes and the abuse of human rights. He constituted a 3-Member Committee for an enquiry. The Sri Lanka Government oppose that! The Government of Sri Lanka did not agree to it! But, what is the stand of India? India is keeping quite. Why is our country silent? Why cannot you speak out? What is our stand?

MR. DEPUTY CHAIRMAN : Mr. Raja, you have taken more time. Please conclude.

SHRI D. RAJA : It is connected with Tamil Fishermen. That is why the Government of India is not taking a strong measure to protect the interest of the Tamil fishermen. The Government of India, I think, will have to recast its policy towards Sri Lanka. Now, the time has come that the Foreign Policy towards Sri Lanka needs to be recast. I request the hon. Minister, while replying to the debate, to throw some light that the Government is considering to recast its policy towards Sri Lanka. Thank You.

SHRIMATI KANIMOZHI : Sir, I would like to bring, through you, to the notice of the hon. Minister that in Tamil Nadu we have nearly 2.6 lakh fishermen who are actively engaged in fishing. Today, their lives are threatened, their honour is threatened, their families are threatened and the future generations are threatened, because of the on-going attacks on these fishermen who take to the sea.

Sir, we all have heard the phrase 'fishing in troubled waters.' Unfortunately, some of our colleagues do not understand the gravity of the situation and they want to find political mileage even out of this discussion when so many of our fishermen are hurt and their families being ruined because of these attacks. It is very sad that they only find

things to accuse....

MR. DEPUTY CHAIRMAN : Don't look at that side. Please address the Chair.

DR. V. MAITREYAN : Sir, now, what should I do?

MR. DEPUTY CHAIRMAN : I asked her to address the Chair.

SHRIMATI KANIMOZHI : Sir, I am not accusing him...(Interruptions)...

DR. V. MAITREYAN : Sir, I might be accusing Mr. Raja also ...*(Interruptions)*... Sir, I did not mention any name...*(Interruptions)*... I would like to clarify that I did not mention any name. It could be Mr. D. Raja.

MR. DEPUTY CHAIRMAN : You please address the Chair.

SHRIMATI KANIMOZHI : I did not mention any name. It could have even Mr. Raja.

DR. V. MAITREYAN : Sir, she herself is fishing in troubled waters.

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair]

SHRIMATI KANIMOZHI : Sir, I would like to quote one of the previous speeches of Mr. Raja in one of his speeches a few months ago he clearly said that the Tamil Nadu Government objected to the Kathchatheevu being given out. There was a Resolution passed in the Assembly. I would like to bring that to the notice of the Government. Of course, as the State Government, everybody has constraints and we have to understand that this is a country and whatever decision that the Central Government takes, we have to go by that.

One more thing I have been reading papers regularly for the past few decades. I don't remember that any fleet leaving Tamil Nadu shores and going to Sri Lanka - like what Jhansi Rani might have done--to save our Tamil Nadu fishermen who have been affected and killed in Sri Lankan or the Indian waters.

I have never read of anything like that. I have always seen that letters are written to the Central Government, asking for protection of the fishermen, as the present Government and the Chief Minister have been continuing to do. The Chief Minister has taken the trouble of coming to Delhi and meeting the Prime Minister and the External Affairs Minister also. Time and again, unlike many others, who have been ruling before us, he has been insisting that we have to find out a solution to this. The Minister has also given statistics about how many people and how many fishermen have been affected and how many people have been killed. So, I would not like to take too much of time by going into all that.

An MoU was signed in 2009 saying that there will not be any more attacks and shootings against the Tamil Nadu fishermen who take to the waters. It gave us a lot of hope that, perhaps, the sufferings of our fishermen have come to an end. But, unfortunately, it has only taken a different

shape, a different turn and a different form. The shootings might have come nearly to an end, but I cannot say that it has completely stopped. But, now, it has become very common that our fishermen are humiliated and traumatized. In a recent incident, and it is not just a single incident, a fisherman called Chellappan, had died. The Sri Lankan navy and officers had jumped into the vessel. They did not shoot anybody, but they shot at vessel, they shot next to them, they shot in air, thereby trying to intimidate the fishermen. They tried to frisk them by denuding them. They had ropes in their hands with which they whipped them up. They threw their cell phones away so that they were not able to contact the shore. They threw their nets away. This has been continuing for years and so many of our fishermen have gone missing.

Once I met a woman who had lost her son. She asked me if my child did not come back from the school for half-an-hour, would I not panic. (*Time-bell rings*) I will just finish, Sir. She further said that she did not know what happened to her son because it had been seventeen years since he disappeared. Do not cases like this move us? There is not a single man in some families. There is a child studying in Chennai. She belongs to a fisherman family. Her father had been killed; her uncle had been killed; her brother had been killed. There are so many families that are suffering like that. But we have not yet found a solution to this...(*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Okay, Now, put your question.

SHRIMATI KANIMOZHI : Sir, every time an incident like this happens. Our fishermen are hurt, humiliated and killed. So many times dead bodies return. But even then the Sri Lankan Government has vehemently been rejecting that the allegations leveled against them. And, the media, the Minister and Defence spokesmen say that such allegations are levelled to sabotage the goodwill between Sri Lanka and India. This is the same story, again and again. I would like to know, if it is not the Sri Lankan Navy, which has been humiliating, hunting and shooting at our fishermen, then, who is it. Is it that our fishermen are hurting themselves? We have to find out who it is. And, we will have to take it up more seriously...(*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Conclude please.

SHRIMATI KANIMOZHI : Just a minute, Sir. We claim to have IRS and INSAT series of satellites. Is it not possible with the imagery, obtained from these sources, to nail the culprits? And, we should have the highest

level of officials in the Indian Navy and the Sri lankan Navy to discuss the ongoing problem and to come out with a standard operating procedure. The Minister, in his statement, has said, "I would like to inform that mostly all these incidents happen in Sri Lankan waters." But even if our fishermen are crossing to their water...(Interruptions)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : You have already taken seven minutes.

SHRIMATI KANIMOZHI : Sir, it is a very serious issue. I have always listened to you. Please give some more extra time.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Okay, now conclude.

SHRIMATI KANIMOZHI : Sir, it has always been that whenever Sri Lankan fishermen crossed over and came to our shores or waters, we have only arrested them and after proper interrogation, we have sent them back safely, but this never happens to our fishermen except in very, very rare cases. Why does this continue to happen? What has the Indian Government really done to put an end to the sufferings of our fishermen? Thank You.

SHRI MANI SHANKAR AIYAR (Nominated) : Sir, I associate myself with it.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : That you can do. Okay. Now, Shri M. Venkaiah Naidu.

SHRI TIRUCHI SIVA : Isn't my name there, Sir?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : No. I am going by this list.

SHRI TIRUCHI SIVA : Isn't my name there, Sir?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : One Member from each Party will speak.

SHRI TIRUCHI SIVA : Sir, I have given a separate Notice, they said that it would be admitted. Kindly consider it, Sir, and allow me to speak for a few minutes.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Let me first exhaust the names in the List ...(*Interruptions*)... Leave it to me. From your Party, already, one Member has spoken.

SHRI TIRUCHI SIVA : Sir, it is not Party issue.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : But rules are there.

SHRI TIRUCHI SIVA : Those who have not given notice may not be

considered.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Sivaji, please, Listen to me.
Rules are there. His name is there. I have called him. You take your
seat. If you want I will consider your case. Believe me.

SHRI TIRUCHI SIVA : I have given a separate notice. Otherwise, I can be considered on Party basis.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : I will find out the position. Leave it to me. Now, Venkaiah *ji*, please stick to five minutes.

SHRI M. VENKAIAH NAIDU (Karnataka) : Sir, the reply given by the hon. Minister is totally disappointing. It seems that the Government has become insensitive to the sufferings of the fishermen there. Anybody, after going through this Statement and the Statements by the Minister earlier will come to the conclusion that the Government is adopting a casual approach. Sir, it is not my agony alone. I would to draw the attention of the Minister to a letter written by the hon. Chief Minister of Tamil Nadu which says -- "The Tamil Nadu Chief Minister, Shri M. Karunanidhi, sought Central intervention to ensure that there are no further attacks on fishermen. This is not the first time the violence was unleashed against the fishermen of the State." Sir, see the observation. "In spite of the repeated representations to the Union Government, the Prime Minister and the Central Ministers concerned, there is no change in the plight of the fishermen." This is not an allegation by an Opposition Party. It is an agony expressed by the serving Chief Minister of the State where these people have been affected. Still, the Government of India is unmoved.

Sir, everytime, there is an attack on fishermen. The State appeals to the Centre which, in turn, shoots off a letter and makes a request to Sri Lankan Government to pacify Tamils, but within days, attacks resume. "It was aptly described. This is what is happening there. This is not an issue of Congress or BJP or DMK or AIADMK; it is an issue concerning the fishermen living in that coastal area whose livelihood is only fishing. Sir, we have an agreement. I would like the Foreign Minister to just go through this which says, "India and Sri Lanka deliberated in detail the plight of our Tamil fishermen and agreed that the fishermen would not be attacked or killed but should be treated properly by Sri Lankan Navy even if they have crossed International Maritime boundary line. As attacks

still continue, the Centre should intervene immediately." This is the request made by the Tamil Nadu Chief Minister.

Sir, now, I come to the issue. I would like the External Affairs Minister to also clarify that these attacks have taken place in Indian waters. This is what the Fisheries Department is saying. Chellappan was fishing in Indian waters and he was killed there. The Agreement is not to fire. So,

they seem to have devised a new method of entering into the boats forcefully, robbing them and then, undressing them, putting them in a nude position, and beating them with rods. These are the reports. Is this the way a civilized Government should behave? They are not terrorists. They are going there for their livelihood.

Then, coming back to the issue of Katchatheevu, as my colleague Dr. Raja has rightly put, there is an agreement. If somebody enters for fishing, he should be allowed. We have to discuss it and then we have to take a policy decision. But the main issue is, when people are going there for livelihood and the Sri Lankan Navy authorities are harassing them, torturing them, beating them, removing their clothes and doing all these things, then, what is the response of the Union Government?

So, I would like to know from the hon. External Affairs Minister the steps that he has taken in this regard. Simply taking to them is not going to suffice. Sri Lanka and India have got a special relationship. We have been coming to the aid of Sri Lanka as and when there is a crisis, there is a problem. I don't want to recall the history. We have a special relationship. Even during the recent episode also, Indian Government went two steps forward to help them, to help the suffering Tamilians. But unfortunately, the Tamils are not treated properly in Sri Lanka. There is a widespread feeling in Tamil Nadu and also in Southern parts of the country that their sentiments are being hurt day in and day out. They are not taking care of the Tamilians in Sri Lanka. They are now harassing and torturing the fishermen who are going there for their livelihood. What is this policy? If they do like this, then what is the meaning of friendship? What is the meaning of having a cordial relationship with Sri Lanka? So what I would like to know from the hon. Minister is, will he take it up at his level -- not to leave it to the officials -- and lodge a strong protest and also engage the Sri Lankan Administration for discussion on the issue to come to a clear-cut understanding? As Shrimati Kanimozhi has said, even if somebody is caught, you have to gracefully check-up whether they belong to some Extremist organization or not and then safely send them back. This is what we have been doing.

There are a number of instances where the Sri Lankan fishermen also came to Indian area. But they were treated with kindness and respect. The same treatment is expected from Sri Lanka also. So, I would like to know from the External Affairs Minister whether he is willing to take personal

initiatives in this matter and see to it that and end is put to this recurring problem every time...(Time-bell rings)... Sir, I have taken just four minutes. the people of Tamil Nadu are becoming restive. The Chief Minister is helpless; the Central Government is helpless; the Parliament is helpless. Is it the message that we want to convey to the country? It is no good for the country. I am telling you. Please don't treat this as an issue of only Sri Lankan's Tamils or Tamilian fishermen. It is an issue which is concerning every Indian. We are all one with those people. But mere sympathies alone will not suffice. Condolence for the dead and compensation for the survived cannot be a policy. We have to take a strong action on this. I would like to hear from the hon. External Affairs Minister as to what are the steps he is going to take to put an end to this on a permanent basis. And, is he willing to say that the Government of India is willing to renegotiate the Katchatheevu Agreement? Thank you.

DR. T.N. SEEMA (Kerala) : Thank you, Mr. Vice-Chairman, Sir, for having given me this opportunity.

Sir, I would like to share the anxieties expressed by the hon. Members on the killings of fishermen by the Sri Lankan forces. Actually, the fishermen from Kerala also face these kinds of attacks. Some fishermen of Kerala are still languishing in Sri Lankan jail. So, through you, Sir, I take this opportunity to request the hon. Minister for the quick release of these fishermen who are languishing as prisoners in Sri Lankan jails.

Sir, the hon. Minister has stated in his statement that there has been a significant decrease in the incidents of apprehension and firing on Indian fishermen after 2008. But, Sir, in reality, because of these attacks, the fishing has decreased considerably and it has affected the day-to-day life of the fishermen, as many of the hon. Members have pointed out.

Sir, the annual report for the year 2009-10 of the Ministry of Defence, Government of India states the duties and functions of Indian coastguard. The second duty says, 'providing protection to Indian

fishermen, including assistance at sea while in distress.' In another report, it is stated that the cordiality between the Indian coastguard and the Sri Lankan coastguard is very good. If this is the case, then why the Indian fishermen are not protected from the attacks of the Sri Lankan forces?

We would like to the Government to ensure the safety and security of the fishermen, not only of the Tamil Nadu fishermen but of the Kerala fishermen also because they are also fishing in deep sea on that side. So, I would like to request the hon. Minister to ensure the security of our fishermen. I once a gain request the hon. Minister to look into the issues of fishermen who are still in the Sri Lankan jails and kindly take some action for their release. Thank you.

DR. E.M. SUDARSANA NATCHIPPAN (Tamil Nadu) : Sir, the Indian fishermen, the Tamil fishermen, use different kinds of boats and nets and they also fish for different types of fish. For example, they fish for prawns alone while the Sri Lankan fishermen fish only for Tuna fish. It is a big fish and they use a different kind of boats and nets and also, fish at different times. Thus, the fishermen from these two go out for fishing around the same time and get into quarrelling. They are not taking fish from the other's areas but they quarrel about the time and place where they fish. When we met the hon. President of Sri Lanka, he had casually mentioned that fishermen do not have any boundaries; they move along with the fish; wherever there is fish, they travel there. Therefore, we must understand that the Sri Lankan fishermen as well as the Indian Tamil fishermen face the same kind of problems. Therefore, I would suggest, as I had mentioned in a previous intervention, that there should be a joint federation of fishermen from Sri Lankan and India or Tamil Nadu. They should sit together and work out the time and days or fishing. Even now the system is being followed by the Indian fishermen in catamarans and mechanical boats. Another point that I would like to make is, when a problem arose, UPA-I had come out with an agreement on 28th October, 2008. Because of that, there was no firing between the armed forces, but, all the same time, there was some intervention by the fishermen themselves. That should be stopped.

An incident took place about 15 days ago when the Tamil Nadu fishermen found that their friends' steamer had sunk. They had gone there in search of the steamer and went into the Sri Lankan waters. The Sri Lankan Coastguard interfered and they promised that they would get back the

sunken boat. They left the place, but, in the meantime, other people interfered. Who are they? Has the Sri Lankan Government filed any FIR against them? What happened to the steamer that sunk? What happened to the fishermen from the Indian side, the Tamilians, who had suffered? What damages would be paid from the Sri Lankan side? I would like to know about this.

Sir, three positive aspects could be taken into consideration immediately. We do not have any sea route operational for the Sri Lankan Tamils or for Tamils from the Indian side. The historical ferry service between Rameshwaram and Talaimannar should be immediately restored, so that there could be interaction among fishermen and people from both sides. Legality would be provided when a ferry service is started. Similarly, ferry services from Colombo to Tuticorin should also be started. Talking of Katchatheevu, it is only beyond 15-16 nautical miles into the Sri Lankan waters that prawn and other fish needed by the Tamil fishermen is available. Therefore, they should be allowed to go and fish there. The Tuna fish is available in the Indian waters, but we are not taking it; they have their own factory in Sri Lanka; So, they should be allowed to fish here. There should be an agreement for that purpose because our fishing is different from theirs in every aspect. As for Katchatheevu, I had made a Special Mention about that too. A permanent trade fair should be arranged between India and Sri Lanka just like we have trade fairs in New Delhi, so that people from both sides could interact.

Finally, Sir, I would like to make one more suggestion. Mookayur harbour is the one that was considered to be one of the main issues that would help solving this problem. That issue needs to be addressed properly. Now, the Tamil Nadu Government under hon. Chief Minister, Dr. Kalam, has granted five crore rupees for the establishment of that harbour.

If that harbour is created and the Government of India also gives around Rs. 50 crore for that immediately, then the fishermen, who are around 10,000 people from Tamil Nadu, will not go into the Sri Lankan territory at all. They will have their own deep fishing in that area. People are ready to migrate there. Therefore, this should be taken as a main issue and the Government of India should also give the grant. Finally, Sir, fishermen should be covered by the insurance scheme. Both the Governments should come forward and prepare identity cards for them so that they can show these cards to authorities. After that, if anybody

is hurt in either country then that country should be liable to pay the compensation and people should be properly compensated.

SHRI TIRUCHI SIVA : * Hon'ble Vice Chairman Sir,

"Eyes have dried by frequent moaning;

Heart is weary; Fear haunts everyday about the possibility of Survival

Longing for a permanent solution to put an end to their despair"

*English translation of the original speech in Tamil.

This is the painful situation of Tamil Nadu fishermen who have been suffering from the attacks of Sri Lankan Navy. We want a permanent solution to end their misery.

With regard to the problems of Tamil Nadu fishermen so many discussions have taken place in this august House. So many resolutions have been passed for them. Day before yesterday one Murugesan, yesterday one Munusamy and today one Chellappan, the tragic tales of Tamil Nadu fishermen are continuing day by day. The list should not be expanded further. I wish no more business in this august House in which we have to make another obituary reference for our fishermen breathe. We would like to hear no more convincing messages from the Union Government that this issue would be considered. I request the Government of India to look at this issue with a humanitarian perspective. A permanent solution is needed.

If a citizen of any other country is either killed or attacked by the neighbouring country, his country will not be a silent spectator. Tamil Nadu is also a part of India and the Tamil men trust the Government of India for their protection. The Chief Minister of Tamil Nadu is eighty seven years old. Even at this ripe age, he is waging struggles for the welfare of the Tamil Nadu fishermen. For their welfare, he has protested by observing fast. We have passed a unanimous legislation in Tamil Nadu Assembly for retrieving Kutchatheevu and to retrieve the source of livelihood of Tamil Nadu fishermen. He had written letters to the Sri Lankan Government. After receiving his letters, the Sri Lankan Government would be silent for two days and then their attacks would start as usual.

Sir, the Sri Lankan Government have always been allergic to Tamils. They have involved in ethnic cleaning of Tamils in their own land. The remaining Tamils are imprisoned in thorny fences. Not satisfied with these tortures, the Sri Lankan Navy enter Indian territorial waters to repeatedly attack our own Tamil fishermen. These incidents necessitate a clarification to enquire about the safety measures the Government of India is providing to the Tamil Nadu fishermen.

I would like to inform the Hon'ble Minister about another important matter. The availability of fish in the Palk strait is scarce now. Therefore the fishermen sail longer distances in search of more fish. Even then they could not return with a considerable catch. Even in such circumstances, the Sri Lankan Government attacks them accusing them of crossing the Sri-Lankan territorial waters. They

snatch not only their fish, but also their cellphones. Their GPS (Global Positioning System) equipments which are used for finding more fish were broken. Their boats were destroyed, nets were cut. Our fishermen were arrested by them and were attacked by butts of guns. Sir, it is truly distressful. How long will this misery continue?

There is a very great thinker in Tamil Nadu called Mr. Vaali. He is a great poet. He has written a poem about our fishermen and I would like to quote a few lines from the poem.

"They go one day and return some other day;

Every day a tragic in their life;

For the sake of food, they have to lead a dangerous life,

But others have taken their life for granted."

Tamil Nadu fishermen can struggle with sea waves, but they cannot struggle against Sri Lankan Navy. The Tamil Nadu Government and our Chief Minister have been pleading to you regularly to mitigate the sufferings of Tamil Nadu fishermen. This situation should not continue. Sir, I would like to enquire from you as to why the Government of India do not give priority to solve the crisis of Tamil Nadu fishermen. Sir I would like to ask an important question. Don't you have a harmonious relationship with the Sri Lankan Government? So many Memoranda of Understanding have been signed between the two nations. An Advanced Scientific Research centre is established by a joint venture of the two nations. An intellectual centre is established in Sri Lanka with your assistance. An intellectual centre is going to be established by a joint venture of two nations. When both the nations are strengthening their bilateral relationships in other matters, why do the Government of India not discuss with the Sri Lankan Government about their attacks on our Tamil Nadu fishermen and warn them that such attacks should not continue further.

Whenever Sri Lankan fishermen cross Indian territorial waters, are they killed by Government of India? I would like to raise a doubt whether the invisible border line denotes the separation India and Sri Lanka or

does it denote the separation of life and death of fishermen? Sir, please reply to me. We are pleading from Tamil Nadu with regard to this state of affairs because it is a central subject. The Government of India have to be committed to solve this problem. Had it been a state subject, our

efficient leader, a capable Chief Minister would have solved this problem by the time. He is not the kind of person who would take rest after making so many promises. He is the kind of person who toils hard to implement all the promise made by him. He has the capacity ot achieve whatever is possible by him. Sir, now the ball is in your court. Therefore, we request you to put a full stop to all these attacks. Sir, I know that you are a great humanitarian and a capable person to solve this crisis.

Gone are the days when a fishermen's wife would wait at the coast with the hope that he would return with a lot of fish and they would spend the rest of the day happily. But, nowadays, with a child in her arms and longing in her eyes she waits with the fearful doubt whether her husband would return carrying his catch or somebody else would return carrying either his corpse or the news about his death. Sir, how long shall we wait to end such distressful life? How many tragedies can we bear?

India is a sovereign country. India is a courageous country. Sir, please prove our strength. Please issue a warning to the Sri Lankan Government that another attack should not be carried out from their side and that if there is another such attack from their side, the consequences will be severe.

The coastal areas constitute the border regions of our nation. The neighbouring country may become an enemy country at any time. In such circumstances, fishermen living in coastal areas are like our soldiers who will inform us and protect us during intrusions from neighbouring countries. Sir, therefore, I request you to protect our coastal areas to protect our fishermen, to protect their life, and to protect their livelihood. They are Indians. They are our fishermen. They are our brethren. Please send a strong message to Sri Lanka that India has all the rights to protect these fishermen. Please, provide a permanent solution for saving all distressed Tamil Nadu fishermen. We want no more fears, no more attacks, no more shooting, no more tears, no more wailings, no more resolutions and no more condolences. We want only the

safety and security of our fishermen and a guaranteed lief and livelihood for them. Please do take necessary steps for ensuring the same of them. With these words, I conclude my speech. Thank you.

SHRIMATI JAYANTHI NATARAJAN : Sir, I would like to thank you for giving me this opportunity. I have very pointed clarifications that I would like to seek from the hon. Minister. First, I would like to add that this is one of the very few issues in the extremely politically-dynamic State of Tamil Nadu

that brings all of us together—all political parties, all persons and indeed every citizen of India. As Mr. Venkaiah Naidu so kindly pointed out, and as you yourself pointed out from the Chair, this is an issue that concerns every single citizen of India, every single political party of India. Every single fisherman, who goes out there, is an Indian fisherman and not just a fisherman of Tamil Nadu or Kerala. And, the life of every single fisherman is precious to this country. So, I believe it is important not to politicise the issue but to look at it in a calm and dispassionate manner. Having said, Sir, the fact of the matter is, in my memory, this must be, at least, the 50th time that we are raising this issue in the House. Therefore, something serious is missing and something serious needs to be done.

All-party delegation has met the hon. Prime Minister several times. The Prime Minister has taken steps time and again. The Prime Minister sent his special envoy, expressed his concern. But, Sir, the matter still remains at this alarming stage. Now, there are new ways. The International Maritime Boundary is not a line which is drawn on the ocean. Fishermen will necessarily follow the fish. The fact of the matter is that Sri Lankan fisherman, who stray into the International Maritime Boundary on the Indian side, never make these complaints. These complaints are made only by Indian fishermen who are caught by the Sri Lankan Navy; and the fact of the matter which should be brought home very strongly, very strenuously and unequivocally to the Sri Lankan Government is that it will not be tolerated that India fishermen are dishonoured, distraught, tortured by the Sri Lankan Navy, that we will no longer tolerate this. This is a message that needs to be sent unambiguously by the Indian Government to the Sri Lankan Government. This is what every single citizen of India expects. We will not allow this to happen and we will not be a passive spectator. Sir, Mr. Raja raised some issue. He raised it in a pointed way that what is your Sri Lankan policy. I would say that there is only one policy — the life of every single Indian is precious and our Government will not be a passive spectator.

Sir, now I come to my pointed questions. Will the Government -- of

course, this is the Ministry of Defence -- enhance the presence of the Coast Guard and Navy to intensify this sea and air patrolling with additional manpower, state-of-art vehicles and aircraft so that lives of our fishermen are saved? Will the entire sea patrolling of the Tamil Nadu coast be brought under one single command irrespective of east or west sea coast, as presently, there may be some confusion in the matter creating difficulty? Will an OPV with a helicopter be stationed at Tuticorin under the exclusive control of the Eastern Command of the Coast Guard? Will the Government provide for seamless

communication with the State Fisheries Departments, whichever the State where the fishermen are coming from, so that there can be immediate communication with our Defence Forces? And, will the Government establish state-of-art patrol and intercept posts, Coast Guard station at Kanyakumari, bring the entire Coast Guard and put it in position without any delay to substantially increase the security of the Tamil Nadu coastline and the International Maritime Boundary?

Sir, our people, the Indian people have had enough. Not one life further should be lost, and, it is indeed the responsibility of the Central Government to send this message and to ensure that it happens with the Sri Lankan Government. No other policy is important to us than the safety of the lives of our fishermen. The hon. Minister should state unambiguously whether he is willing to put this in motion. Thank you, Sir.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Thank you. Now, the hon. Minister.

SHRI S.M. KRISHNA : Sir, as I have conveyed through my written statement about the change of situation that has come about after October, 2008 understanding with the Sri Lankan Governmental authorities, I share the concern of the entire House, cutting across party lines, that life of every citizen of India, be it a fisherman or be it somebody else, is precious, and, the Government of India is duty bound to protect and safeguard the lives of Indian citizens.

It is with this in view that we have been talking to the Sri Lankan authorities and Sri Lankan Government. Very recently, the President of Sri Lanka was here in India, and, this was one of the issues, which were taken up with the President by our Prime Minister. We have issued assurances that Sri Lankan Government will give due consideration to the legitimate concerns of our fishermen.

A number of useful suggestions have been made, and, at the same time, certain criticism has also been made. I am not going to take up every issue that has been raised, but, broadly speaking, I think, I would be

right in saying and in asserting that the number of incidents, which were on the ascendency are now going down, and, that should be a cause of some satisfaction that certain change of attitude is taking place.

SHRI M. VENKAIAH NAIDU : Sir, even if one life is lost, it is a unhappy thing.

SHRI S. M. KRISHNA : I entirely agree with Shri Venkaiah Naidu that every life is precious to us

including the one of Chellappan. We feel sorry that Chellappan died in one of these incidents. The entire House condones his death and we convey our sincere condolences to the bereaved family. It was said by Shrimati Jayanthi Natarajan that the maritime waters do not mean much to the fishermen.

I think, that is a matter of fact. Fishermen are basically not literate; some of them may be, but most of them are not literate. So, they do not understand anything beyond fishing itself because they happen to fall upon fishing as a means to their livelihood. And, it is the responsibility of the Government of India that they should be given every encouragement and then the right kind of atmosphere should be created so that they can pursue their profession, their occupation with a degree of success so that they can maintain their families.

My esteemed friend, Dr. Maitreya, mentioned about Katchatheevu. Sir, there was an agreement which was entered into between the Government of India and the Sri Lankan Government in 1974-75. I am sure that everyone in this august House understands that in order to reopen an international agreement arrived at between the two countries, there will have to be a consensus on either side. Minus that consensus, unilaterally, the Government of India cannot reopen the Katchatheevu. Well, the 1975 agreement also provides that the Indian fishermen can go to Katchatheevu to dry their net, to rest and various other non-fishing activities. I think, the point was asked, "Then, why did we come to some agreement"? Well, it was decided that Katchatheevu does not belong to India; it belongs to Sri Lanka. When once a decision of that kind has been taken, then, I think, I would pose this question to every hon. Member whether it can be reopened unilaterally by India.

My esteemed friend, Mr. Raja, mentioned that the Government of India should not be complacent. I entirely agree with you. Let me assure you that the Government of India is not complacent. As I mentioned, when, very recently, the Sri Lankan President came to this country, we did take up this issue with the Sri Lankan President. Is that an indication of the

Government's position that it is complacent? The highest political authority, the President of Sri Lanka and the highest political authority in India, the Prime Minister, when both of them talked about the problems that fishermen are finding, that means the Government is fully alive to the problem and they will

certainly pursue with the Government of Sri Lanka that they should look at it from the humanitarian point of view. Forget about the territorial waters, forget about the maritime waters and various other things, we are dealing with a friendly country like Sri Lanka. As one of the hon. Members did mention that the Government of India has been helping the Sri Lankan Government and the people of Sri Lanka, we have decided to build 50,000 houses in order to help our Tamilian brethren there. We have also provided them monetary assistance so that thousands of Tamilian minorities of Sri Lankan origin, who have been displaced, could be settled back in their villages, in their hamlets, in their cities or wherever they lived before they moved out because of certain developments there.

I share the concern of Mr. Raja that fishermen need protection. Let me assure you that the Government of India intends to provide that protective cover to the fishermen as long as they do not stray into the territorial waters of Sri Lanka.

SHRI D. RAJA : That is the problem.

SHRI S.M. KRISHNA : That is the problem. We are bound by an international law; we are bound by a treaty; and we are bound by an understanding. We will have to play the game according to the rules...(Interruptions)... We cannot say...(Interruptions).. What I say...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Please, ...(Interruptions).. No, ...(Interruptions).. Please ...(Interruptions)...

SHRI S.M. KRISHNA : Let me complete my sentence and then I will yield...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN) : Please take your seat...(Interruptions)...

SHRI S.M. KRISHNA : What applies to the Government of India and the Indian fishermen will equally apply to the Sri Lankan fishermen and the Sri Lankan Government. It does not call for any discrimination. We have (Interruptions)..

SHRI D. RAJA : Sir, it is not just a humanitarian issue. In fact, the Sri Lankan Government does not bother about the human rights. I don't want to go into that debate. It is not just a humanitarian issue. It is

an issue of rights. Indian fishermen have the right to go and fish around Katchatheevu island. That was a promise given on the floor of the House in Indian Parliament. I want to know whether the Government of India maintains that position, that Indian fishermen have the traditional fishing right, or not..*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : No..*(Interruptions)*.. Please..*(Interruptions)*... Let the hon. Minister complete his reply..*(Interruptions)*...

SHRI T.K. RANGARAJAN : Sir,.. *(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Your name is not here. You did not participate in it...(Interruptions)...

SHRI T.K. RANGARAJAN : Sir, I want to intervene...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : No, It is not like that...(Interruptions)....

SHRI T.K. RANGARAJAN : What is wrong in it?

DR. V. MAITREYAN : What about Sri Lankan Navy coming into our territory and killing our people? Even for that the Government of India has not taken any action...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Now let the hon. Minister conclude his reply...(Interruptions)...

SHRI T.K. RANGARAJAN : Sir, I have a clarification. After the Katchatheevu Agreement, till 1983 our fishermen were fishing in that area. Only after 1983, because of civil war in Sri Lanka, our fishermen were not allowed. Now my request is that our fishermen must be allowed to fish there. The fishermen don't have fish here.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : You did not participate in it...(Interruptions).... Please take your seat...(Interruptions) That is enough. ...(Interruptions).... Let the hon. Minister finish his reply...(Interruptions)...

SHRI M. VENKAIAH NAIDU : Sir, my submission is that if the Minister makes a general observation, it will be taken for granted by the Sri Lankan authorities that even the Indian Government is in agreement with them.

Sir, I would like to draw your attention to this fact that Sri Lankan Navy personnel had brutally beaten the fishermen with iron rods. Chellappan (55) died in this attack on the boat itself. Sri Lankan Navy forced the fishermen to undress and continued torture and attacks using iron rods in their nude state. After Sri Lanka Navy left Indian waters, severely injured seven fishermen sailed back. This is the fact. These

fishermen, Chellappan and others, were attacked in Indian waters. Please try to understand...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Now let the hon. Minister respond...(Interruptions)...

SHRI M. VENKAIAH NAIDU : That is the issue...(Interruptions)... What is the Indian Government going to do on this? ...(Interruptions)... This is the issue...(Interruptions)...

SHRIMATI KANIMOZHI : Sir, the Minister has pointed out in his statement that it happens many times in Sri Lankan waters. Even agreeing with the Minister that it happens many times in Sri Lankan waters, it is not right to kill people; it is not right humiliate them. There is a law. The United Nations Law of the Seas 145 says that measures will be taken to ensure protection of human life at any cost.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Now let the hon. Minister complete his reply.

SHRI S.M. KRISHNA : With regard to Katchatheevu island, it was settled in 1974 agreement. Second maritime agreement was signed in March 1976. That demarcated our boundary with Sri Lanka in the Gulf of Mannar and the Bay of Bengal. Subsequently, these agreements were laid before Parliament. It must be emphasised, therefore, that as far as the Government of India is concerned, the issue of maritime boundary between India and Sri Lanka and consequently, that of sovereignty over Katchatheevu island is a settled matter. The Government of India's position on the rights of our fishermen vis-a-vis Katchatheevu island is that under the agreements, are fishermen have access to visit the island for rest, for drying nets and for the annual St. Anthony's festival, but, rights do not cover fishing around Katchatheevu island. This is an agreement which has been on the record books. So, can we go back? Suppose you are sitting here, I am sitting there and I pose this question to you. What would be your answer?

SHRI M. VENKAIAH NAIDU : Sir, I am thankful to the hon. Minister because he has raised a relevant point. If both sides are sincerely implementing the accord, yes, you can't go back. But, if one side, time and again, is violating the spirit of the agreement and harassing people, what would you do? You have umpteen number of instances. You yourself were kind enough to say that there were higher number of incidents, but,

now it has come down. That means, the other side is violating and killing people. So, taking that as a reason, the Government of India has got every right to ask for reopening and revisiting the issue. First of all, is the Government ready to apply its mind and think on those lines? That is the issue...(*Interruptions*)...

2.00 P.M.

SHRI D. RAJA : Whether Sri Lanka agrees or not, it is for the Government of India to raise this issue. We find there is a need to reopen the agreement because when we conceded Katchatheevu to Sri Lanka, what was the understanding of the Government of India? The island was of no strategic importance. But, now, it has assumed tremendous strategic importance and the Government of the day will have a re-look at the entire agreement.

SHRI TIRUCHI SIVA : Let the initiative be taken, at least, now...(Interruptions)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : No more clarifications. No more questions. Mr. Minister, please, don't yield any more. You finish the reply.

SHRI S.M. KRISHNA : Very recently, the Katchatheevu festival was held. It was held after a long gap of 25 years. I think, that is a move in the right direction. We are moving in the right direction ...(Interruptions) I am trying to cover a few points..Interruptions..in between will certainly make me go out of mind because it is a chain of thoughts. My friend, Mr. Raja, suggested that we should take it up with SAARC. What are we to take up with SAARC? It is a bilateral issue between two countries and every now and then, we have been meeting the Sri Lankan authorities. President Rajapaksa has come to India and very soon, I am going to Sri Lanka to pursue our bilateral ties with Sri Lanka...(Interruptions).. I was coming to that...(Interruptions).. I will certainly do that. Any discussion with the Sri Lankan Government is not complete unless we discuss the question of fishermen, particularly of Tamil Nadu, Kerala and other States. When I go to Sri Lanka, I can assure to this august House that I will take it up with the Sri Lankan authorities again after listening to all the Members who have pointed out certain instances of torture and inhuman treatment. All this will be taken up with the Sri Lankan Government. Sir, India is not a country that can be bullied any more. It was never bullied by anybody. In 1971, when the Seventh Fleet came in, when it was sighted. Mrs. Indira Gandhi was never bullied. We completed that mission. So, I can assure this hon.

House that I represent a party and I represent a legacy that does not get easily bullied by anybody...(*Interruptions*)...

SHRI M. VENKAIAH NAIDU : But I hope that you will never stand again to explain, this has happened; we will see to it. Such things should be avoided.

SHRI S.M. KRISHNA : This is an on-going problem. The fishermen they are going astray and fishermen from Sri Lanka they come astray. But the problem here is that the catches available in the Srilankan waters are much more lucrative and attractive, and that is the reason which tempts our fishermen.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : The point is, why should our fishermen be tortured if they have gone to the other side? That is the point. Why should they be tortured.

SHRI T.M. SELVAGANAPATHI (Tamil Nadu) : The other point was, all these incidents have taken place in our territory...(*Interruptions*)....

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : You are not permitted. Please take your seat.

Now, no more question. Let the Minister complete his answer. Address The Chair.

SHRI S.M. KRISHNA : Now, the ferry services which were referred to by Dr. E.M. Sudarsana Natchiappan, I think, the agreement reached with Srilankan Government, Rameshwaram-Thalaimannar-Tuticorin-Columbo Ferry Services will be resumed. It will be agreed upon between Sri Lanka and India.

There is also another parallel development which is very encouraging. The fishermen's community of both countries is meeting informally and they are trying to exchange views about the difficulties that they face and how the problem that they encounter could be overcome legally. So, I think, we should encourage such contacts between the fishermen of the two countries, and I can assure you that the Government of India will be fully supportive of these efforts by the fishermen's association. Let me once again thank the hon. Members for offering various suggestions even though they were critically framed. But I take it with the spirit with which they were made and the spirit was to help fishermen in general, and fishermen in particular. Thank you.

Supplementary Demands for Grants (Railways) 2010-11.

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI E. AHAMMED) : Sir, on behalf of my senior colleague, Km. Mamata Banerjee, I beg to lay on the Table, a statement (in English and Hindi) showing the Supplementary Demands for Grants (Railways), for the year 2010-11.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : The House is adjourned for one hour for lunch.

The House then adjourned for lunch at three minutes past two of the clock
till three minutes past three of the clock

The House re-assembled after lunch at four minutes past three of the
clock,

MR. DEPUTY CHAIRMAN in the Chair.

GOVERNMENT BILL

The Appropriation (No. 4) Bill, 2010

MR. DEPUTY CHAIRMAN : Now, the Minister to reply on the Appropriation
(No. 4) Bill, 2010.

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE) : Mr. Deputy Chairman,
Sir, first of all, I would like to express my gratitude to all the
colleagues, who made their contributions while participating in the
discussions on the Appropriation Bill for Supplementary Demands. Firstly,
I would like to admit very clearly, as some hon. Members have pointed
out, that it is an unusually large sum for the first Supplementary.

It is almost five per cent of the total expenditure budget. I must say
that I have done it deliberately. From my own experience in the Ministry
of Finance and other departments, I have found that, in our budgetary
transaction process, we lose a lot of time and a precious part of the
working season is wasted because the financial clearances do not come.

Now, let us look at it chronologically. After we approve the Finance
Bill in the month of May, when schemes and other things are finalized and
the money starts getting released, the rainy season starts and the
working season is disbursed. The amount which we give normally in the
Second Supplementary Grant, that is, in the Monsoon Session, is actually
released in the month of December-January. hardly one or two months are
being saved.

On the other hand, the Indian weather conditions are such that we find
that if we have an uninterrupted working season from the month of, say,
October to March, then, perhaps, it would be a better spending.

Therefore, I know that this will be a major part of the criticism as to what type of Finance Minister I am that, while presenting the Budget in February, I could not anticipate that we would require additional Rs. 14,000 crores for giving subsidy to the oil companies; we would have to

spend almost Rs. 8000 crores for the Prime Minister's Grameen Sadak Yojana. Why couldn't I anticipate this? This is a legitimate criticism. These were anticipated. But normally what we do is that we spread it. We spread it in three Supplementaries, of which the most important is the Second Supplementary demand which normally comes in the month of November. But there too, from our experience we found that it was not going to help, particularly in implementing the projects and, thereafter, in seeing that whole of the money is being spent. Therefore, two basic principles on which I working -- and it is not written in any text book of great economic scholars, but it is from the sheer ground experience of implementing the projects and seeing how the money is being utilized -- are that if we can give longer time for utilization, it would be better. Keeping that in view, to give you an analysis of the Rs. 68,000 crores of Supplementary Demand, if we divide it in four major areas where the money is going to be spent, one major area is, of course, the social sector where Rs. 4594 crores will be spent; the second is infrastructure sector where Rs. 9445 crores will be spent; the third, of course, is subsidy where it is Rs. 14,404 crores; then, the security related expenditure is Rs. 4658 crores; then, assistance to States is Rs. 7479 crores. All these account for a total of Rs. 48380 crores. I have taken into account the net cash outflow. Of these, Rs. 68,000 crores of the Supplementary, nearly Rs. 13,705 crores would be the technical supplementary, in the sense that actually there will be no cash outgo; there will be saving or there will be some revenue realization from enhanced receipts or recovery. This is mainly related to non-tax areas.

And so far as token provision as per the normal budget-making process for the new services is concerned, I have made a token provision of Rs. 0.58 crores, that means just fifty lakhs. From the year, if we find that the spending is a little more -- as I mentioned on earlier occasion, it is not very great satisfaction to me that at the end of the year, before presenting the next year's Budget determining the Revised Estimates of the current year, if I find that I have saved a lot of money and, to that extent, the deficit financing has been reduced; the deficit financing,

fiscal deficit reduction is always desirable but not at the cost of development, not all the cost of progress of the country. That is why I have decided to have this arrangement.

Secondly, critical social security expenditure, critical security-related expenditure we had to do because these were absolutely called for. Of the social sectors, if we just analyse, it is Rs. 2,212 crores for the payment of the General Insurance Companies to meet their commitments on the agriculture insurance disbursements. This is absolutely necessary before the rainy season. Rs. 1,074 crores is grants-in-aid to the Indian Council of Agricultural Research because of the revision of

salaries, allowances, etc., as a result of the Sixth Pay Commission report's implementation. Rs. 800 crores is for transfer to the Sugar Development Fund. Rs. 500 crores is for reimbursement to the Cotton Corporation of India for the losses because they were given a guarantee that if they bought from the farmers, in the process if they incurred losses, that loss is to be compensated by the Government. Rs. 4,000 crores is for the implementation of the Right to Education Act. This Act was passed and as you know the scheme of things, the total amount which would be required is Rs. 2,31,000 crores; the two streams are moving parallel would be merged into one--one is the Sarva Shiksha Abhiyan and another is the right to education of children; taken together, the total requirement for the remaining period of the Eleventh Plan and a couple of years in the Twelfth Plan would be Rs. 2,31,000 crores. As per this estimate, so far as the States, scheme, it would be 35 per cent and the Centre's share would be 65 per cent. But, actually, the State's share would be a little less because I have not taken into account 65:35 share that the additional Rs. 24,000 crores which the States would get as a recommendation of the Thirteenth Finance Commission. If I add to that, then the actual share would be 68:32 or a little more or less. This is the main substantial expenditure on the social sectors.

On infrastructure, Rs. 7,000 crores we have given additionally to the Pradhan Mantri Gram Sadak Yojana. This is one area where I feel the longer working season would help to complete projects. Of these, about Rs. 2,000 crores would be spent for the Left-wing extremism affected districts. Rs. 338 crores is the additional requirement of the Indira Awas Yojana. Both these put together, Rs. 7,338 crores has the relevance with the longer time-frame for which the money could be spent.

The security-related expenditure is about Rs. 4,658 crores, of which Rs. 2,313 crores is towards meeting the additional expenditure requirement of the new raising of battalions in the eastern sector including acquisition of land in Jammu & Kashmir. Rs. 761 crores is the requirement for the additional Central Para-Military Forces. Rs. 980 crores is for the security-related expenditures on Jammu & Kashmir and

Left-wing extremists affected districts. Rs. 604 crores is towards the additional Central expenditure requirements of the police. The additional Central assistance to the States is Rs. 7,279 crores. Of this, Rs. 1,000 crores is of the special Central assistance to other special category States. Rs. 3,279 crores is for the special Central Plan assistance to Jammu & Kashmir. Rs. 1,000 crores is for meeting the additional requirement to compensate the State Governments for the revenue loss due to the Central Sales Tax.

As hon. Members are aware, it was decided that over the course of time, we will abolish the Central Sales Tax, but so long as the GST is being implemented in order to compensate the States, the reduction of the Central Sales Tax, CST, from 4%, it was brought down to 3% from 3% to 2%, and, currently, we are resting it at 2%. But for that, the compensation should be required. I have asked the Chairman of the Empowered Committee of the State Finance Ministers to work out the formula, and they are doing so. But, I have made a provision of Rs. 1,000 crores. For Jammu and Kashmir also, we are making some special provision of Rs. 338 crores. For Jammu and Kashmir's Special Plan, we are going to make some additional allocation, particularly in respect of these. One is the security-related expenditure of Rs. 470 crores, and second is the Special Plan assistance, as part of the Prime Minister's Package, of Rs. 3,279 crores. We are spending a total of Rs. 3,749 crores on it.

Mr. Deputy Chairman, Sir, these are the broad parameters of the expenditure proposal which we have made. But, during the course of the discussion, normally, certain other issue related to money, finance and general policies are also being raised. One suggestion has come that as you have got substantial quantum of money on 3G auctions, therefore, there should be a reduction of the rate of taxes. I think, the proposal should be that this money should be spent on more developmental work than on reduction of the taxes. Some hon. Member raised the question as to what is there in it for the *aam admi*. I would like to say that Indira Awas Yojana is basically for the poor people; Pradhan Mantri Gram Sadak Yojana is basically for the common people, it is for the rural infrastructure. And also, it is for the overall development.

A question has been raised whether I have taken the liberty of this money to spend more so that by and large the fiscal deficit remains the same; it is not that. What I have taken into account is that the revenue buoyancy is there up to 30th June. But, still I am not taking it as a firm indication because lot of advance taxes come during this period, so another quarter I shall have to wait. But, compared to the last year, the revenue trend is positive and relatively better. That is why it is

providing a little elbow room to me. The second aspect is that the basic principle of the whole developmental approach has been - though it is not on a universal scale, but in a more and more larger targeted scale -- entitlement, backed by legal enactment. In the case of the rural job, we have done it; in the case of education, we are going to do it; and if the situation permits, we would also

like to think of that there should be similar provisions in respect of the health and in respect of the shelter. If four or five basic requirements of the common people, of *aam admi*, not merely making allocations or by making pious declarations in the objectives of the Five Year Plans, but by providing their right to entitlement, the right to have it, backed by legal enactment, that will ensure that this will go. I am not talking of the leakage of the delivery system. Those are the issues which are to be discussed and debated. This is the basic principle. And, keeping that in mind, we would like to see it, and receipts like 3G helps us to have that. It is because the Finance Minister will always have to keep in mind the committed liabilities.

The total expenditure is Rs. 11,00,000 crores. The developmental expenditure is Rs. 3,73,000 crores. If we exclude that, roughly, about Rs. 7,00,000 crores of expenditure is the committed liabilities - interest payment - Rs. 2,75,000 crores; Defence -- Rs. 1,50,000 crores, and as regards Pensions and Establishment, Establishment expenditure is not that high but Pension Bills is ever expanding. Therefore, these are the committed liabilities. Keeping that in view, we shall have to ensure that how best we can make our expenditure Plan, particularly, related to development expenditure, through Plan Expenditure mechanism. As best as we can do will be helpful to us. I myself have admitted that, conventionally, in the first batch of supplementary, not such a huge amount is, normally, brought, but, I have explained the rationality to the hon. Members through you, Sir, and I do hope it would be possible when we take the opportunity of revealing the actual performance and, actually, in terms of how much amount remained unspent while calculating the revised estimates; that will prove whether this strategy is effective fruitful. With these words, I request this august House to give its seal of approval to it and allow the Bill to be returned to the other House.

SHRI T.K. RANGARAJAN (Tamil Nadu) : Sir.

MR. DEPUTY CHAIRMAN : What is the clarification? You have not taken the permission.

SHRI T.K. RANGARAJAN : Sir, with regard to supplementary after the post hike in petroleum products, the Finance Ministry has kept Rs. 14,000 crores as, in the oil market, so-called under recoveries. He has allotted Rs. 14,000 crores. But the Ministry of Petroleum's advertisement, even after the hike, says the burden of the so-called under recoveries is Rs. 53,000 crores. I would like to know from the hon. Minister who is right. Is the Ministry of Petroleum misleading the House and also the people?

SHRI PRANAB MUKHERJEE : Perhaps, both the right. Because, up to now, while presenting the first Supplementary, I have taken into account what would be the impact in the first quarter of the last few months. Therefore, I have not taken into account the whole 12 months. That is not possible.

MR. DEPUTY CHAIRMAN : The question is :

"That the Bill to authorize payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2010-11, 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, 3 and the Schedule were added to the Bill.

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

SHRI PRANAB MUKHERJEE : Sir, I beg to move:

That the Bill be returned.

The question was put and the motion was adopted.

SHORT DURATION DISCUSSION

Recent development relating to the Bhopal Gas Tragedy

SHRI RAVI SHANKAR PRASAD (Bihar) : Mr. Deputy Chairman, Sir, I am extremely thankful that you have given me the opportunity to speak on an issue of such importance. It is now 26 years that the worst industrial disaster took place in Bhopal. Nearly, 20,000 people died. We can only say that, today, justice and accountability has been the real casualty. We are proud to be a democracy governed by rule of law, but it is a matter of shame that we have not been able to give justice to them nor substantial satisfactory rehabilitation. If the hon. Minister of State is

here to listen to me, the first question I would like to know when I go forward, is : what is the exact number of dead? We understand that the registered dead are 15,274.

But the NGOs have publicly stated that the real number of dead is 22,146. After how many years we are discussing Bhopal in Parliament, we also need to introspect. When I say so, I must salute the NGOs working in Bhopal with the victims who have really fought for them in a very powerful and committed manner, and they need our appreciation.

Sir, I was trying to go through the records, and, to my dismay, I learnt that this MIC plant, the lethal gas, was the illegitimate gift of Emergency days. The Union Carbide had applied for licence in the year 1970. All the officials were opposed to it because the technology was obsolete. It was sought to be really foisted on India. They opposed for five years and knowing the whole, the Emergency came on 26th June, 1975 and they were given the licence on 31st October, 1975.

Sir, the District Judge had noted that in spite of repeated requests, no proof was given for the safety standard in Bhopal, for the same standard as in the US companies of Union Carbide.

Sir, there were warnings. In the year 1981, one worker, Mohd. Ashraf, had died. There was also an accident in January, 1982 in which 25 workers had suffered serious injury because of leakage of gas. Mr. Rajkumar Keswani, an eminent journalist, had written many articles in Jansatta. There were stark warnings, yet no action was taken. Sir, thereafter, disaster struck on 2nd and 3rd of December, 1984. We all know it. I come straightway to 7th December, 1984 when a shameful incident happened. Warren Anderson, the Chairman of Union Carbide, came to Bhopal and was arrested. Mr. Arjun Singh was the Chief Minister; he is a Member of this House. I have a copy of the statement issued by him which says 'that the Government is committed to apprehend the real guilty - and they are the guilty - and the Government will leave on stone unturned to fight on behalf of the people who have been victims.' Brave word indeed! And, thereafter what happened? Mr. Anderson was escorted by the DM and SP to the airport and was allowed to fly in a Government plane to Delhi and then to US. I have seen Mr. Anderson statement on television. 'Bail or no bail, house arrest or no arrest; I am going to go.' Mr. M.K. Rasgotra,

the then Foreign Secretary, has confirmed publicly that 'he met me, he met the Home Minister, he met the then President.' Once this happened, I see another statement from the Government of Madhya Pradesh. I have also got a copy of that statement. 'He was not required for investigation.' What a surprise? About 20,000 people died, the Chairman is

coming and in the space of three hours, the CM is changing his stand. I would again ask, अर्जुन सिंह जी, आप कहाँ हैं? आज तो कम से कम आइए, अपनी सफाई दीजिए। And, thereafter what happens? We hear the Deputy Chief Commissioner, Mr. Grieve, saying that there was an agreement. Hon. Home Minister, I have got a copy of the Pittsburgh Press of the USA. Mr. Chidambaram, you can kindly have a look at it. I am really showing it; yes, with the permission of the Chair. I am reading one line from this newspaper. A company statement, issued at its headquarter in Danbury, Connecticut, said 'the arrest violated an Indian Government promise to provide Anderson with safe passage.' This is the statement of 7th December, 1984 issued by Pittsburgh Press.

Therefore, today, Sir, at least, now we would like to know in the Parliament as to who allowed Anderson to escape. It is a sensitive issue. Obviously, the pressure was there from some very top level. At least, we need a clarity. Mr. Deputy Chairman, Sir, with your very wide experience, you are aware that if the nation cannot uphold the law, it cannot preserve the order and when Anderson was allowed to escape, the authority of the State surrendered before the accountability and the responsibility of the state.

Sir, there is an Act of 1985; I do not want to go into that. But I would certainly say one thing today. Why is it that when any accused is fair-skinned, the Government is not able to take a tough stand, be it Warren Anderson or Quattrochi? Here I would not say anything beyond that except that the might of law is there to bail them out repeatedly. That is what our experience has shown.

Sir, I now come to the third issue, that of the flawed prosecution. As I said, the Government took upon itself the act. The Government filed a case in the District Court of New York. I would like to say this with a great degree of humility. The hon. Home Minister has been a very eminent lawyer; the Leader of the Opposition, Shri Arun Jaitley, is a very eminent lawyer; my good friend, Mr. Ashwani Kumar, is a very eminent lawyer, and I am a small lawyer. What troubled me more is this. I have

got with me a copy of the plaint which Government of India filed in New York and there they castigated the Indian judicial system and they said that Indian lawyers were not competent. I would like to read it because that is very, very important and, indeed, I regret to say, in a foreign court. I am reading, Sir, from the order of the court; "Rejected. Plaintiff : Government of India. Plaintiffs contend that the

Indian legal system lacks the wherewithal to be allowed to deal effectively and expeditiously with issues raised in this lawsuit. Plaintiffs urge that Indian practitioners emphasized oral skill rather than written briefs. They lack specialization, practical investigating techniques and qualities of partnership". What was the need to condemn Indian lawyers before the foreign courts in a plaint which you subsequently lost?

Thereafter, they filed a suit at the District Court, Bhopal. Here I would like to highlight, with a great degree of pain, the shameful manner in which the entire proceedings were conducted. I have got a copy of the plaint. They said, 2660 people were killed and a claim was made of Rs. 3900 crores; three billion dollars. The matter travels to the Supreme Court. I have got a copy of the Supreme Court judgement. There, the Attorney General of India says that we are willing to negotiate for a compromise for 500 million dollars. How is it that 20,000 people die and when you make a claim for Rs. 3900 crores, you negotiate a compromise through the Attorney General for merely 500 million dollars? And what the court gave was only 470 million dollars, that is, about Rs. 700 crores. The worst, Government of India agreed to quash all the criminal and civil prosecutions. I do not want to say who was in power when this order was passed; the world knows. it. When the Opposition comes to power, Sir, the matter is reopened.

The Supreme Court realizes its mistake and allows the prosecution to continue criminal case, but the civil liability case was not reopened. Thereafter, comes the judgement of Supreme Court of the year 1996. Sir, I am lawyer too and I have the highest regard for the Supreme Court. The Supreme Court has done great work in the field of human rights, upholding the Fundamental Rights and for the growth of our democracy. But the way in which the Supreme Court in 1996 quashed the change of 304 (part 2), punishable for ten years through simple criminal negligence, I would say, Sir, is deeply regrettable. The hon. Supreme Court handled the massacre of 20,000 innocent Indians, described by Justice Krishna Iyer as 'the assassination', as if it were a simple truck accident. What is further

regrettable is, the then Chief Justice, Justice Ahmadi was a part of this Bench; there was an earlier order for construction of a hospital. He was further a part of a Bench which released the property confiscated by a Bhopal court. And he then passes an order thereafter - I am happy Mr. Arjun Singh is here; he would, at least clarify something - and after his retirement, he becomes the life Chairman and trustee of that hospital. Sir, I have the highest regard, but this conduct of Justice Ahmadi, I must say with full sense of responsibility in this House, cannot be appreciated.

MR. DEPUTY CHAIRMAN : Please, don't take names.

SHRI RAVI SHANKAR PRASAD : Sir, he was Chief Justice of India; I have to take his name.

SHRI VIKRAM VERMA : (Madhya Pradesh) : Sir, the decision was given by him.

MR. DEPUTY CHAIRMAN : He knows that.

SHRI RAVI SHANKAR PRASAD : Sir, you know it better. To quote the former Chief Justice of India, J.S. Verma, his comment was, "His reasoning cannot be supported", and Justice Sawant, publicly stated, "This taking over of the life chairmanship of that hospital certainly did not do any good to the image of judiciary". Those public comments by two eminent jurists have come to us.

Now, Sir, I come to the trial part. The trial commenced at Bhopal CJM Court. Apart from other witnesses, I would only name three crucial witnesses and those witnesses are T.R. Chauhan, who was the MIC Plant Operator Mr. Kamal Parekh, Safety Officer and Umesh Nanda, who all confirmed that there was no safety standard. They all have said that an attempt was being made to dismantle this plant and take it to Indonesia. Here, I would ask a question from CBI. Under a law if evidence has come of culpable homicide under Section 216 of the Cr. P.C., charge can be amended. When the evidence has come on record that the entire safety management was poor and deliberately steps were not taken, why didn't the CBI move the court for alteration of charge under Section 304A? Will the CBI be active only in the case of some politicians in Gujarat? There was a case of 20,000 innocent people losing their lives and no action was taken. We know of the double standards of CBI. In case of National Highways scam, officers had been arrested, but chargesheet was not filed because the investigation was going to senior people. We know of cases that the entire course of investigation is changed only because the political equation keeps on changing. But, at least, in this case when the CBI was handling a case of massacre of 20,000 people, we expected the CBI to be fair and reasonable. I regret to say that in spite of voluminous

evidence on record in the last four or five years particularly against the Safety Officers of the Union Carbide and others, no action was taken. This is deeply regrettable, I would like to say very clearly and categorically. Sir, I got the judgement of the District Court and I would like to read this paragraph 19. It is very important and is a part of the court record. I quote, "In the present case, there is a chain of circumstances supported

by expert witness and the evidence of the employees of the UCIL that prove the negligent conduct of all the accused persons, who were working in different capacity at the relevant point of time and were able to avoid such type of incident by proper care and caution. However, they did not take any action and there is clear-cut omission on their part. They are also having good knowledge that if the shortcomings in the instruments are not rectified, such incident could happen at any time. Knowing all the things, they omitted to do what they were entrusted to do." If this is the finding of the court, then 304 Part II of the IPC is really made out. It was not made. It is a clear case of failure of CBI, and really the double standard of CBI is so evident in this about the casual and indifferent way in which they have dealt with the whole matter.

Sir, I have to just make three or four quick points and questions to be asked from the hon. Minister. Hon. Home Minister, your GoM has come with a package of Rs. 1500 crore. I understand that your Government is having a very good relationship with the USA. Recently, there was a case of BP Leak in the Gulf of Mexico. President Obama told the BP people come and pay, otherwise stop doing business there, and they paid 20 billion dollars for compensation and cleaning. How many people died? Just 11 people. Hon. Minister, here 20,000 people died, and if I believe the NGO's 22,000 plus people died. So many people became disabled. Even now we have studies that mothers' breasts are having lead and mercury for children. Therefore, the entire generations are going to be affected. Is your Government going to show the same degree of strength and courage of conviction in asking those people to pay, be accountable and be responsible.

Sir, it is equally important for President Obama and the USA to understand that if the lives of 11 Americans is important, then the lives of 22,000 Indians is equally important. There has to be this clarity which I would like to emphasise with complete authority at my command. You have promised extradition of Anderson. It was only the Indian Government in May 2003 which sent the extradition request which was

turned down in June 2004. Now when so many evidences have come, is the Government going to make a sincere effort? About two months ago, I was in the USA. I had an occasion to meet Mr. Frank Pallon, the House of Representatives Member from New York adjoining State New Jersey. He is pro-India Leader. I saw his statement signed by many other Members of Congress that the USA should not stand on prestige and Warren Anderson needs to be deported. Is your Government going to take tough actions in that regard? This is the second question that I would like ask.

The third is : you filed a curative petition. But, the name of Warren Anderson does not figure in the whole controversy in that petition at all also, which ought to have been mentioned in fairness to demonstrate the enormity of the suffering of the people. I would like to highlight this. I know it can be cryptic, but Mr. Chidambaram will very well known how he makes his case and how the cases are presented.

Lastly, I would like to know from the Minister what is the exact number of people who are dead, what is the exact number of people who are disabled, what is the exact number of people who are handicapped and what is the exact number of children who are suffering. It is very important, Sir. I will just conclude by saying that the quest for justice is not something which we owe for ourselves but also for posterity. That is a challenge which we need to face. Thank you, Sir.

SHRI ASHWANI KUMAR (Punjab) : Thank you, Mr. Deputy Chairman, Sir, for giving me the opportunity of participating in this debate which, by all accounts, is an important one. Sir, over 21 years ago, when I had the opportunity of appearing as counsel in one of the petitions, I could never imagine that 26 years thereafter, I would be discussing another aspect of the matter in the highest forum of India's democracy. My good friend, Shri Ravi Shankar, with his characteristic eloquence, has made a few points. And, with the permission of the Chair and of this House, I would like not only to reply to what he has said but also to share my own perspectives about what are the central and the most important aspects of the debate today. Sir, Ravi said, in his opening, that 26 years hence, justice and accountability are the casualties. I only hope that 26 years hence, facts, which are sacred, are not a casualty. Opinion is free; facts are sacred. We all know. What do the facts state? My focus would be on the facts, and then, of course, the inevitable conclusions that must arise from those facts which will be for this House to comment upon.

Sir, a tragedy of colossal proportion occurred on 2nd and 3rd of December, 1984. Lakhs of people were affected in terms of their health, their future. Thousands died and many suffered from disabilities. Many

suffered from very serious diseases and ailments and still continue to suffer. I had hoped that the Opposition would use this opportunity to find common ways of bringing further succour to people who suffer. But, of course, it is also the privilege of the Opposition to make political points which they have done. Sir, I dare say that one of the most comprehensive litigations

that, at least, in my limited experience of 32 years at the Bar have been witnessed in this country was the Bhopal gas litigation. Sir, the Supreme Court, like any other institution, and a Judge, like any other individual, is never infallible. And, the Supreme Court has also said, "We are not infallible, but we are final by the command of the Constitution because the Constitution invests in us the power to declare, with finality, the outcome of a particular dispute." They have never suggested that they are always right. That is why, we have a review mechanism and now, more recently, the curative mechanism which, I would presently point out, has been invoked by this Government to further espouse the cause of justice for the Bhopal victims.

Sir, a settlement of \$ 470 million was arrived at. Perhaps, somebody might say that it was not good enough. Perhaps, it is possible, in hindsight, to say maybe we could have done better. But, Sir, those, who were at the centre of legal team at that time, those who were at the centre of decision making at that time, know how complicated -- and no one would better know than my good friend, Shri Ravi Shankar Prasad -- it was to prove the liability of a tortfeasor in a criminal negligence case.

This matter went to Judge Keenan in New York, and, the record says that it was Judge Keenan who accepted the Government of India's request on the basis of Doctrine of Forum Non Conveniens, to shift the matter back to the Bhopal court where all the witnesses were, where all the evidence was, and, in order to prevent ambulance chasers and coffin chasers to misuse the tragedy ...(Interruptions)... I did not interrupt you. That is how, Sir, the matter came to Bhopal. It is a part of the record. The Judgement runs into thousands of pages, and, I have also read the same document that he has read. He returned the matter here. The matter was contested. Finally, all parties represented by the ablest of counsels, with all the resources at their command on an arm's length basis, with Union of India playing the role of *Parens Patriae* decided that under the circumstances and given the possibility of not being able, finally after decades of litigation, to prove culpability, agreed consciously to settlement.

Sir, the fact that the settlement was a valid in law, just, fair and

equitable stands demonstrated by the fact that when the non-Congress Government came to power in 1989, an attempt was made to review the settlement. This was a fully argued review petition unlike the normal practice of the court, Again, a huge round of second litigation took place, and, the court, again, reaffirmed the validity and the justness of the settlement, and, the spirit of the settlement. This much is for this settlement.

Around the same time, the criminal petitions which found their way to the Supreme Court invited a judgement where the court converted the criminal charge from 304 (II), which the CBI in the Congress' regime had preferred, to 304(A) and, remanded the case back to the court of the Chief Judicial Magistrate in Bhopal with directions that the matter of criminal culpability be tried under section 304 (A). I must say that the CJM court was in law bound by the direction of the highest court. This much is for the criminal charge.

Now, Sir, after the judgement has been delivered, during the course of the trial with new circumstances having been brought, it is this Government, which, within weeks of the judgement, on 2nd August, 2010 filed a curative petition seeking to cure the defect in the 1996 judgement. This much for the criminal culpability.

Now, Sir, a point has been made by my good friend with great focus, and, it was only to be expected, on the extradition of Warren Anderson. Sir, Mr. Warren Anderson, the then Chairman of Union Carbide Corporation in the United States, upon the occurrence of this national tragedy conveyed a desire to come to India in a show of solidarity with the victims. He came to India on the 6th, went to Bhopal on the 7th, was detained by the State Police on the 7th, and, was released on the same day in the evening by the State Police on consideration of the totality of circumstances.

Who ordered the release? Why the release took place? Today, 26 years after the incident, with no documents are on record, it is your guess work, your inferential...(Interruptions)... Allow me to complete. I have not finished it...(Interruptions)...

श्री प्रभात झा (मध्य प्रदेश) : सर, ये क्या बोल रहे हैं...(व्यवधान)...

श्री विक्रम वर्मा : सी.बी.आई. खत्म क्यों नहीं कर देते ...(व्यवधान)...

SHRI ASHWANI KUMAR : Mr. Verma, I have not finished...(Interruptions)...

श्री उपसभापति : उनकी बात वे करेंगे ... आपकी... बात ...(व्यवधान)... आज की है

... (व्यवधान) ...

श्री नरेश चन्द्र अग्रवाल (उत्तर प्रदेश) : सभापति जी, ये सरकार का पक्ष ले रहे हैं या एज एक
मैम्बर बोल रहे हैं... (व्यवधान)... पता तो चले कि क्या सरकार का जवाब बोल रहे
हैं... (व्यवधान)...

श्री उपसभापति : बैठिए, बैठिए ... (व्यवधान) ...

SHRI ASHWANI KUMAR : Sir, now, in June of this year, reams of press paper reports, which my learned friend, Mr. Ravi Shankar Prasad, has himself quoted, have given different versions. All I can say today, Sir, is that when Mr. Warren Anderson came here -- and this is a matter of record; this is not a matter of argument. Correct me if I am wrong on facts. I would yield -- on 3rd of December or on 7th of December, in the FIR, Mr. Warren Anderson, rightly or wrongly, was not named by name; officers of Union Carbide were a category named. He was, at that time, not a convict; he was, at that time, not a fugitive from the law. He applied for bail in Bhopal; was released on bail. Thereafter, on the basis of an assessment ...(Interruptions).. on the basis of the assessment of the law agencies ...(Interruptions).. was asked to go back. This is the sum and substance of what happened. Mr. Rasgotra, the then Foreign Secretary, has repeatedly affirmed, personally and through the columns of the press, that he did talk within the Home Ministry and it was felt that under the circumstances, as those then prevailed, it would be the only right thing not to question his right to leave the country after obtaining the bail...(Interruptions)... One may now, Sir, by inference, make any argument. The fact is, and, I think, the Leader of Opposition, a distinguished lawyer, whose first fidelity is to the principles of the Constitution, as does Mr. Ravi Shankar Prasad's whose first fidelity is also to the principles of the Constitution (Interruptions)...

Sir, all I am saying today is, the legal process was followed. One could say that a legal process was not right but there was no appeal. There were three successive BJP Governments. At no point of time, before now, has this spurious issue been raised to deflect the attention from the core issue of relief and rehabilitation only to make a political point. Sir, I am sorry but, we have given into ourselves a system of law, to which all of us are subject. We have given onto ourselves a principle of the rule of law which today is declared to be a part of the non-negotiable basis structure of the Constitution. Have we given to ourselves a system of lampoost justice? No. Many people, who could have

been behind the bars, sometimes are not because the legal processes move in a particular direction. Sir, F. Lee Bailey, who, as Arun Jaitiley *sahib* would know, the famous criminal lawyer of the United States, wrote a very illuminating book, a kind of a biographical work, in which the opening paras are -- it may be an indictment of the judicial system, but it is true -- He said, "As the wheels of justice grind on, the innocence or the otherwise of the accused becomes progressively less relevant." I can understand somebody is anguished to say that so and so ought not to have been

released on bail, ought to have been convicted under so and so. But this is not what the course of the last 25 years of litigation in this country at the highest level has demonstrated. This is not how we proceeded. But the suggestion, the inferential unstated suggestion, intended only to score a political point, Sir, does not do justice to the cause at hand. The cause at hand is much larger.

It is true that thousands of people died. What did we do after the GoM's recommendations? A curative petition has been filed to negate and nullify the judgement that converted the offence to a lesser offence. Revision has been directed to be filed in the High Court. Appeal has been directed on the advice of the Solicitor General to be filed in the Sessions Court. All three courts in Bhopal and in the Supreme Court have been approached set right or to dispel the misconception that the Indian state has been soft on the accused.

Sir, now I come compensation. It is true, Sir, that the general feeling was that the compensation was inadequate, was not given in a timely fashion. Perhaps there was something to be said on this score. That is why, Sir, this Government, pursuant to the recommendations of the GoM, have decided to allocate an additional 699 crore rupees for *ex-gratia* payments in addition to a host of other grants that are being made available. The hospital in Bhopal has been taken over by the Government and it will now function through the medium of the Tata Cancer Institute. The biodiversity and environmental aspects are being considered.

Sir, all that I want to say now is that the proven deaths -- and the deaths could be more, I would not dispute that -- as a direct consequence of the gas leak by a process of judicial adjudication have been determined to be 5,295....(*Interruptions*)...

श्री रवि शंकर प्रसाद : I am sorry, यह क्या बोल रहे हैं आप?

श्री अश्विनी कुमार : मैं आपने रिकॉर्ड्स से बोल रहा हूँ। You can disagree with that.

श्री रवि शंकर प्रसाद : आप मेरे अच्छे दोस्त हैं, कम से कम आप ऐसी बात न कहिए। रिकॉर्ड में

15,500 है।

SHRI ASHWANI KUMAR : I am speaking from my records
...(Interruptions)...

SHRI RAVI SHANKAR PRASAD : Yes, I know that. But don't say that it is
5,000 only.

SHRI ASHWANI KUMAR : I am speaking from my record. Sir, more than five
lakh people on the whole were affected. Permanently disabled have been
identified at 3,199; cancer cases have been

identified at 2,000; and total renal failure cases have been identified at 1,000. This could be more. More money would be forthcoming. And no technicality is going to stand in the way of identifying more people if they come up.

Sir, we have taken recourse to a passage in Justice Pathak's Judgement, if I recall rightly, where he said, "Although we have put our stamp of finality on the settlement, the doors of this court as the apex court, as the custodian of the liberties and the well-being of the citizens of the country, will always be open for further relief." That is not going to come in the way. We have, in June, given Rs. 699 crore more on that account and increased the *ex-gratia* payments from five lakh rupees to ten lakh rupees in death cases; from two lakh rupees to five lakh rupees in cases of permanent disability; from one lakh rupees to two lakh rupees in case of cancer; from one lakh rupees to two lakh rupees in case of renal failure; and in case of temporary disability, which were identified at 33,672, the compensation amount has been increased likewise to one lakh rupees.

Sir, I must tell this House and please bear with me as far as facts are concerned. The facts with the Government which we have are like this. Total compensation paid till date is Rs. 3,588.44 crore and additional *pro rata* payment of Rs. 1,509 crore paid to an additional 5,62,648 claimants.

In addition to that, as far as environment is concerned and as far as the toxicity in the area is concerned, the steps have been undertaken in the first instance by the Union of India and the cost of remediation is to the tune of Rs. 319 crore. In addition to that, a sum of Rs. 258 crore has been made available to the State Government of Madhya Pradesh on a *pro rata* basis. Also, Sir, more recently, the Planning Commission has approved, on the request of the State of Madhya Pradesh, an overlay of Rs. 982.75 crore for relief and rehabilitation measures. This, Sir, is not the whole story.

In addition to that, what we have done is that we are also

contemplating - it is under consideration and decision would come any time now -- with the assistance of the Attorney-General to a file a curative petition if the law so demands even for the enhancement of the compensation as finally declared.

In addition to that, as far as the question of medical treatment of the victims is concerned, the ICMR is setting up its 31st research institute in Bhopal involving a very large capital outlay. I don't have the figures right now. But all that could possibly have been done, ought to be done, should be done, is being done by this Government.

4.00 P.M.

I would say that the focus most clearly of this debate, which is about a very, very grave national tragedy, should be to bring succour to the people of Bhopal who fell victim to this tragedy rather than to invoke this tragedy to make a political point.

A Task Force has been set up under the chairmanship of the Secretary Chemicals and Petro-Chemicals to oversee the remediation activities. The Supreme Court had ordered on 28th January, 2010 a new Incineration Centre at Pithampur in Madhya Pradesh which has now been activated and which is going to be set up. The Government of Madhya Pradesh, Department of Bhopal Gas Tragedy, Relief and Rehabilitation, has been entrusted with the job because we know that it cannot be done on a day-to-day basis by the Government of India irrespective of which Government rules the State. This is a national cause and we are going to fully support the efforts of the State Government in the matter of relief and rehabilitation. Sir, an Oversight Committee has additionally been set up within the Ministry of Environment and Forests to oversee things that are beyond the scope of the State Government's jurisdiction. The Government of India has also decided to claim restitution from those responsible for the tragedy after the judgements come out. The Bhopal Memorial Hospital Trust, as I said a little while earlier, has been taken over by the Department of Biotechnology and Atomic Energy, and will now, henceforth, be run with the assistance of the Tata Cancer Institute. An expert group of Scientific Advisory Committee has been set up to initiate the establishment and commissioning of the ICMR Centre Bhopal, as I mentioned.

Sir, in conclusion, I would only like to say, life and law are both limited by the lack of human foresight. Twenty six years hence, after the tragedy occurred, we are debating with new knowledge, with new facts, with new circumstances, with new consciousness. The fact remains that at that point of time, what was done by the State Government and the Union of India were correct by the law, were fair by the conscience of the

people and were valid as far as our judicial process is concerned. This has been reaffirmed, the judgements have been repeatedly affirmed, and even so, we have not given up. We will continue to endeavour, to the best of our ability, within the framework of the Constitution, within the framework of the facts to do all that we must do to bring further relief and succour to the victims of Bhopal Gas Tragedy. Mr appeal in final submission to my friends in the Opposition and to this House will be, please spare this subject from politicization. Thank you, very much.

श्री नरेश चन्द्र अग्रवाल : उपसभापति जी, अभी दो विद्वान अधिवक्ताओं के बाद एक छोटे अधिवक्ता को बोलने का मौका मिला है। मैं प्रयास करूंगा कि अपनी बातों को सही तरीके से सर्वोच्च अदालत के सामने रख सकूँ।

श्रीमन्, मैं पहले तो यह नहीं समझ पाया हूँ कि हमारे साथी अश्विनी कुमार जी अपने विचार व्यक्त कर रहे थे या सरकार की ओर से जवाब दे रहे थे, क्योंकि जवाब देने के लिए तो माननीय गृह मंत्री जी यहां आए हैं और हम समझते हैं कि हम लोगों के विचार सुनने के बाद वह कोई सकारात्मक जवाब देंगे। मैं समझता हूँ कि यह ज्यादा उचित होता कि अगर तत्कालीन मुख्य मंत्री जी बोलते, जो इस सदन के सदस्य भी हैं और इस समय सदन में उपस्थित भी हैं। मैं ऐसा इसलिए कह रहा हूँ कि 1974 से 1984 के बीच करीब 30 बार वहां पर गैस की लीकेज हुई और वहाँ पर 18 कर्मचारी बीमार भी पड़े। तत्कालीन सरकार के मंत्री जी ने सदन में उस समय यह जवाब दिया था कि "मैं वहाँ व्यक्तिगत रूप से गया था, वहाँ गैस रिसाव की कोई घटना नहीं हुई।" सरकार का मंत्री अगर उनको बचाने का प्रयास कर रहा है, तो इसका मतलब है कि कहीं न कहीं राज वहीं पर छुपे थे। अब उस राज का पर्दाफाश तो वही मुख्य मंत्री जी कर सकते हैं या उस समय की सरकार का कोई मंत्री ही कर सकता है। मैं समझता हूँ कि यह ज्यादा अच्छा होता कि कि अगर वह बोल देते और उस बात को यहां रख देते तो ... (व्यवधान)

श्री राजीव शुक्ल (महाराष्ट्र) : इंतजार करिए ... (व्यवधान) ... उसका इंतजार करिए। ... (व्यवधान) ...

श्री नरेश चन्द्र अग्रवाल : चलिए, संसदीय कार्य मंत्री जी बोले कि आप इंतजार करिए, तो हम इंतजार कर रहे हैं। ... (व्यवधान) ...

श्री रवि शंकर प्रसाद : क्या यह उनके प्रति आपकी शुभकामना है?

श्री नरेश चन्द्र अग्रवाल : जी हां।

श्री रवि शंकर प्रसाद : अच्छी बात है।

श्री एस. एस. अहलुवालिया (झारखंड) : अग्रिम बधाई। ... (व्यवधान) ... पहली बार संसद तो उन्हीं के कारण देखा था। ... (व्यवधान) ...

श्री नरेश चन्द्र अग्रवाल : हमारी शुभकामनाएं। श्रीमन्, मैं इस बारे में यह कह रहा था कि यदि उस समय का एक मंत्री व्यक्तिगत जिम्मेदारी लेकर सदन में कहता, यह पूरी सरकार की जिम्मेदारी थी। आज अगर इस सदन में सरकार का मंत्री जवाब देगा तो वह पूरी सरकार की तरफ से जवाब देगा। आज 26 साल बाद हमें क्या जरूरत पड़ी कि हम उस त्रासदी पर विचार कर रहे हैं? आखिर अब तक कितने प्रधान मंत्री और मुख्य मंत्री बदले गये। उस समय से अब तक कम से कम 8 मुख्य मंत्री मध्य प्रदेश के बदल गये होंगे और देश में भी 7-8 प्रधान मंत्री बदल गये होंगे। आखिर किसी ने उस त्रासदी की तरफ क्यों नहीं सोचा? आज हमें उन चीजों पर चिंता व्यक्त करनी पड़ रही है, आज हम उन 'चीजों

को सदन के सम्मुख रख रहे हैं, जिनका अब तक निपटारा हो जाना चाहिए था।

श्रीमन्, उस त्रासदी में करीब 20 हजार लोग मरे और 5 लाख 70 हजार लोग घायल हुए। साढ़े पांच लाख का एफिडेविट तो इन्होंने 2006 में सुप्रीम कोर्ट में दिया है। 5,58,125 cases of injuries का एफिडेविट सरकार का है, जो उसने सुप्रीम कोर्ट में 2006 में दिया है। श्रीमन्, इन्होंने यूनियन कार्बाइड के साथ मुआवजे के लिए 713 करोड़ का समझौता किया और उस समय इन्होंने मृतकों की संख्या करीब तीन हजार दिखायी और एक लाख बीमार दिखाये। हमारे यहां ऐसी परम्परा बन गयी है कि मृतकों की संख्या कम दिखायी जाए। लेह के बारे में भी, आज जितने अखबार पढ़ लीजिए, कुछ एजेन्सीज के through कुछ सरकारी आंकड़ों के through और कुछ NGOs के through हर अखबार में मृतकों की संख्या रोज अलग-अलग छपती है। हमारे देश में होने वाली किसी भी दुर्घटना में मृतकों की संख्या एक नहीं आती है, क्योंकि सरकारी आंकड़े कम बताते हैं और मौके पर ज्यादा होते हैं। यह परम्परा गलत है और अगर यही परम्परा वहां न अपनायी गयी होती तो आज हमको फिर से resettlement के लिए नहीं सोचना पड़ता और इस बारे में आज हमें फिर से बात नहीं करनी पड़ती। आपको मालूम है, जो आपने settlement किए, अगर आप आंकड़े जोड़ ले तो 12000 रुपये प्रति व्यक्ति के हिसाब से हमने मुआवजा लिया। यह इस देश का दुर्भाग्य है। अमेरिका में, अभी जैसा रवि शंकर प्रसाद जी कह रहे थे कि मेक्सिको में ब्रिटिश ऑयल कंपनी का तेल लीक हो गया, सिर्फ 11 लोग और करीब 597 पक्षी मरे। वहाँ अब तक करीब 7500 करोड़ रुपये खर्च हो चुका है और करीब 80000 करोड़ रुपये का पूरा अनुमान है। अमेरिका में आदमी और चिड़िया की यह कीमत है और हिन्दुस्तान में क्या कीमत है, केवल 12000 रुपये? अब तो रेल दुर्घटना, दैवीय आपदा में कम से कम एक लाख रुपये दिये गये हैं। दिल्ली के उपहार सिनेमा कांड में 18-18 तक मिले हैं, मंगलुरु में, मैं नहीं कहता कि मरना कोई अच्छा है और कम्पेनसेशन देना अच्छा है, लेकिन जो सत्यता है, उसे तो हमें कहना पड़ेगा, हमें सत्यता तो सामने रखनी पड़ेगी? आखिर क्या कारण है कि हमने इतना कम मुआवजा मांगा?

अभी परमाणु समझौते पर सर्वदलीय मीटिंग हुई है और अभी परमाणु समझौता भी आएगा। श्रीमन्, क्या जरूरत है परमाणु समझौते की जब इसके बाद भी हमने सबक नहीं लिया? क्या फिर 20-25 साल बाद हम इन्हीं चीजों को दोहराएंगे, इन्हीं चीजों को कहेंगे कि हमें नहीं करना चाहिए? जैसे इस समय यह बात उठी कि आखिर उस समय लाइसेंस क्यों दे दिए गए? लाइसेंस देते वक्त यह कहा गया था कि अगर यह फैक्ट्री लगेगी तो कभी भी दुर्घटना हो सकती है। परमाणु समझौते के बारे में भी मैं पिछली बार पढ़ रहा था कि जो कम्पनी विदेश से आएंगी, उनके ऊपर liability नहीं होगी, बल्कि सारी liabilities इंडिया के ऊपर आएंगी। आखिर हम इतने दबाव में क्यों हैं? कल हमारे एक विद्वान मित्र हमसे कह रहे थे कि अगर परमाणु समझौता नहीं होगा तो हिन्दुस्तान में बिजली नहीं रह जाएगी। हमने कहा, हम बिजली मंत्री रहे हैं और हमें मालूम है कि देश में कितनी बिजली किस तरीके से पैदा होती है। आप हमसे बहस न करें। अमेरिका के बारे में ही बता दें कि वहां कितनी परमाणु बिजली पैदा हो रही है। विश्व में फ्रांस के अलावा ऐसा कोई देश नहीं है जहाँ 100 परसेंट अटॉमिक एनर्जी पैदा हो रही हो। आज हिन्दुस्तान को यह दिखा कर

परमाणु समझौता करने की बात की जा रही है कि इस समझौते से हिन्दुस्तान में बिजली की कमी पूरी हो जाएगी? अमेरिका के दबाव में, उनकी टेक्नोलॉजी हिन्दुस्तान में लाकर अमेरिका को व्यापार कराने का काम हम इस परमाणु समझौते के माध्यम से करने जा रहे हैं? देश के लिए यह भी शर्मनाक होगा और यह कभी न कभी त्रासदी बनेगा, हमें इसको भी देखना चाहिए। श्रीमन्, अगर हम इन चीजों को नहीं देखेंगे, अभी हमारे मित्र अश्विनी जी बता रहे थे कि उन्होंने कितने कम्पेन्सेशन का इंतजाम कर दिया है। अब गृह मंत्री जी बयान देंगे, हो सकता है कि दोनों में फिर फर्क आ जाए, सरकारी आंकड़ों में तो फर्क आया या दोनों ने अगर पहले तय कर लिया हो तो बात ठीक है।

अक्सर यह होता है कि सरकारी बयान और दूसरे बयान में हरदम अंतर आता है। मैं गृह मंत्री जी से कहूंगा कि कम से कम वे स्पष्ट आंकड़े दे दें कि आखिर जो लोग वहां मरे हैं, जो लोग बीमार हैं, जो permanently disabled हो गए हैं, जो लोग आज इलाज के लिए तरस रहे हैं, इन लोगों के लिए आप क्या इंतजाम कर रहे हैं? आप कहते हैं कि हमने वहां चिकित्सा का प्रबंध कर दिया है, वहां कोई चिकित्सा का प्रबंध नहीं है। आज वहां करीब 6000 ऐसे लोग हैं; जिन्हें परमानेंट इलाज चाहिए, लेकिन आप उनके पास इलाज कराने के लिए पैसा नहीं है और वे मौत के लिए तरस रहे हैं। कम से कम आप उन्हीं का इलाज करा दीजिए।

उपसभापति जी, एंडरसन चले गए, कह दिया गया कि वह तो जरूरी था, क्योंकि वे गोरी चमड़ी वाले थे, उनको भेजना जरूरी था। मैं पूछना चाहता हूं कि क्या हमारे देश का कानून इतना कमजोर हो गया है? आज मैं एंडरसन का बयान पढ़ रहा था कि मैं हिंदुस्तान नहीं जाऊंगा, मुझे कोई नहीं पकड़ सकता। हमने प्रत्यार्पण संधि कर रखी है, हमारे पास ऐसे कानून हैं कि हम तमाम आतंकवादियों को बाहर से अपने देश में लेकर आते हैं। अबू सलेम भी जेल में बंद है, उसको हम बाहर से लेकर आए हैं, तो एंडरसन को लाने में क्या दिक्कत है? 20,000 लोगों का कातिल हमारे देश से बाहर घूम रहा है, स्टेटमेंट दे रहा है, फरार है और हम कह रहे हैं कि उसकी क्या जिम्मेदारी है? यह बहुत दुर्भाग्य वाली बात है। मैं चाहूंगा कि सरकार एक साहसी कदम उठाए और उस दोषी को यहां लाकर खड़ा कर दे, तो हमारे सामने बहुत सी चीजें आ जाएंगी और देश को लगेगा कि हमारे देश में भी न्याय हो सकता है। अभी रवि शंकर जी बता रहे थे कि किस तरह से तत्कालीन जजों ने मुकदमें को मिनिमाइज़ किया, जिसके तहत आज इतनी कम सज़ा हुई। बहुत से मामलों में तो कोर्ट सुओ मोटो तलब कर लेती है, मैं नहीं समझ पाया कि इसमें सुओ मोटो क्यों नहीं हुआ? मैं अखबार में देखता हूं कि हाई कोर्ट ने सुओ मोटो तलब कर लिया और हीयरिंग शुरू हो जाती है तथा जजमेंट आ जाता है। इस मामले में जजमेंट में इतनी देरी हो रही है, यह मैं अभी तक नहीं समझ पाया। कम से कम इसको भी स्पष्ट कर दिया जाए कि आखिर इसका क्या कारण है और सरकार इसमें क्यों देरी कर रही है। अगर दोषी लोगों को कम धाराओं में कम सज़ा मिली है, तो हम लोग अपील करके इन धाराओं को बढ़ाकर ज्यादा सज़ा दिला सकते हैं। इससे कम से पीड़ित लोगों के दिलों पर मरहम तो लगेगा, उनके मन में शांति

तो होगी कि हमें न्याय मिला। जो गुज़र गया है, जो बीत गया है, वह तो वापस नहीं आ सकता, लेकिन उन लोगों को शांति दी जा सकती है, उनको राहत दी जा सकती है, हम उन लोगों को महसूस करा सकते हैं कि देश में कानून की सरकार है और जो कानून के साथ खिलवाड़ करेगा, उसके साथ सख्ती से कार्यवाही होगी, आखिर इतना संदेश देने में हमें क्या दिक्कत है? हमारे पास कौन सी एजेंसियों की कमी है, हमारी सरकार की शक्ति में ऐसी कौन सी कमी आ गई, जो वे बाहर खुले घूम रहे हैं? बहुत से ऐसे प्रश्न हैं, जो वहां के लोगों के बारे में पूछे जा सकते हैं। वहां के लोगों के सामने rehabilitation की समस्या है, इलाज की समस्या है, इतना कम कंपनसेशन मिला है कि उनके सामने रोटी का सवाल है। वहां पर बहुत से लोग ऐसे हैं, जो बेरोज़गार हैं, आज उनके सामने रोजगार का सवाल है।

कल प्रधान मंत्री जी ने कश्मीर में बैठक की और उन्होंने घोषणा की कि हम कश्मीर के युवकों को रोजगार दिलाएंगे। तो मैं उनसे कहना चाहता हूं कि आप आज भी यह घोषणा कर दीजिए कि इससे वहां जो भी प्रभावित हुआ है, अगर वह बेरोज़गार है, तो सरकार उसको रोजगार देगी, उसके घर की रोज़ी-रोटी का प्रबंध करेगी, उनके इलाज का प्रबंध करेगी, उनको असहाय नहीं समझा जाएगा, सरकार उनके साथ खड़ी होगी, यदि आप यह संदेश देंगे, तो हम आपके साथ हैं, अगर आप यह संदेश नहीं देंगे, तो हमारा काम अपनी बात को कहना है, प्रजातांत्रिक तरीके से विरोध करना है, हम प्रजातांत्रिक तरीके से अपनी बात कहते रहेंगे। धन्यवाद।

श्रीमती वृंदा कारत (पश्चिमी बंगाल) : उपसभापति जी, आज अगर हम 26 सालों के बाद भोपाल गैस कांड के संबंध में इस हाउस में बहस कर रहे हैं, इसका कारण यह है कि जून के महीने में जो अदालत का फैसला आया, उसने देश भर में और अंतर्राष्ट्रीय पैमाने पर यह खुलासा किया कि केवल हिंदुस्तान में ही नहीं, बल्कि दुनिया में सबसे worst industrial disaster होने के बाद हकीकत यह है कि हम किसी भी दोषी को, मुजरिम को एक दिन के लिए भी जेल की सज़ा नहीं दिलवा पाए।

यह हकीकत है। सरकार की कोई दया नहीं है, जैसा कि अश्विनी जी कह रहे हैं कि हम इतना बढ़िया कर रहे हैं। यह सरकार की दया नहीं है। जब देश भर में आक्रोश की एक लहर फैली कि यह हालत है, तब इतने सालों के बाद भोपाल पीड़ितों की आवाज सुनाई दी गई। सर, आज जब हम सदन में इस पर बहस कर रहे हैं, तब भोपाल कांड के लाखों पीड़ित इस सदन की तरफ देख रहे हैं कि 26 साल के बाद भी हमारा जो घाव ताजा है, उस पर कुछ फैसला होगा या नहीं होगा? लेकिन यहां वकालत की जा रही है, तथाकथित दलील पेश की जा रही है कि कैसे हमने बढ़िया काम किया। हमारे देश का जो लीगल सिस्टम है, उस सिस्टम के अंदर हमें चलना है। मैं कहती हूं कि ऐसे सिस्टम पर * हो ... (व्यवधान)

SHRI ASHWANI KUMAR : Sir, this is a reflection on the legislative process...(Interruptions)...

श्रीमती वृंदा कारत : सर, मैं कहती हूं ... (व्यवधान) यह क्या हो रहा है?

... (व्यवधान) मुझे कहने दीजिए ... (व्यवधान)

*Expunged as ordered by the Chair.

SHRI ASHWANI KUMAR : Sir, this is a reflection on the legislative process.

श्रीमती वृंदा कारत : सर, मैं कहती हूँ और खुलकर कहती हूँ कि ऐसे प्रोसेस पर * हो ... (व्यवधान)

श्री एस.एस. अहलुवालिया : ऐसे कानून का क्या करना है ... (व्यवधान) ...

श्रीमती वृंदा कारत : आज हमारे कानून के तहत भोपाल में जो मृत्यु हुई है ... (व्यवधान) ... सर, आप मुझे protection दीजिए या तो मैं बैठ जाती हूँ ... (व्यवधान) ...

श्री उपसभापति : मैं देखूंगा, अगर वह शब्द *unparliamentary* है ... (व्यवधान) ...

SHRI ASHWANI KUMAR : Sir, I have never interrupted like this. As a Member of this House I have to protect the processes of legislation in the highest forum of Indian democracy. Nobody has said कि लॉ पर * है।

श्री उपसभापति : मैं देखूंगा, अगर * शब्द *unparliamentary* है, तो उसको निकाल दिया जाए ... (व्यवधान) ...

श्री एस. एस. अहलुवालिया : सर, ... (व्यवधान) ...

श्री शिवानन्द तिवारी (बिहार) : सर, यह बिल्कुल आम आदमी की भाषा है ... (व्यवधान) ...

श्रीमती वृंदा कारत : सर, मैं और भी कहती हूँ ... (व्यवधान) ...

श्री उपसभापति : *शब्द *unparliamentary declare* किया गया है, इसको *proceeding* से निकाला जाए ... (व्यवधान) ...

श्रीमती वृंदा कारत : सर, मैं * जगत " * हो " करती हूँ। यह मैं फिर से बोलती हूँ, अब ठीक है ... (व्यवधान) ... अगर * शब्द पर अश्विनी जी को लगी है, तो मैं कहती हूँ कि ऐसे सिस्टम पर * हो ... (व्यवधान) ...

श्री उपसभापति : देखिए ... (व्यवधान) ... यह *ruling* दिया गया है ... (व्यवधान) ...

श्री शिवानन्द तिवारी : सर, इस पर चर्चा होनी चाहिए कि कौन शब्द संसदीय है और कौन शब्द असंसदीय है ... (व्यवधान) ...

श्री उपसभापति : देखिए, वह चर्चा ... (व्यवधान) ...

SHRI S.S. AHLUWALIA : Sir, I am on a point of order. इस शब्द को जिस context में *unparliamentary declare* किया गया था, वह है "इस सरकार में कोई दम नहीं है, इस सरकार को * देता हूँ," इसलिए कहा था, दूसरा है "और * आनी चाहिए ऐसे मंत्रियों पर।"

यहां पर * को unparliamentary कहा गया ... (व्यवधान) ...

*Expunged as ordered by the Chair.

श्री उपसभापति : देखिए, कानून के ऊपर भी ... (व्यवधान) ...

श्रीमती वृंदा कारत : सर, मैं * शब्द वापस लेती हूँ ... (व्यवधान) ...

श्री एस. एस. अहलुवालिया : सर, आपने उस context को नहीं पढ़ा है ... (व्यवधान) ...

श्री उपसभापति : मैंने context में पढ़ा है ... (व्यवधान) ... उन्होंने वापस ले लिया, इसलिए इसको छोड़िए ... (व्यवधान) ...

श्रीमती वृंदा कारत : सर, मैं पार्लियामेंटरी से अपील करती हूँ कि अगर हमारी यह न्यायिक प्रक्रिया है, तो हमें * होनी चाहिए। मैं निन्दा करती हूँ कि आज भोपाल गैस पीड़ितों को न्याय नहीं मिला है और इसलिए आज हम लोग बहस कर रहे हैं। अब अश्विनी जी बहुत कुछ कह चुके हैं। मैं वकील नहीं हूँ और मैं अपने parents को धन्यवाद देती हूँ कि उन्होंने मुझे वकील नहीं बनाया। ... (व्यवधान) ... सर, वकीलों के बीच भोपाल गैस पीड़ितों की आवाज दबनी नहीं चाहिए। मैं एक सवाल पूछती हूँ कि इसके लिए कौन जिम्मेदार है? कोई तो जिम्मेदार है? 22 हजार से ज्यादा लोगों की मौत हुई है। इसके लिए कौन जिम्मेदार है? कोई तो जिम्मेदार है? हमारे देश में क्या कानून है। 26 साल के बाद आपने दो साल की सजा दी, जो कि traffic accident की सजा के बराबर है। ... (व्यवधान) ... और उसी रात को उनको bail पर छोड़ दिया और फिर कहते हैं कि यह हमारा legal process है। सर, मैं कहती हूँ कि यह केवल legal process नहीं है। शुरू से अंत तक, केंद्र में और मध्य प्रदेश में उस समय और उसके बाद जो सरकारें रही हैं, मैं कहती हूँ कि connivance के आधार पर जो मुख्य अमेरिकन मल्टीनेशनल कंपनी है, जो defective equipment की supplier है, आज उसके लोग अमेरिका में गोल्फ खेल रहे हैं और आराम की जिंदगी जी रहे हैं। उन्होंने जान-बूझकर हिंदुस्तान में जो अपराध किया उसकी उन्हें कोई सजा नहीं मिली, इसकी हम निन्दा करते हैं। उसका जिम्मेदार कौन है? सी.बी.आई. की चार्जशीट ने साफ बता दिया कि जितने सेफ्टी सिस्टम थे, वे सब उस रात बंद थे। वार्निंग सिस्टम बंद था। अब सोचो, पूरे भोपाल में गैस भर रही है और वार्निंग सिस्टम बंद है। जो मजदूर वहां थे, उनकी संख्या कम की गई। जो सुपरवाइजरी स्टाफ था, cost cutting के लिए उनकी संख्या कम हो गई। It was a man-made disaster, and those men, who were responsible for the disaster, have not been punished. That is why we are discussing Bhopal today. Therefore, we say, there is the culpability of the parent company and those responsible. So, extradite Warren Anderson to India. आज भी एक non-bailable warrant है, अमेरिका के साथ हमारी extradition treaty है। ओबामा कहते हैं कि हिन्दुस्तान के प्रधान मंत्री बोलते हैं तो दुनियां सुनती है, लेकिन हिन्दुस्तान के प्रधान मंत्री क्यों नहीं बोले कि Warren Anderson को extradite करो? अपने बी.जे.पी. के दोस्तों से मैं कहना चाहती हूँ कि आपने क्या किया? जब आपके पास मौका

*Expunged as ordered by the Chair.

था, तब आपने क्या किया? कांग्रेस की सरकार ने जो किया, वह किया, लेकिन आपने भी अमेरिका की एक लॉ फर्म को 15 लाख रुपये देकर उन्हीं से राय ली कि extradition नहीं होनी चाहिए। तो आप भी और Warren Anderson के extradition का जो सवाल है, वह दोषी है।(व्यवधान)... यह मेरी information है। अर्जुन सिंह जी यहां मौजूद हैं और जानते हैं कि हम सब उनकी कितनी इज्जत करते हैं, लेकिन वे क्यों नहीं बोल रहे हैं? अश्विनी जी ने कहा कि Warren Anderson जब भोपाल में आया, तब वह मुजरिम नहीं था। तो वो थोड़ा बता दें if he was not an accused, why did he go for bail? Under what Section did he go for bail? हम तो साधारण लोग हैं और समझते हैं कि जब कोई accused होता है, तभी bail की बात होती है। Accused नहीं है, bail नहीं मिली और जिनको जेल की सलाखों के पीछे होना चाहिए था, वह सरकारी हवाई जहाज में दिल्ली आकर राष्ट्रपति भवन गए, यह हालत थी। इसलिए सर, culpability कंपनी की है और उसके लिए जो कुछ भी कदम उठाना चाहिए, सरकार को उठाना चाहिए।

दूसरी बात है कि जो double standards रहे हैं - सी.बी.आई. ने एक चिट्ठी दी, Letter Rogatory कि West Virginia में जो UCC का plant है. वहां जो safety systems हैं, उनको examine करने की इजाजत हो। अमेरिका के कोर्ट ने इजाजत दे दी लेकिन आज तक सी.बी.आई. ने उसको follow up करके उसका inspection नहीं किया। अगर आप उनको दोषी ठहराना चाहते हैं, तो मैं मांग करती हूं कि double standards का मुख्य ground है, उसको follow करने के लिए सी.बी.आई. का जो Letter Rogatory है, वे उसको अमल में लाएं।

सर, अब मैं compensation के बारे में कहना चाहती हूं। ... (व्यवधान) Sir, please give me time today. अब मैं compensation के बारे में कहना चाहती हूं। अश्विनी जी ने बहुत कुछ कहा कि कितने 400+ million dollars... मैं कहती हूं कि उस समय एक लाख लोग जो पीड़ित थे और 3,000 जो मर गए थे, उस नंबर के आधार पर उन्होंने amount settle किया, जो बहुत कम था। आपने कहा कि जितनी काउंसिल्स है, उनसे बातचीत की। क्या आपने एक बार भी भोपाल के पीड़ितों से इजाजत ली? आपने पार्लियामेंट में ... (व्यवधान)

SHRI ASHWANI KUMAR : They were represented. The Bhopal gas victims were represented.

श्रीमती वृंदा कारत : बिल्कुल नहीं।... (व्यवधान)... आपने पार्लियामेंट में कानून पास करके सारी इजाजत ले ली लेकिन भोपाल के पीड़ितों की आवाज़ क्या है, यह आपने नहीं पूछा। उसके बाद क्या किया? वह पूरा अमाउंट डॉलर्स में था। इसमें बहुत समय लगा और तब तक पीड़ितों की संख्या एक लाख से बढ़कर पांच लाख हो गयी। इसके अलावा जो मरने वालों की संख्या थी, वह भी बढ़ गयी। सरकार ने क्या किया? यह कितनी शर्म की बात है कि एक्सचेंज रेट के कारण अकाउंट में पैसा बढ़ गया इंटरस्ट बढ़ गया। लेकिन इन्होंने क्या किया? इसके बजाय कि एक लाख तीस हजार लोगों को अमाउंट

दैं और जो बाकी लोग बचते उनके लिए कोई इंतजाम करते, उन्होंने वह पैसा पांच लाख लोगों में बांट दिया।

सर, आज मैं responsibility के साथ कहना चाहती हूँ कि उसके कारण उनको average केवल 12 से 13 हजार रुपए मिले हैं। इसी प्रकार जो लोग मौत के शिकार हुए, उनके परिवारों को average. 1 लाख से 3 लाख रुपए मिले हैं। सर, यह दिल्ली हाई कोर्ट का जजमेंट है। उपहार सिनेमा का जो जबर्दस्त हादसा हुआ, उससे हम लोगों को कितना दुख हुआ। कोर्ट में लड़ने के बाद उस हादसे में एक adult मृत के परिवार को 18 लाख रुपए मिले और जो बच्चे उस हादसे में मरे, उनके परिवार को 15 लाख रुपए मिले। आज हम रूलिंग बेंच से सुन रहे हैं कि 12 हजार average आपने दिया। क्या यह बहुत बढ़िया किया। सर, कम से कम मेरा सिर शर्म से झुकता है इसलिए मैं सरकार से मांग करती हूँ। अभी जीओएम ने 15 सौ करोड़ रुपए में से केवल सात सौ करोड़ रुपए गैस पीड़ितों के जो शिकार हैं, उनके परिवारों के लिए दिए हैं, यह सबसे बड़ा * है। किस आधार पर * है? सर, medical categorization ही * है। कौन seriously पीड़ित है? सर, मेरे पास तमाम documents हैं। मध्य प्रदेश में जो गैस पीड़ितों का मंत्रालय है, जो अस्पतालों के रिकॉर्ड्स हैं - वे सात अस्पताल जहां वे जाते हैं या वे 17 polinics जहां वे जाते हैं - on an average, 6 हजार गैस पीड़ितों के शिकार लोग हर दिन अस्पतालों में इलाज के लिए जाते हैं। लेकिन medical category में simple injury दिखा दी जाती है। 26 साल से वे लोग अस्पतालों के दरवाजे खटखटा रहे हैं और सरकारी रिकॉर्ड में simple injury है। इसलिए मैं कहती हूँ कि जो death claims हैं, 22,000 जो क्लेम्स हैं, उनको आप पैसा दीजिए अब भी उस गैस कांड के कारण मौतें हो रही हैं, लेकिन death registration सरकार ने 1997 में बंद कर दिया। क्यों बंद किया? आज भी वहां deaths हो रही हैं। आप उसको रिवाइज कीजिए, उसको reassess कीजिए और जो death claims 22,000 के करीब हैं, उनको पूरा मुआवजा दीजिए और जो medical categorization है, उस medical categorization को बदलकर, उसको reassess कीजिए।

आपने आईसीएमआर का नाम लिया, लेकिन मुझे शर्म के साथ कहना पड़ रहा है कि आईसीएमआर ने अपनी पूरी रिसर्च को पब्लिश किया ही नहीं और अचानक 1994 में जितने आईसीएमआर के सेंटर्स थे, वे सब बंद हो गए। आज हमें पता ही नहीं है यह कम्पनी का अपराध था कि उन्होंने नहीं बताया कि कौन-कौन सी गैस है ताकि ट्रीटमेंट हो सके। लेकिन हमारे जो टॉपमोस्ट रिसर्च सेंटर हैं, उन्होंने भी गैस पीड़ितों के साथ न्याय नहीं किया। क्यों बंद किया? लोग कहते हैं कि अगर रिसर्च पूरा होता तो क्लेम्स बढ़ जाते, इसलिए उन्होंने बंद किया। मैं नहीं कह सकती हूँ, लेकिन यह बात है। इसलिए It is essential to reassess the entire medical categorization which is a * today and which is an injustice on the victims of Bhopal. सर, remediation की बात है। डाओ केमिकल्स ने 2001 में यूसीसी को ले लिया। अमेरिका के अंदर billions of dollars डाओ केमिकल्स asbestos के compensation क्लेम्स में देने के लिए तैयार है, जो यूसीसी के compensation claims हैं लेकिन ये हमारे क्या double standards हैं?

*Not recorded.

एक हिन्दुस्तान के नागरिक की जिंदगी का यह भी मूल्य नहीं है कि जो कम्पनी है, जो पिछले तीस साल से इतना contamination भोपाल में है, सर, वहां पर आज जो पीने का पानी है, मेरे पास एक रिपोर्ट है, अभी कुछ यूनिट्स रिसर्च कर रही हैं, आज भी बहुत से केमिकल्स उस पानी में हैं, आज भी हजारों हजार टन toxic waste का है, उसका क्या होगा? वहां पर दिन प्रति दिन, रोज कांड हो रहे हैं, हर रोज भोपाल के बच्चे contaminated पानी पी रहे हैं। सरकार remediation के लिए कहती है, हम इंतजार करेंगे, जो केस जबलपुर हाई कोर्ट में चल रहा है। मैं इसको नहीं मानती हूँ। Dow Chemicals is responsible. Dow Chemicals has to pay. There are other businesses of Dove Chemicals in this country. Do not wait for the legal processes. We have the right in Parliament. They have taken over the UCC' assets. They have to take over the liabilities. इसलिए Dow Chemicals को जिम्मेदार ठहरा कर पूरा पैसा लीजिए और अगर वह नहीं देते हैं, आप उस कम्पनी को black-list कीजिए, यही एक रास्ता हो सकता है।

सर, हम भोपाल गैस कांड से क्या सबक लें? GOM ने कुछ रास्ता दिखाया है, मैं समझती हूँ कि कुछ चीजें ठीक हैं, जैसे भोपाल अस्पताल को हाथ में लिया, उसको बहुत साल बाद लिया है, उसको बहुत पहले लेना चाहिए था। जो curative petition डाली है, वह भी ठीक है। लेकिन बाकी जो चीजें हैं, वे inadequate हैं और उसको बहुत साल बाद लिया है, उसको बहुत पहले लेना चाहिए था। जो curative petition डाली है, वह भी ठीक है। लेकिन बाकी जो चीजें हैं, वे inadequate हैं और उसको पूरा रि-एसेस करना सबसे बड़ी बात है। जो एनजीओज़ भोपाल की लड़ाई लड़ रहे हैं, जो वहां के जन संगठन हैं, जो ट्रेड यूनियन्स हैं, आप उनसे बात करके एक सही रास्ता निकालिए। यह सबसे बड़ा सबक है। हिन्दुस्तान में अगर industrial disaster की यह हालत है कि हमारे कानून इतने कमजोर हैं कि हम एक सप्लायर को दोषी ठहरा सकते हैं। सर, मैं चाहती हूँ कि यह हाउस भोपाल से सही सबक लेकर, जो न्युक्लियर लायबिलिटी बिल सरकार लाने जा रही है, जिसमें सप्लायर को हर जिम्मेदारी से छूट देनी चाहती है, जो cap करना चाहते हैं, क्या आज हम कह सकते हैं कि उस समय भोपाल का उस पर अगर cap होता, तो क्या आज हम इस तरह से मुआवजा बढ़ाने की बात कर सकते हैं? सर, यह जो cap और तमाम सप्लायर को छूट देने की जो सरकार के अंदर जो एक समझ बन गई है, investment के नाम पर छूट दो, यह हिन्दुस्तान के हित में नहीं है। मैं मानती हूँ कि हिन्दुस्तान सरकार यू.एस. के साथ बहुत स्ट्रेटिजिक रिश्ता रखना चाहता है, लेकिन यह हिन्दुस्तान के हित में नहीं, भोपाल के पीड़ितों के हितों को कुर्बान करके नहीं होना चाहिए। मैं यह मांग करती हूँ कि सही सबक लेकर भोपाल गैस पीड़ितों के साथ, एक जुटता करके हम सदन में सही फैसला लें। बहुत-बहुत धन्यवाद।

श्री शिवानन्द तिवारी : उपसभापति महोदय, मैं अपनी बात शुरू करने के पहले एक बात कहना चाहता हूँ। अभी वृंदा जी ने * शब्द का इस्तेमाल किया, उस पर अश्वनी जी ने ऐतराज किया, लेकिन जो उन्होंने * शब्द का इस्तेमाल किया, उस पर उन्होंने ऐतराज नहीं किया। यह बात मेरी समझ में

नहीं आई।

*Expunged as ordered by the Chair.

श्री उपसभापति : यह निकाल दिया जाए।

श्री शिवानन्द तिवारी : सर, हमको ऐसा लगता है कि * से कहीं ज्यादा कठोर शब्द * है, जिसे उन्होंने ग्रहण कर लिया, क्योंकि वह अंग्रेजी में कहा गया था। यही हमारे देश की रूढ़िग क्लास की मानसिकता है और इसी के चलते जो भोपाल का मामला है, उसमें भी हमारा यही दिमाग काम कर रहा है। अगर यह जजमेंट नहीं आया होता, इतना बड़ा डिजास्टर, इतनी बड़ी तादाद में लोग मरे और सजा मिली सिर्फ दो साल की और इससे देश में एक गुस्सा पैदा हुआ, उस गुस्से से डर कर के सारी बहस और चर्चा हम लोग कर रहे हैं। हमारे मित्र रवि शंकर प्रसाद जी ने सीबीआई को दोषी ठहराया। मैं सी.बी.आई को दोषी नहीं मानता हूँ। इसलिए नहीं मानता हूँ क्योंकि सीबीआई हमारी स्टेट का ही एक अंग है, सरकार के अधीन है और हमारी स्टेट का attitude क्या है, सरकार का attitude यह है कि जो सबसे बड़ी अपराधी है, उसको वीआईपी ट्रीटमेंट मिलता है।

उस समय जो भोपाल के कलैक्टर थे, उन्होंने बयान दिया है, रिटायर्ड कलैक्टर ने बयान दिया है कि किस तरह से हमारे यहां चीफ सैक्रेटरी का फोन आया, और किस तरह से जहाज में एक प्राइवेट आदमी, व्यापारी उनके साथ दिल्ली आया, उसने बताया कि किस तरह VIP ट्रीटमेंट के साथ उनको दिल्ली पहुंचाया गया। यह तर्क दिया गया कि भोपाल में अंडर्सन के रहते, लोगों में इतना क्रोध था, इतना गुस्सा था कि उनकी सुरक्षा के लिए उनको हटाया गया। आपने उनको फिर दिल्ली से अमेरिका कैसे पहुंचा दिया? दिल्ली में तो वह खतरा नहीं था, जो भोपाल में था। हमारी राजनीति की संवेदना शून्यता के कारण ही यह पूरा मामला पैदा हुआ है। आप जूडिशरी की हालत देख लीजिए। यह बिल्कुल सही है कि जिस धारा में दस साल तक की सजा हो सकती थी, उसके बदलकर उन्होंने दो साल कर दिया। हमारी जूडिशरी का यही चरित्र है। हमें यह बात कहने में बिल्कुल संकोच नहीं है कि जिन्होंने उस धारा को बदल दिया, हमें उनके बारे में तर्जुबा है। हमने फोडर स्कैम में भी देखा था कि एक मामले में पूरी hearing हो जाने के बाद, जजमेंट चार साल के बाद हुआ। पता नहीं अरुण जेटली जी को याद है या नहीं है। फोडर स्कैम का मामला था। हमारी राजनीति, हमारी जूडिशरी किस प्रकार की है, उसके चरित्र का खुलासा इस पूरे कांड से होता है। अभी बृंदा जी ने कम्पनसेशन के बारे में कहा है। मैं उनकी बात से पूरी तरह से सहमत हूँ। हमारे लिए यह राष्ट्रीय * की बात है तथा पूरी राजनीति के लिए भी * की बात है। उधर के लोग भी सत्ता में रहे हैं और हम लोग भी 6 वर्ष तक सत्ता में रहे हैं, लेकिन जो इस देश की रूढ़िग क्लास है, उसका चरित्र कैसा है, वह इसी से साबित होता है कि जो इस देश का गरीब आदमी है, आम आदमी है, उसके बारे में इस देश की रूढ़िग क्लास को कोई चिंता नहीं है। उसके बारे में कोई संवेदनशीलता नहीं है। इसलिए मैं यह कहूंगा कि मुझे लगता है कि कम्पनसेशन कोई जरूरी चीज नहीं है या शायद यह ज्यादा जरूरी चीज है कि अगर अभी भी हमारे पास कोई गुंजाइश हो, तो जो इस

*Expunged as ordered by the Chair.

मुकदमे का मुख्य अभियुक्त है, उस कम्पनी का मालिक है, उसको कम से कम सज़ा तो दिलवाने की कोशिश की जानी चाहिए। जो पीड़ित लोग हैं, इससे उनके घावों पर मरहम लगाने का काम होगा। अगर सरकार सचमुच संवेदनशील है और लोग पीड़ित हैं. उनके प्रति यदि संवेदना है, तो जिस प्रकार के सुझाव बृन्दा कारत जी ने दिए हैं, मैं उन सुझावों का समर्थन करता हूँ। अस्पताल में उसको जिस ढंग से साधारण रोग डिकलेयर किया गया, उसे देखकर तो हमें डर लगता है। अभी मायापुरी में सब कुछ मिला।

[उपसभाध्यक्ष (श्री प्रशांत चटर्जी) पीठासीन हुए।]

हम एटोमिक पावर जनरेट करने जा रहे हैं, अभी तक देश में कोई दुर्घटना नहीं हुई है, लेकिन जिस लार्ज स्कूल पर उसका उत्पादन करने जा रहे हैं, उसमें अगर इस तरह से नेग्लिजेंस हुआ दुर्घटना हुई, उसका परिणाम क्या होगा, यह सोचकर डर लगता है। इसलिए हम सरकार से कहेंगे कि वह जागे, जो पीड़ित लोग हैं, उनको पर्याप्त मुआवजा दे। जो लोग स्थाई रूप से अपंग हो गए हैं, काम करने की स्थिति में नहीं हैं, उनको स्थाई रूप से सहायता देने का कोई न कोई काम करे। जो पीड़ित लोग हैं, तो बरसों से अस्पताल का चक्कर लगा रहे हैं, उनके लिए विशेष इंतजाम हो। यह जो रिपोर्ट आ रही है कि पीने का पानी contaminated हो गया है, उसको ठीक करने का सरकार उपाय करे। जो कुछ हो रहा है, सरकार उसका जवाब दे देगी और हम लोग भी सुन लेंगे, लेकिन यह इतिहास में दर्ज हो गया है कि किस तरह से असंवेदनशील सरकार है और इस देश की राजनीति है, यही कह कर मैं अपनी बात समाप्त करता हूँ।

SHRI TIRUCHI SIVA (Tamil Nadu) : Mr. Vice-Chairman, Sir, I thank you very much for giving me the opportunity to speak on this subject. Sir, how can one forget the fateful night of 2nd December, 1984 which caused a huge disaster by the leakage of Methyl Isocyanate Gas from the Union Carbide's Gas Plant in Bhopal, and we lost thousands of lives? Now, after 26 years of trial, the culprits behind the Bhopal gas tragedy have got away with a mild sentence. Eventually, foreseeing it, the CBI had to file a curative petition. Sir, in this context, I think, it would be apt to quote a few observations of Justice V.R. Krishna Iyer "Indian courts will do justice if proper judges are appointed and fair procedures are made, if sensitive and sensible laws are enacted and the Executive has the needed independence, alacrity and integrity. Meanwhile, this socialist democracy continues to be a cause for despair for the common people. This contradiction must end.

We have enough human resources to redeem the pledge of the Father of the Nation whose ambition was to wipe every tear from every eye." Sir, the Government of India, UPA-II, realizing the sense of responsibility it has on its side, reconstituted the GoM on May 26 of this year. Sir, the way the GoM has functioned, the sincerity it has observed, will prove how much the Government is concerned towards the victims of the Bhopal tragedy. Sir, the GoM, which was constituted with Union Home Minister, Mr. Chidambaram, as its head, examined all the issues relating to the gas leak, including remedial measures and make appropriate recommendations. Sir, within four days, between June 18 and June 21, within four days, the GoM met over for five sessions and discussed various issues relating to compensation, legal issues, extradition of Anderson, BMHRC, other health related issues, environmental issues and the plan of action submitted by the Government of Madhya Pradesh. Sir, as recommended by the GoM, the Indian Council of Medical Research will establish its 31st full-fledged research centre in Bhopal within 90 days.

Apart from that, the Government of India has taken a very prudent step by accepting the recommendations of the GoM and set up an Oversight Committee in the Ministry of Environment and Forests to help the Madhya Pradesh Government in taking remedial action. As a result of the decision, more than 45,000 victims who were affected most severely by the tragedy would receive additional *ex gratia* payment. Sir, out of 17 or so recommendations, which the GoM has made and the Government has accepted, I would like to quote some five or six which is very essential. The GoM recommended *ex gratia* payment in the category of death to Rs. 10 lakh, permanent disability Rs. 5 lakh, cancer cases to Rs. 2 lakh, total renal failure cases to Rs. 2 lakh and temporary disability cases to Rs. 1 lakh, after adjustment of compensation amount already received by the victims. Thus, more than 45,000 victims will get an additional *ex gratia* payment. Second, additional material in support of the request for extradition of Warren Anderson has been recommended by the GoM. Additional material in support of the request for extradition of Warren Anderson may be put together by concerned agencies and the Ministry of

External Affairs will thereafter press the request for extradition with the US Government.

Sir, the Government has not shunned its responsibility and it does not shut its eyes over any culprit. Third, a curative petition may be filed in the Supreme Court for reconsideration of its

judgement dated 13.9.1996 by which the charges under the graver sections of the IPC were quashed against the accused and the trial was confined to the offence under Section 304A. Fourth, a revision application may be filed in the High Court under Section 397 of Cr. P.C. against the judgement of the trial court for directing the trial court to refer the case under Section 323 of Cr. P.C. to the Sessions Court to try the case for offences under Sections 304 Part II, 324, 326 and 429 read with Section 35 IPC. Sir, why I am telling all this is that every one is concerned about it. What has happened has to be rectified. When the victims are taken care of, the other side has also not been ignored by the Government. An appeal may be filed in the Sessions Court against the judgement of the trial court to correct the error in the sentences imposed on the accused under different Sections. So, the Attorney-General may examine whether a curative Petition could be filed in the Supreme Court for reconsideration of the compensation amount earlier settled at US \$470 million.

Sir, my small clarifications with the Minister. Apart from all these things, the Government has taken a very good initiative. GoM has given useful recommendations which have been accepted by the Government. Along with that, the clarifications which I seek from the Minister are : 1. It is alleged that very few number of victims will be able to claim compensation because of the flawed criterion adopted for damage assessment. What is the criterion adopted? 2. The Government has identified certain wards for purpose of awarding compensation and whether it is a fact that people from around 20 wards will have to prove their disabilities through certificates. If an individual is unable to provide a medical certificate will he be sent back without the entitlement? Sir, it is reported that only the insurance companies and the Indian arm of the firm has paid compensation. Has the American company paid any part of the compensation? So, also, it is a very important thing. It is said that they are going to dump the toxic waste at an incinerator at Pithampur which does not comply with the Central Pollution Control Board norms as a village Tarapura exists near the incinerator within 200 metres against

the laid norms that there should be no human population within half a kilometer radius. Will there be any review of death claims or registration of exposure related deaths and does the Centre plan to do something to check the functioning of the Bhopal Gas Memorial Hospital in

view of the complaints of it not serving the victims properly. With these words, I appreciate the Government for the steps it has taken, for having accepted the recommendation of GoM and we expect the people will get their *ex-gratia* payment and will be rectified from that illness. Thank you, Sir.

श्री वीर पाल सिंह यादव (उत्तर प्रदेश) : धन्यवाद उपसभाध्यक्ष महोदय। आज इस देश के सबसे बड़े सदन में 26 साल बाद भोपाल गैस त्रासदी की चर्चा हो रही है। यह चर्चा भी तब शुरू हुई, जब देश की सबसे बड़ी अदालत ने कितने लोगों की मौत के बाद और कितने लोगों के अपंग होने के बाद केवल दो वर्ष की सजा सुनाई। सरकार की तरफ से पक्ष आता है कि जिन लोगों की मृत्यु हो गई, उनके परिवार को और जो लोग घायल हो गए, उनको हमने मुआवजा दे दिया। जो जिंदगी भर के लिए अपंग हो गए और आज भी अस्पतालों के चक्कर काट रहे हैं, उनके लिए कुछ हजार रुपए देकर अगर सरकार पल्ला झाड़ ले तो मैं नहीं समझता कि उनके साथ कोई न्याय हुआ है। इस 26 साल के अंतराल में अगर कुछ वर्षों को छोड़ दिया जाए - 13 दिन, 13 महीने और 5 साल - तो आज जो शासन में बैठे हैं, उन्हीं ने राज किया है। वे अपनी जिम्मेदारी से बच नहीं सकते। होना तो यह चाहिए कि पक्ष और विपक्ष, सभी लोग मिल कर इस पर विचार करें कि किस तरह से भोपाल के लोगों को राहत मिल सके और उनके आंसू पोंछ सकें। महोदय, यहां तक इसका असर है कि उस गैस त्रासदी के बाद जो बच्चे पैदा हुए, वे भी अपंग हुए। जो उस समय घायल हुए या जिनकी मृत्यु हुई, उनकी सूची बनाई गई, लेकिन जो बच्चे बाद में पैदा हुए, क्या उनकी सूची बनाई गई है, माननीय गृह मंत्री जी यह बताने की कृपा करेंगे।

महोदय, दोषी एक नहीं है। सवाल यह नहीं है कि आज जो सत्ता में बैठे हुए लोग हैं, इन्होंने जो मुल्जिम थे, उनको उस समय किस तरह से बाहर भेजा गया, सवाल यह भी है कि आज जो विपक्ष में है, जिन्होंने इस चर्चा को शुरू किया है, वे भी शासन में रहे हैं, उनकी भी उस समय कोई न कोई जिम्मेवारी बनती थी। 10 अगस्त, 2010 के "हिन्दु" अखबार में शेष नारायण सिंह जी ने एक लेख लिखा है, जिसमें वह काफी कुछ हकीकत को सामने लाए हैं। उन्होंने लिखा है कि 24 सितम्बर 2001 को जो कानून मंत्री थे, उन्होंने अपनी फाइल में लिखा कि एंडर्सन को वापस बुला कर उन पर मुकदमा चलाने का केस बहुत कमजोर है, यानी उनके ऊपर कानून, न्याय और कंपनी मामले का केस बहुत कमजोर है। यह 2001 में तत्कालीन कानून मंत्री जी ने फाइल में लिखा।

एक माननीय सदस्य : कौन थे वह?

श्री वीर पाल सिंह यादव : नेता विरोधी दल, उस समय कानून मंत्री थे। यही नहीं, उस समय के अटॉर्नि जनरल, जो देश के बहुत योग्य व्यक्ति भी थे, उन्होंने भी लिखा कि अब तक जुटाया गया साक्ष्य ऐसा नहीं है,

जिसके बल पर अमेरिका अदालतों में मामला जीता जा सके। बाद में लिखा गया कि यह कोई मामला ही नहीं है कि मिस्टर एंडर्सन ने ऐसा कोई काम किया, जिससे गैस लीक हुई और जान-माल की भारी क्षति हुई। इसके बारे में किसी प्रकार का कोई सबूत नहीं है। यह शब्द उसके बारे में लिखे गए हैं, जो 2001 में उस गैस त्रासदी का मुख्य मुल्जिम है। वह दोषी है या नहीं है, इसके बारे में दोष दोनों तरफ का है। प्रश्न यह उठता है कि उसको बचाने का प्रयास क्यों किया जा रहा है? क्या वह इतनी पहुंच का व्यक्ति है कि भोपाल में इतना बड़ा कांड हो गया और उसे बाकायदा हवाई जहाज पर बैठा कर बाहर भेजा गया और एक दिन में आकर जमानत हो गई।

अभी हमारे साथी बोल रहे थे कि उस समय वह मुल्जिम नहीं थे, अगर वह मुल्जिम नहीं थे तो फिर अदालत में क्यों गए? इस तरह काफी तथ्य ऐसे हैं, जो यह दर्शाते हैं कि हम सब लोग, चाहे पक्ष के हों या विपक्ष के, लीपा-पोती में लगे हुए हैं, लेकिन जब जिम्मेदारी आती है, तब ये अपनी जिम्मेदारी से मुंह मोड़ लेते हैं।

मैं माननीय गृह मंत्री जी से यह निवेदन करना चाहूंगा कि जब वह अपना वक्तव्य दें तो इस बात को रखें कि गैस त्रासदी के बाद जो बच्चे पैदा हुए, वे अपंग पैदा हुए। उनकी सुरक्षा के लिए, उनका जीवन यापन करने के लिए भी सरकार के पास कोई योजना है? जो लोग आपने लिस्टिड किए, उसके अलावा भी जो रह गए हैं, क्या उनको भी लिस्ट में शामिल किया जाएगा? अंत में मैं यही बात कह कर अपनी बात समाप्त करता हूँ कि भोपाल के लोगों की मदद में सब लोग मजबूती के साथ आगे आएंगे। बहुत - बहुत धन्यवाद।

श्री आर. सी. सिंह (पश्चिमी बंगाल) : सर, इस 3 दिसंबर, 2010 को हम इस गैस कांड घटना की 26th वर्षगांठ मनाएंगे। इस घटना के 26 वर्ष बाद हम पर दोबारा, दोबारा या तिबारा जो भी हो, अपनी बात यहां रख रहे हैं। यह एक ऐसी दुर्भाग्यपूर्ण घटना थी जो कोई प्राकृतिक घटना नहीं थी बल्कि यह एक man-made घटना थी। घटना से छः महीने पहले Safety Department ने उसका inspection किया था। तब उसने यह रिपोर्ट दी थी कि वहां पर छः safety devices हैं और इन छः में से चार Safety devices काम नहीं कर रही हैं, इसलिए इनको अविलम्ब दुरुस्त किया जाए। लेकिन छः महीने के भीतर जो दो safety devices बाकी बचे थे, वे भी काम नहीं किए, जिसका नतीजा यह रहा कि 22 हजार से ज्यादा लोग मृत्यु को वरण किए और 5 लाख 16 हजार 406 लोग injury के शिकार हुए। इससे करीब 92-5 प्रतिशत लोग minor injury का शिकार हुए, 6.8 प्रतिशत लोग partially disabled हो गए और 0.7 प्रतिशत लोग permanently disabled हो गए तथा आज भी वहां पर 390 टन केमिकल abandoned होकर पड़ा हुआ है जो कि पानी, पृथ्वी और वातावरण को प्रदूषित कर रहा है। उस केमिकल को किसी समुचित जगह पर डिस्चार्ज करने की कोई व्यवस्था अभी तक नहीं की गई है ताकि उसको केमिकली डिस्चार्ज किया जा सके और उस इलाके को बचाया जा सके। इसके चलते वहां का underground water प्रदूषित हुआ है और उस पानी को शुद्ध करके देने की भी कोई व्यवस्था अभी तक सरकार के पास नहीं है।

5.00 P.M.

सर, मैं कहता हूँ कि यह एक man-made घटना है और इसके लिए principal employer दोषी होता है, जिसको आदर के साथ - वृंदा जी तो निंदा कह रही थीं, मैं निंदा नहीं कह रहा हूँ-- उसको आदर के साथ स्वदेश भेज दिया गया। उसको आदर के साथ भद्र तरीके से security देकर स्वदेश भेज दिया गया कि तुम्हारी कोई जिम्मेदारी नहीं बनती है, बल्कि वहां के जो कर्मचारी हैं, उनकी जिम्मेदारी बनती है और जो मर गए उनकी जिम्मेदारी बनती है। इसका मतलब कि न तो उनकी जिम्मेदारी होती है और न ही सरकार की जिम्मेदारी होती है। अब सरकार उससे दया नहीं भीख मांग रही है कि जब वह 470 मिलियन डॉलर देंगे और हम प्रभावित लोगों को खैरात बांटेंगे। यह सरकार जानबूझ कर ऐसा कर रही है और इसने किया है। चाहे जो भी सरकार में रहा हो, उसने जान-बूझ कर ऐसा किया है और लोगों के साथ खिलवाड़ किया है। आज भी वहां के बच्चे अपंग पैदा हो रहे हैं, चूंकि उस केमिकल का वहां पर अभी भी इफेक्ट है। वह इफेक्ट तब तक वहां पर रहेगा, जब तक contaminated abundents को व्यवस्था नहीं कर दी जाती है। इस तरह से एक अपराधिक मामला है। इसमें एक सीरियस कार्रवाई होनी चाहिए थी जो सरकार ने जान-बूझ कर नहीं की। इसलिए, मैं यह कहता हूँ कि सरकार को इस पर जरूर ध्यान देना चाहिए, क्योंकि मिथाइल आइसो साइनाइड ने वहां पूरी जिंदगी को बरबाद किया है। इस मामले पर सरकार की ओर से ध्यान देने की जरूरत है।

एंडरसन साहब अरेस्ट तो नहीं हुए, यह बात सारे लोगों ने कही है, इसलिए मैं उसे फिर नहीं कहता, लेकिन इतना जरूर दोबारा कहता हूँ principal employer ही इस तरह की man-made घटना के लिए responsible होता है, इसलिए उस पर एक सख्त कार्रवाई होनी चाहिए थी। उस घटना में जो लोग बच गए हैं उनके लिए 25 हजार रुपया क्या कोई compensation हुआ? क्या यह उनकी पूरी जिंदगी का कोई मुआवजा हुआ? इस तरह से जो काम किया गया है वह उन लोगों के साथ खिलवाड़ किया गया है, इसलिए इस पर विचार करके उनको पूरा मुआवजा दिया जाए जो कि आज के दिनों में होना चाहिए।

आज जो तमाम विदेशी कम्पनीज़ यहां आ रही हैं, वे धडल्ले से आ रही हैं। उनके साथ safety clause नहीं होता है, जबकि उनके साथ यह clause होना चाहिए। मंत्री महोदय, भविष्य में इस बात का जरूर खयाल रखेंगे कि safety clause उनके उपर भी लगाया जा सके।

सर, मैं एक बात यह भी कहना चाहता हूँ कि यह life long रहेगा। अगर त्वरित तरीके से, immediately, उस abandoned chemical को discharge करने की व्यवस्था नहीं की गई, तो वहां इससे घटनाएं होती रहेंगी और हमारे बच्चे अपंग पैदा होते रहेंगे, इस तरह की बातें होती रहती हैं। सर, मैं ज्यादा समय नहीं लूंगा। इंडियन गवर्नमेंट ने फरवरी, 1985 में यूएस कोर्ट में यूनियन कार्बाइड पर 3.3 बिलियन डॉलर का केस फाइल किया और उसने उसे

फिर भोपाल भेज दिया। उसका क्या हश्र हुआ? सरकार ने इसके लिए क्या किया? इतनी डिमांड क्यों की गयी, जबकि भोपाल की 10 लाख से ज्यादा लोगों की बस्ती बर्बाद हो गयी? सरकार का ध्यान इस तरफ क्यों नहीं गया, मैं इसके बारे में जानना चाहता हूँ। मैं निंदा करता, मैं कहता हूँ कि सरकार बहुत अच्छी है और उसे अच्छा करना चाहिए था, लेकिन इसमें चूक हुई है। क्या जान-बूझ कर चूक हुई है? चूक होना एक बात है और जान-बूझ कर चूक होना दूसरी बात है।

THE VICE CHAIRMAN (SHRI PRASANTA CHATTERJEE) : Please conclude. Your time is over.

श्री आर. सी. सिंह : इसको ये सुधारेंगे और जितने भी affected लोग हैं, उन्हें proper मुआवजा देने की व्यवस्था करेंगे। आप ऐसी व्यवस्था करें कि आज भी वहां जो contaminated materials पड़े हैं, उनको जल्द से जल्द डिस्चार्ज किया जाए। धन्यवाद।

THE VICE CHAIRMAN (SHRI PRASANTA CHATTERJEE) : Mr. Paswan, others have been allotted 20 minutes. So, that will be distributed among all the three Members.

श्री रामविलास पासवान (बिहार) : उपसभाध्यक्ष जी, मैं धन्यवाद देना चाहता हूँ कि आपने इस महत्वपूर्ण विषय पर चर्चा की अनुमति दी है। यह मामला बहुत गंभीर है और इस पर वृंदा कारत जी से लेकर अश्विनी कुमार जी, जेटली साहब और साथियों ने अपने विचार रखे हैं। मैं इस विभाग का मंत्री रहा हूँ। मैं सबसे पहले उस एनजीओ को धन्यवाद देना चाहूंगा, खासकर सतीनाथ और रचना दींगरा को, जिन्होंने शुरू से लेकर अभी तक लगातार इस मामले को उठाने का काम किया है। जितना कोई मिनिस्टर कोई सरकार इसमें इंटरेस्ट नहीं ले सकती है, उतना इंटरेस्ट इन लोगों ने लिया है। आप अभी भी देखेंगे कि भोपाल गैस कांड से पीड़ित लोग 26 जुलाई से धरने पर बैठे हुए हैं। अभी भी एक 12 साल का बच्चा है, जिसे मैंने ऑल इंडिया इंस्टीट्यूट ऑफ मेडिकल साइंसेज में दिखलाया है जिसके गले की नली गैस के प्रभाव के कारण खराब हो गयी है और वह जीवन और मौत से जूझ रहा है।

सर, मैं दो-तीन बातें कहना चाहूंगा। इसमें दोष किसका है, भारत सरकार का या उस समय की राज्य सरकार का, यह अभी तक तय क्यों नहीं हुआ? लेकिन, इसमें दो मत नहीं हो सकते कि एंडरसन हत्यारा है। आज 25 साल बाद भी वह हत्यारा घूम रहा है और उसके खिलाफ कोई कार्रवाई नहीं की जा रही है। अब तो वह 85 साल का या न जाने कितने साल का हो गया है, अब आगे क्या कार्रवाही होगी, मुझे नहीं मालूम।

दूसरी बात, जो सीबीआई के संबंध में कही गयी, सीबीआई ने 1-2-1987 को सीजेएम, भोपाल में ऑलरेडी चार्जशीट दाखिल कर दी थी। उस फाइनल चार्जशीट में उसने भारत के 9 लोगों और 3 विदेशी लोगों को दोषी पाया

था। उनमें से 3 को भगोड़ा घोषित किया गया, जिनमें एंडरसन वगैरह भी थे। यह कहना कि सीबीआई ने कोई कार्रवाई नहीं की, ऐसी बात नहीं है। एक राजनैतिक इच्छाशक्ति होती है। एक एक्ट होता है, एक फैक्ट होता है और एक टैक्ट होता है। इसमें फैक्ट अलग है तथा एक्ट को अलग किया गया और टैक्ट को दूसरे तरीके से इस्तेमाल किया गया। यदि उस समय कड़ाई बरती जाती तो एंडरसन यहां से भाग कर नहीं जाता, इसमें दो मत नहीं है।

दूसरी बात यह है कि जो बातें बीत गयी हैं, उन पर अब तक क्या कार्रवाई होगी, मैं नहीं जानता हूं। हम लोग सरकार में थे और आदरणीय अर्जुन सिंह जी ग्रुप ऑफ मिनिस्टर के चेयरमैन वर्तमान समस्या है, जो सबसे बड़ा मामला है, वह यह है कि कुछ मामले स्टेट गवर्नमेंट के जिम्मे हैं, कुछ मामले सेंट्रल गवर्नमेंट के जिम्मे हैं और कुछ मामले कोर्ट में पेंडिंग हैं। यह बार-बार मांग हो रही है कि Empowered Commission बनाया जाए ताकि एक जगह पर सारे मामलों को देखा जाए। हम मांग करते हैं और उस समय करीब-करीब आम सहमति बन गयी थी कि गैस पीड़ितों के लिए Empowered Commission होना चाहिए, केवल कमीशन नहीं क्योंकि कमीशन तो आता, जाता है और कमीशन को रिपोर्ट आती रहती है। GOM बनते रहते हैं, GOM एक नहीं बना है, इससे पहले भी कई GOM बन चुके हैं, GOM बनते रहते हैं, लेकिन जो मुख्य मांगें हैं, उनमें एक मांग यह है कि एक Empowered Commission बनना चाहिए और वह जो recommend करे, वह लागू होना चाहिए। हमारी दूसरी मांग कचरे के बारे में है। सबसे बड़ा मामला यह है कि वहां कचरा है। वहां तीन तरह के कचरे हैं—एक कचरा है, जो bag में बंद है, दूसरा कचरा है जो structure के रूप में खड़ा है और तीसरा कचरा जमीन के नीचे है, ये तीन तरह के कचरे वहां पर हैं। इनको लेकर भविष्य में जिन बीमारियों के होने की आशंका जताई जा रही है, ये बीमारियां 50 सालों तक चलती रहेंगी। इसको कैसे हटाया जाए, यह सबसे बड़ा प्रश्न है। हम लोगों ने अपने समय में मांग की थी कि Dow Chemicals को इस कचरे को हटाने के लिए कहा जाए और उससे पैसा लिया जाए, इस पर वह कंपनी कोर्ट में चली गई। अब वहां दो तर्क हैं - एक मामला यह है कि जिस समय यह दुर्घटना हुई थी, उस समय वहां यूनियन कार्बाइड कंपनी थी, बाद में यूनियन कार्बाइड ने इसे Dow Chemicals को बेच दिया। कोर्ट ने कहा कि यह यूनियन कार्बाइड का मामला बनता है, लेकिन इसके लिए पैसा कौन देगा, यूनियन कार्बाइड देगा या Dow Chemicals देगा, इसको हम बाद में जज करेंगे। लेकिन स्टेट गवर्नमेंट और सेंट्रल गवर्नमेंट 100 करोड़ रुपए देकर इस कचरे को वहां से हटाने का काम करे, लेकिन आज तक वहां से कचरा नहीं हटा। इसको dispose-off करने के लिए अंकलेश्वर और इंदौर, ये दो स्थान चुने गए, लेकिन इन दोनों जगहों पर बड़ा विरोध हुआ और आज तक कचरा वहां पड़ा हुआ है।

चूंकि Dow Chemicals ने इस फैक्टरी को खरीदा है, इसलिए यह Dow Chemicals का दायित्व बनता है और हमारी मांग है कि Dow Chemicals से कहा जाए कि वह भारत से बाहर इस कचरे को फेंकने का काम करे, क्योंकि भारत में इसको फेंकना संभव नहीं है, जहां फेंकने की कोशिश करेंगे, वहीं आंदोलन शुरू हो जाएगा। तीसरा

है - मुआवज़े का मामला। जो मुआवज़े की राशि दी गई है, यदि आप देखें तो जो टोटल क्लेम है, वह 10,29,517 लोगों का था और जो एवार्ड मिला, वह 5,74,347 को मिला और जो मृत संख्या थी, वह करीब साढ़े पंद्रह हजार थी और घायलों की संख्या 5,58,218 थी। अब जो मुआवज़ा मिला है, वह मुआवज़ा केवल 44,000 लोगों को ही मिलेगा। इसलिए हमारी मांग है कि जो मुआवज़ा है, उसके लिए पर्याप्त राशि दी जाए और 5,74,347 पीड़ित लोगों के बीच में बांटी जाए। एक अच्छी बात यह है कि कोर्ट के आदेश के मुताबिक यूनिन कार्बाइड को 470 मिलियन डॉलर की रकम देनी पड़ी, लेकिन हमें इस बात का भी दुःख है कि चाहें केन्द्र सरकार हो या चाहें राज्य सरकार हो, उन्होंने अपनी तरफ से एक पैसा भी मुआवज़े के रूप में इन पीड़ितों को नहीं दिया। इसलिए अभी भी समय है कि केन्द्र सरकार और राज्य सरकार, दोनों मिलकर इनको मुआवज़ा दें, ताकि इन गैस पीड़ितों को कुछ राहत मिल सके।

अभी हमारे एक साथी श्री शिवा ने वार्ड का मामला उठाया। वहां 56 वार्डों में लोग प्रभावित हुए, लेकिन सिर्फ 36 वार्डों के लोगों को ही उसमें शामिल किया गया और करीब 20 वार्डों का मामला किसी टैक्निकल कारण से लटका हुआ है। चाहे कांग्रेस की राज्य सरकार हो या किसी दूसरी पार्टी की राज्य सरकार हो, हमने बार-बार यह मामला उठाया कि राज्य सरकार वहां से रिपोर्ट लिखकर भेजे कि किस आधार पर वहां के लोगों को शामिल किया जाए। मैं समझता हूं कि ये जो 20 वार्ड बचे हैं, उनको भी गैस पीड़ितों की लिस्ट में शामिल करना चाहिए।

उपसभाध्यक्ष जी, वैसे तो कहने के लिए वहां गैस पीड़ितों के लिए बहुत से साधन दिए गए हैं - वार्ड में 7 अस्पताल हैं, 5 सिविल डिस्पेंसरीज़ हैं, 2 अपोलो क्लिनिक हैं, 3 होम्योपैथिक डिस्पेंसरीज़ हैं, यूनानी पद्धति के अस्पताल हैं और उसके बाद सुप्रीम कोर्ट के आदेश के मुताबिक एक Super Speciality Hospital बनाने का निर्णय लिया गया। विधवाओं के लिए आवास, पेंशन की सुविधा दी गई, नालियों के निर्माण की बात कही गई, खैर हकीकत यह है कि अभी तक वहां पर समुचित तरीके से पीने के पानी की व्यवस्था भी नहीं हो पाई है।

जहां तक याचिका दायर करने का मामला है, GoM ने फैसला लिया है, वह बहुत अच्छा फैसला है। हम उसका स्वागत करते हैं। चूंकि इसको Dow कंपनी ने खरीदा है, इसलिए यह Dow कंपनी का दायित्व बनता है। अपने समय में हम लोगों ने एक recommendation किया था कि यूनिन कार्बाइड और Dow कंपनी क्रिमिनल हैं, इसलिए जब इनके खिलाफ कार्रवाई नहीं हो जाती है, जब तक कोर्ट में फैसला नहीं हो जाता है, तब तक इनको भारत में इन्वेस्टमेंट करने की या इनके द्वारा किसी तरह का कारोबार करने की अनुमति नहीं दी जाए। मैं फिर एक बार आग्रह करता हूं कि इन सारे मामलों के लिए एक empowered commission बना दें और उस empowered commission को पूरा अधिकार दें दें, तो मैं समझता हूं कि लोगों के जो grievances हैं, वे सारे grievances दूर हो जाएंगे। बहुत-बहुत धन्यवाद।

श्री विक्रम वर्मा : महोदय, 26 साल के बाद आज हम फिर इस पर बहस कर रहे हैं। वह भी इसलिए कर रहे हैं, क्योंकि एक फैसला आ गया है। यदि भोपाल डिस्ट्रिक्ट कोर्ट का फैसला नहीं आता, तो शायद यह चर्चा अभी भी नहीं हो पाती। जिस समय यह कांड हुआ, उस समय माननीय श्री अर्जुन सिंह, जो कि यहां बैठे हुए हैं, मध्य प्रदेश के मुख्य मंत्री थे और मैं भी मध्य प्रदेश के विधान सभा का सदस्य था। जब मैं 3 तारीख को उस मंजर को देखने पहुंचा, उसको यहां दोहराने की आवश्यकता नहीं है, वहां जो हालात थे और जो परिस्थिति थी, वह उस समय भी लोगों को मालूम था और आज भी मालूम है। यदि आप सड़कों पर देखते कि क्या स्थिति थी, जिसके चित्र अखबारों में देखें तो देख कर लगता है कि यह कितना बड़ा कांड था। जिसको एक बड़ा हत्या कांड कह सकते हैं। यह मानव निर्मित औद्योगिक disaster था, यह एक प्रकार की दुर्घटना थी, जिसमें लगभग 20 हजार लोगों की मौत हुई।

इसमें बार-बार यह बात आ रही है कि FIR में एंडरसन का नाम नहीं था। माननीय अर्जुन सिंह जी जानते हैं, वे यहां बैठे हुए हैं, यूनियम कार्बाइड का रेस्ट हाउस इनके मुख्य मंत्री आवास के थोड़े ही ऊपर था, वहां उसको ले जाकर रखा गया, तो फिर 20 हजार रुपए का मुचलका किस बात का लिया गया। वह वहां से बाहर भी नहीं गया, कोर्ट में भी नहीं गया, तो फिर 20 हजार रुपए का मुचलका किस बात का लिया गया। वह वहां से बाहर भी नहीं गया, कोर्ट में भी नहीं गया, यानी court came to him. न्यायालय वहां आया और वहां उनसे कागजों पर लिखा-पढ़ी करा ली और बात हो गई, लेकिन उसके साथ जो दो व्यक्ति arrest हुए थे, उन दोनों को जमानत लेनी पड़ी। केशव महेन्द्रा और विजय गोखले आठ दिन तक हिरासत में रहे और बाद में हाई कोर्ट से इनकी जमानत हुई। लेकिन एंडरसन को रिहा किया गया। एक दिन पहले ही ये सारी रचनाएं हो चुकी थीं।

सर, मेरे पास उस समय यानी 26 साल पहले की अखबार "राजस्थान पत्रिका" है, उसमें "यूनियन कार्बाइड के अध्यक्ष की गिरफ्तारी चुनावी स्टंट, छः घंटे बाद रिहा" heading के अंतर्गत ये सारी की सारी कहानी लिखी गई थी। 6 तारीख को माननीय प्रधान मंत्री राजीव गांधी जी हरदा आए थे। माननीय अर्जुन सिंह जी भी हरदा गए थे, क्योंकि 6 तारीख के शाम को एंडरसन आ चुका था, वहीं पर बैठ कर यह निर्णय हुआ कि वह किस तरह भोपाल आएगा, क्या होना है, चुनाव में इसके क्या विपरीत असर पड़ेंगे और इसलिए उसकी गिरफ्तारी की जानी चाहिए। लेकिन गिरफ्तारी के बाद जो कुछ स्थिति बनी, वह अलग बात है। हो सकता है कि राजीव जी हरदा convince हो गए होंगे, लेकिन दिल्ली आने के बाद जो परिस्थिति बनी, उसके बाद जो निर्देश हुए, ये सारे उस समय के Cabinet Secretary के statements में हैं, मैं इनको पढ़ना नहीं चाहता हूं। यह माननीय मुख्य मंत्री जी के प्रवक्ता की तरफ से प्रेस नोट जारी किया गया, उसके बाद जो प्रेस नोट जारी किए गए हैं, वे सारे उसमें उल्लेखित हैं। उसमें यह था कि भारत के Cabinet Secretary वहां के Chief Secretary के संपर्क में थे और चीफ सेक्रेटरी के निर्देश पर वहां के

डिस्ट्रिक्ट मैजिस्ट्रेट मोती सिंह जी, जब मैं Education Minister था, तब वे मेरे पास Higher Education में कमिशनर थे। अच्छे आदमी हैं, उन्होंने अभी इस फैसले के बाद सारे तथ्य सामने रखे हैं। इतने साल तक वे तथ्य किसी के सामने नहीं आए थे। क्या था, क्यों छोड़ा, किस प्रकार से? अब इसको केवल दो ही व्यक्ति बता सकते हैं, भगवान या फिर माननीय अर्जुन सिंह जी, क्योंकि न राजीव गांधी जी हैं, न ब्रह्ममस्वरूप जी हैं और न निर्देश देने वाले लोग हैं। अब वे सही चीज़ कब बताएंगे? उन्होंने कहा कि सही समय आने पर बताऊंगा, मालूम नहीं, सही समय कब आएगा? तो यह स्थिति है, खैर मैं उसमें नहीं जाता कि किसने भगाया, क्यों भगाया? लेकिन परिस्थिति यह है कि उसके बाद भी हम छल कर रहे हैं।

अभी बार-बार बात आती रही कि बाद की सरकारों ने क्या किया? जब आपने दिसंबर, 85 में पार्लियामेंट में एक ऐक्ट पास किया, Bhopal Gas Leak Disaster Act, उसके बाद राज्य की सारी पावर्स खत्म हो गईं। फिर सी.बी.आई. ने चालान पेश कर दिए और 96 में सुप्रीम कोर्ट direction देता है कि फलां-फलां Sections में यह मामला चलाना है। जब उसमें मुकदमा चल रहा है, तो 2001 में कानून मंत्री के सामने आप फाइल ले जाएंगे, एटॉर्नी जनरल के सामने फाइल ले जाएंगे, जिसके बारे में अभी कहा गया कि उनका opinion था, तो जिस केस में सुप्रीम कोर्ट ने sections निर्धारित कर दिए, फ्रेम कर दिए, यह केस चल रहा है, यदि उस फाइल को आप दुनिया के किसी भी बड़े से बड़े वकील के पास ले जाएं, तो वह यही बोलेगा कि जो फाइल और जो sections हैं, इनके अंतर्गत यह मामला नहीं बनता है, तो बताइए यह गलत है क्या है? लेकिन जिनको जिम्मेदारी लेनी चाहिए, वे जिम्मेदारी लेने से भाग रहे हैं। बार-बार यह छलावा किया जा रहा है। आज इतने सालों के बाद भी भोपाल की जनता के साथ फिर छलावा किया जा रहा है, उनको बार-बार यह कहना पड़ रहा है।

सर, यह GoM वगैरह बेकार की बात है, जी.ओ.एम. का कोई मतलब नहीं है। जीओएम ने क्या किया? आप ज़रा भोपाल की जनता से जाकर पूछिए, मध्य प्रदेश की जनता से पूछिए। आपके जी.ओ.एम. पर वहां का एक भी नागरिक अगर ठप्पा लगा दें, तो मैं चुनौती देता हूं। इसमें आपने क्या किया कि जितने लोगों को मुआवजा मिल रहा था, उनको और cut कर दिया, केवल लिमिटेड लोगों को मुआवजा दिया जा रहा है। पहले ही भोपाल की जनता को छोड़ दिया, आपने तय कर लिया कि गैस केवल इस सीमा तक आई थी, इस सीमा तक नहीं आई थी, जबकि गैस पूरे भोपाल के आसपास फैली। सिहोर और आसपास के इलाके को भी ब्लॉक कर दिया था, फिर आप कैसे कहते हैं कि पूरे भोपाल में गैस नहीं थी? इतने सालों तक वहां की राज्य सरकारें, वहां के मंत्री बोलते रहे, यहां आते रहे, सबको मालूम है कि उन्होंने बराबर केंद्र से पूरे भोपाल के लिए चाहा, लेकिन चूंकि यहां से तय हुआ कि केवल इतना ही मुआवजा मिलेगा और अब जिन लोगों को मिलता था, उसमें भी आपने लिमिट कर दिया और कह दिया कि केवल इतने लोगों को मिलेगा, बाकी के लोगों को नहीं मिलेगा और जिनको मिलेगा, उनको भी adjust किया

जाएगा। किसी को यदि दो लाख रुपए मिल रहे हैं और यदि एक लाख पहले ही वह किसी रिलीफ के अंदर ले चुका है, तो उसका वह एक लाख रुपया उसमें adjust हो जाएगा। यह मज़ाक नहीं तो और क्या है? आप जख्मों पर नमक छिड़क रहे हैं। अब इस प्रकार की बातें करके वहां लोगों को भड़काने की बात कर रहे हैं, यह परिस्थिति आज वहां बन रही है।

महोदय, मेरा कहना है कि ये सारी जो परिस्थितियां वहां बनती चली जा रही हैं, अब आप कहते हैं कि Anderson का direct involvement नहीं बनता, तो Anderson का involvement कैसे बनता है? ये सारे जो तथ्य हैं, 1981 से मैं विधान सभा का सदस्य था, 1981 में गैस लीक हुई, उसके 15 दिन बाद फिर 1982 में गैस लीक हुई, जिसमें 29 लोग प्रभावित हुए। वहां एक व्यक्ति, ऑपरेटर मोहम्मद अशरफ की मौत हुई। फिर 1983 में दुर्घटना हुई। तो 1980 के बाद एक, एक के बाद एक दुर्घटना हो रही है। Anderson को भी मालूम था कि उसका जो कारखाना है, उसमें लीकेज है। उसमें ये-ये केमिकल्स, गैस से चीज़ें बनती हैं, जिसमें लीक होने से ये दुर्घटनाएं हो सकती हैं, सारी चीज़ों की जानकारी थी। जिस व्यक्ति को यह मालूम है कि मेरे कारखाने में यह-यह होता है और इसके लीक होने से दुर्घटना हो सकती है, तो आप कैसे कह रहे हैं कि उसका involvement नहीं होगा? आप खाली किसी एक मज़दूर को पकड़ लेंगे कि इसका involvement है और इस प्रकार से उसका direct involvement बनता है। He was knowing everything about his plant. उसको मालूम था कि यह प्लांट कैसा है, इसमें क्या-क्या कमजोरियां हैं, इसकी जानकारी भी दी गई। जब उसको यह सब मालूम था और इसके बाद यदि यह सब होता है तो निश्चित रूप से Anderson भी इन सारे sections में मुजरिम बनता है और उसको उसी समय मुजरिम बनाया जाना चाहिए था, लेकिन उसको छोड़ा गया।

THE VICE-CHAIRMAN (SHRI PRASANTA CHATTERJEE) : Your party has another speaker, I am only reminding you.

श्री विक्रम वर्मा : महोदय, मुझे 15 मिनट का समय बताया गया था। माननीय उपसभाध्यक्ष जी, इसके बाद एक एन. के. सिंह आयोग बना। 15 दिसम्बर 1985 को जब खत्म उसका कार्यकाल होना है, उस समय यहां से directions जाते हैं कि इस आयोग को अपने आप खत्म हो जाने दीजिए। तब शायद माननीय मोती लाल वोरा जी मुख्य मंत्री थे। उसको आगे न बढ़ाने का निर्देश लिखित में नहीं देंगे - हम आपको लिखित में नहीं देंगे, आप इस आयोग को अपने आप खत्म होने दें। उसमें सात प्वाइंट्स थे, लेकिन उन सभी बिंदुओं में से एक पर भी चर्चा नहीं हुई। इस प्रकार एक के बाद एक षडयंत्र दिल्ली से बैठकर हुआ और भोपाल की जनता के साथ धोखा हुआ। महोदय, तीसरी एक और बात है जिसकी तरफ मैं आपका ध्यान आकर्षित करना चाहूंगा। वहां पर जो कचरा पड़ा हुआ है, वह मेरा विधान सभा क्षेत्र, धार पुराना विधान सभा क्षेत्र है, जहां से मेरी श्रीमती अभी एमएलए हैं, पीतमपुर,

जो एक बहुत बड़ा इंडस्ट्रियल एरिया है, इस इंडस्ट्रियल एरिया में, पीतमपुर में यूनियन कार्बाइड वहां का 32 मीट्रिक टन कचरा पहुंचाकर डम्प कर दिया, landfill का दिया। उसके कारण पीतमपुर एवं इंदौर और आस-पास के सारे इलाके में पानी जहरीला हो रहा है। वहां पर लोगों ने आंदोलन किया। माननीय जयराम रमेश जी वहां पर गए। उन्होंने वहां पर स्वयं जाकर जनता से माफी मांगी, क्षमा मांगी। उन्होंने कहा कि मैं इस बात के लिए क्षमा मांगता हूं कि यह यहां कैसे आया। जनता के बीच में कान पकड़कर उन्होंने क्षमा मांगी, अखबार में फोटो छपा है, कहा कि यह गलती हुई है, यह यहां कैसे आ गया। केन्द्र सरकार को मालूम नहीं है, मध्य प्रदेश के मुख्य मंत्री जी को मालूम नहीं है। किस तरह से केन्द्र सरकार का पर्यावरण विभाग, जिनके हाथ में यह है, काम कर रहा है कि वहां से उठाकर 32 मीट्रिक टन आपने यहां डम्प कर दिया। लॉजिक यह लिया गया कि दो साइट्स तय हुई थी, अंकलेश्वर और पीतमपुर। चूंकि उन्होंने गुजरात सरकार ने इन्कार कर दिया इसलिए इसे आप पीतमपुर में ले जाएं। आप कह रहे हैं कि हम तीन सौ करोड़ रुपए खर्च करेंगे और तीन सौ करोड़ रुपए हम आपको उसको खत्म करने के लिए देंगे। पीतमपुर अब एक इंडस्ट्रियल कॉरीडोर में जापान सरकार के सहयोग से दिल्ली टू मुम्बई में आ चुका है। यदि यह कचरा वहां पड़ा रहा तो उससे क्षेत्र की दुर्गति होगी और बहुत बड़ा आंदोलन होगा। हमारा कहना है कि केंद्र की सरकार तीन सौ करोड़ रुपए क्यों खर्च करे? यह डाउ कैमिकल्स की जिम्मेदारी है। डाउ कैमिकल्स ने यूनियन कार्बाइड को खरीद लिया। सर, मैं आपको डाउ कैमिकल्स की स्थिति बताता हूं। अमेरिका के प्रतिभूति एवं विनिमय आयोग, यूएसएसईसी में डाउ कैमिकल्स को तीन कीटनाशकों के भारत में पंजीकरण जल्द करवाने में रिश्वत देने का दोषी पाया गया है। जो वहां पर प्रतिबंधित दवाइयां हैं, वे हैं-नूरेलडी, डुर्सबन 10•08... ये दवाइयां वहां पर प्रतिबंधित हैं और हिंदुस्तान में ... (व्यवधान) ...

THE VICE-CHAIRMAN (SHRI PRASANTA CHATTERJEE) : Please, conclude now.

श्री विक्रम वर्मा : सर, मैं एक मिनट में खत्म कर रहा हूं। 2,400 करोड़ रुपए का बिजिनेस हिन्दुस्तान में डाउ कैमिकल्स कर रहा है। आप डाउ कैमिकल्स पर दबाव बनाइए कि आपने इसे खरीदा है। क्योंकि यूनियन कार्बाइड हिन्दुस्तान में धंधा नहीं कर सकती, प्रतिबंधित हैं इसलिए उस कम्पनी को डाउ कैमिकल्स के नाम पर करके उसके माध्यम से सारा बिजिनेस हो रहा है, अतः सारी responsibility डाउ कैमिकल्स की बनती है। केन्द्र सरकार को उस पर दबाव बनाना चाहिए। केवल GOM से काम नहीं चलेगा। जो भोपाल में पीतम पुर में 32 टन वहां का कचरा है, उसे वहां से उठाएं और कहीं बाहर ले जाएं। यह सब कुछ आपको करना पड़ेगा। मेरी आपसे डिमांड है कि स्थिति यह बननी चाहिए कि मुआवजे में जो वितरण में भेदभाव हो रहा है, वह न हो और सब लोगों को नए सिरे से मुआवजा दिया जाना चाहिए। कम से कम जो भगाने में दोषी हैं, अपराधी हैं, उन्हें तो आप immediate दंडित करें और एंडरसन को लाने की बात करें तथा इस कचरे को वहां से बाहर ले जाने की बात करें, तभी जाकर हम भोपाल की जनता के साथ न्याय कर पाएंगे, यही मेरा आपके माध्यम से निवेदन है।

THE VICE-CHAIRMAN (SHRI PRASANTA CHATTERJEE) : Now, Shri Satyavrat Chaturvedi. There is one more speaker from your party.

श्री रवि शंकर प्रसाद : सर, अर्जुन सिंह जी इस मामले में बोलेंगे या नहीं बोलेंगे?

THE VICE-CHAIRMAN (SHRI PRASANTA CHATTERJEE) : Yes, his name is here.

श्री रवि शंकर प्रसाद : हम लोग बड़ी उत्सुकता से आपको सुनना चाहते हैं।

THE VICE-CHAIRMAN (SHRI PRASANTA CHATTERJEE) : He will speak. Mr. Chaturvedi, time left for your party is 24 minutes for both the speakers.

श्री सत्यव्रत चतुर्वेदी (उत्तराखंड) : माननीय उपसभापति महोदय, 26 साल पहले एक दुर्घटना हुई थी। उस दुर्घटना को लगभग सभी सदस्यों ने बहुत गंभीर दुर्घटना बताया। मैं उसे गंभीर दुर्घटना नहीं कहूंगा, विश्व की सबसे बड़ी औद्योगिक दुर्घटना इस देश की एक राष्ट्रीय त्रासदी बन गयी। मैं आंकड़ों में नहीं जाना चाहता, वह पहले ही यहां दिए जा चुके हैं। लाखों लोग प्रभावित हुए, हजारों लोग मरे। आज भी बहुत सारे लोग हजारों की संख्या में अपंग हैं, अपाहिज हैं, बीमार हैं। महोदय, इस दुर्घटना पर आज हम संसद में चर्चा इसलिए कर रहे हैं कि कुछ दिन पहले एक अदालत ने इस मामले में फैसला दिया। उस फैसले की प्रतिक्रिया पूरे देश के विभिन्न वर्गों में हुई। जो दुर्घटना 26 साल तक हजारों लोगों की मौत के लिए जिम्मेदार है, उसके आरोपियों को महज दो-दो साल की सजा देकर के छोड़ दिया। इसने इस देश के लोगों को एक बार फिर से सोचने के लिए मजबूर किया कि हमारी न्याय व्यवस्था और हमारी समूची व्यवस्था कहां है? क्या यह वास्तव में न्याय है? इसीलिए संभवतः आज इस सदन में और उस सदन में, दोनों में इस मुद्दे के ऊपर सभी पक्षों के लोगों ने मिलकर अपने विचार व्यक्त किए, अपनी भावनाएं व्यक्त की, मैं उसमें स्वयं को भी जोड़ना चाहता हूं। कुछ ऐसे बिंदु हैं, जिन पर सदन के किसी वर्ग, किसी भी दल के बीच में, कोई भी दो राय नहीं हो सकती है, कोई मतभेद नहीं हो सकता है। दोषियों को सख्त सजा मिलनी चाहिए, इस पर मैं समझता हूं कि किसी की दो राय नहीं हो सकती है। जो प्रभावित लोग हैं, जो बीमार लोग हैं, जो अपंग हैं, अपाहिज हैं, जिनके घर में मौत हो गई, उनके परिवार के लोगों को समुचित और ठीक मुआवजा मिलना चाहिए, इस पर किसी की दो राय नहीं हो सकती, न पक्ष की, न विपक्ष की।

महोदय, इस त्रासदी ने हमें बहुत सारे अनुभव दिए हैं। अभी हम सब चर्चा कर रहे थे, बहुत सारी चीजों पर चर्चा हुई, कहां-कहां पर कानूनी कमजोरी रह गई, कहां पर प्रशासनिक कमजोरी रह गई, कहां पर सरकार की कमजोरी रह गई, इन आरोपों में कितनी सच्चाई है, कितनी सच्चाई नहीं है, मैं इस अनावश्यक बहस में नहीं पड़ना चाहता हूं। मैं समझता हूं और मेरा सबसे निवेदन भी है कि कम से कम इस मामले को हम परस्पर राजनीति का मुद्दा न बनायें। यह एक ऐसा मामला है जिस पर हम अपनी मानवीयता को एक बार टटोलें। मुझे साफ करिएगा, जवाब मेरे पास भी है, जुबान मेरे पास भी है। कहने को तो बहुत कुछ कहा जा सकता है, लेकिन इस आरोप-प्रत्यारोप के खेल में क्या होगा? जो बेचारे प्रभावित लोग हैं, जो आज भी बाट जोह रहे हैं कि शायद इस सदन की बहस से, कुछ

ऐसा निकलकर आए, जिससे कि उनका भला हो जाए, वे बेचारे लोग पिस जायेंगे और हम एक दूसरे पर राजनैतिक आरोप लगाते रहे जायेंगे। इस तरह से यह बहस सार्थक होने के बजाय निरर्थक बहस हो जायेगी, इस बात से, मैं इसे बचाना चाहता हूँ। मुझे माफ करिए, 1984 से लेकर 2010 के बीच मैं, चाहें वह मध्य प्रदेश रहा हो, चाहें दिल्ली रही हो, दोनों जगह पर पांच-पांच गैर कांग्रेसी सरकारें रही हैं, वर्षों तक रही हैं। आपने हम पर आरोप लगा दिया, हम यह नहीं कहते हैं कि हमसे कहीं कोई चूक नहीं हुई होगी, हम यह भी नहीं कहते कि कानूनी व्यवस्था में कहीं कुछ लोग लाभ उठा ले गए होंगे और निकल भागे होंगे, इस बात से इंकार नहीं किया जा सकता है, लेकिन जानबूझकर कोई ऐसा काम किया गया हो, मैं अनुरोध करता हूँ कि कृपा करके, अपने भीतर टटोल कर अपनी अंतरआत्मा को देखिए। ऐसे मामले में कम से कम इतना घोर अत्याचार इस देश में कोई नहीं कर सकता है। जो हजारों-लाखों लोगों को प्रभावित करने वाला प्रकरण हो, उसके किसी आदमी को जानबूझकर के कोई लाभ दे दिया जाए, मैं नहीं समझता हूँ कि ऐसा उचित होगा।

महोदय, प्रभावित लोगों को सहायता देने में कोताही बरती गई, इसके आरोप लगाए गए। कानूनी और न्यायिक प्रकरणों में शायद जिस मुस्तैदी के साथ काम करना चाहिए था, उसका भी आरोप लगाया गया। यूनिनियन कार्बाइड के साथ ढील बरती गई या उन्हें विशेष छूट दे दी गई या उनकी गलतियों को नजरअंदाज किया गया, इस बात का भय यहां पर उल्लेख किया गया। Anderson को छोड़ दिया, फिर आज तक extradition नहीं करा पाये, यह भी आरोप लगा है। संवेदनशीलता का आरोप तो बड़ी आसानी से लगाया जा सकता है। अगर हमें या हमारी सरकार को आप जिम्मेदार बनाना चाहते हैं, तो जरा अपने अंदर झांक कर देखिए। आप यहां मौजूद थे, हमसे गलती हुई थी, आप सुधार लेते। अगर हमारी स्टेट गवर्नमेंट ने कोई गलती की थी, पटवा जी की सरकार सुधार लेती, उमा भारती जी की सरकार सुधार लेती। उसके बाद अभी यहां आपकी सरकार है, शिवराज जी, उसमें सुधार कर लेते, हम सहायता करते।

उसके बाद यहां पर भी पांच-पांच प्रधान मंत्री रहे हैं, सरकारें चलती रही हैं। हम extradition नहीं करा पाए, आप extradition करा देते, कौन रोक रहा था? सच आप भी जानते हैं और हम भी जानते हैं। सच यह है कि इस मामले पर यहां बहस करके आरोप लगा देना, जितना सरल है, यह मामला उतना सरल नहीं था। इसकी कानूनी पेचिदगी ऐसी थी, हम भी वहीं चाहते हैं और आप भी वही चाहते हैं, लेकिन जो हम और आप चाहते हैं, वह इतना आसान नहीं था। हमें कहीं न कहीं इन कारणों से कुछ समझौते करने पड़ेंगे, आपकी सरकार को भी और हमारी सरकार को भी, अब सवाल यह नहीं है, कृपा करके इस बहस को बंद करिए। एक दूसरे पर परस्पर कीचड़ उछालने से कोई लाभ होने वाला नहीं है। अब तो इस मुद्दे पर यह बात करें कि इसमें आगे क्या करना जरूरी है, आगे क्या किया जाए। मेरा सरकार से यह निवेदन है कि आपने अभी जो पैकेज दिया है, उसमें आपने दस लाख उनको दिया है, जिनकी मृत्यु हो गई है और पांच लाख उनको दिया है, जो गंभीर रूप से अपाहिज हो गए हैं। उसके बाद तीन

लाख किसी और कैटेगरी को दिया है, दो लाख किसी और कैटेगरी को दिया है तथा एक लाख किसी और कैटेगरी को दिया है। यह सब तो ठीक है, लेकिन जो लोग बीमार हैं और जहां जिस क्षेत्र में यह घटना हुई है, वह मजदूरों की बस्ती का इलाका है। यह पैसा तो आज नहीं कल खत्म हो जाएगा। इससे जिस किस्म की बीमारियां पैदा हुई हैं, उनका असर सिर्फ एक पीढ़ी में ही नहीं, बल्कि अगली पीढ़ी में भी दिख रहा है। कृपा करके सरकार उनके इलाज के लिए विचार करे, जो लोग गैस के कारण प्रभावित हुए हैं और बीमार हैं, आज भी उनका इलाज चल रहा है, हमारी सरकार आजीवन उनके इलाज का खर्च उठाए। यह इतना बड़ा खर्च नहीं है। आज हम साढ़े नौ परसेंट जो ग्रोथ रेट से बढ़ रहे हैं।

आज हम दुनिया की एक बड़ी आर्थिक ताकत बनना चाहते हैं लेकिन क्या हम उन चंद गरीबों का आजीवन खर्च भी नहीं उठा सकते? यह सरकार इतनी कमजोर, अपाहिज और लाचार नहीं है। इस सरकार को चाहिए कि वह ये सारी सीमाएं हटाए कि दो साल के इलाज के लिए, पांच साल के इलाज के लिए, दो लाख रुपए या एक लाख रुपए है। जो प्रभावित लोग हैं और जिनको इलाज की जरूरत है, जब तक उनका पूरा इलाज न हो जाए, वे पूरी तरह से ठीक न हो जाएं या जब तक वे जीवित रहें, सरकार को उनके इलाज की व्यवस्था करनी चाहिए।

श्रीमन्, इस त्रासदी ने बहुत बड़े सबब दिए हैं। इस त्रासदी में हमारी कानूनी असफलताएं भी उभरकर सामने आई हैं, हमारी प्रशासनिक असफलताएं भी उभरकर सामने आई हैं और आप मुझे माफ करें, इसमें हमारे जूडिशियल सिस्टम की न्यायिक असफलताएं और कमजोरियां भी उभरकर सामने आई हैं। भगवान न कर, इस त्रासदी के बाद कोई त्रासदी हो, लेकिन अगर हो जाए तो कम से कम उसके लिए हम पूरी तरह से तैयार हो जाएं। इसमें कानून और प्रशासनिक स्तर के तमाम सुधार लाए जा सकें, ताकि भविष्य में यदि कोई इस प्रकार की दुर्घटना हो जाए, तो फिर वह कोताही, वह चूक, वह छूट, वे गलतियां दोबारा न दोहराई जा सकें। इस बात की कोशिश करने के लिए इस पर विचार हो और इस पर गंभीर अध्ययन हो तथा वह सुधार लाने का प्रयास किया जाना चाहिए।

श्रीमन्, अभी तक प्रभावितों को जो मुआवजा मिला है, जो कमजोर वर्ग के लोग हैं, उनके लिए दस लाख काफी बड़ी राशि है और कुछ लोगों ने संतोष भी व्यक्त किया है। कुछ लोग अभी भी यह मानते हैं कि शायद यह संतोषजनक नहीं है। मेरा यह अनुरोध है कि यूनियन कार्बाइड से, जो इसके लिए जिम्मेदार है, सरकार को इस बात की लड़ाई लड़नी चाहिए कि अंडर्सन आए या न आए 89 साल का या 85 साल का है, जो आधा पागल हो चुका है, उसके आने न आने से हमको कोई बड़ा फायदा नहीं मिलता है, हमें सबसे बड़ा फायदा इस बात का चाहिए कि जो इससे

प्रभावित लोग हैं, उनको वाजिब मुआवजा मिल सके। इसके लिए यूनियन कार्बाइड के ऊपर और अमेरिका की सरकार के ऊपर, भारत सरकार दबाव डाले और उनको इस बात के लिए मजबूर करे कि वह वाजिब मुआवजा दो हम अभी जो मुआवजा दे रहे हैं इसके अतिरिक्त यूनियन कार्बाइड से भी वसूली करके उनको और मुआवजा दिया जा सके, इस बात की कोशिश करनी चाहिए।

महोदय, मैं अंत में आपकी इजाजत से अपने सभी माननीय सदस्यों से कहूंगा कि हमारे पास एक नहीं एक हजार मौके आएंगे, जब हम एक दूसरे के ऊपर राजनीतिक प्वाइंट्स स्कोर कर सकते हैं। हमारे पास बहुत मौके आएंगे, रोज आते हैं, कम से कम इस जैसे मसले को राजनीति का विषय न बनाएं। मैं इस बारे में जितना सोच सकता हूँ, आप भी इस मामले में उतने ही गंभीर हैं, मेरा ऐसा भरोसा है, ऐसा विश्वास है। मैं आपसे यही अनुरोध करूंगा कि इस मसले को राजनीति से ऊपर उठकर देखें और व्यापक हित में एक आम राय बनाएं। यह सदन एल्डर्स का सदन है, यह बुजुर्गों का सदन कहलाता है, यहां से जो संदेश जाए, वह भी बुजुर्गों की तरह गंभीर और गरिमामयी संदेश जाए, इस बात की कोशिश करें। जय हिन्द, धन्यवाद।

SHRI RAJEEV CHANDRASEKHAR (Karnataka) : Sir, there is a common theme to these 'tragedies' like Bhopal gas leak which are often, unfortunately, described as 'incidents' in buracuratese. In so many of these cases where mass loss of life was involved, no significant person of stature has ever been held responsible and punished, while thousands of Indians have suffered the loss of their loved ones. And through all of this, most of us have remained mute spectators, with an occasional rant or lament at this obvious miscarriage of justice.

The recent judgement on the Bhopal case can almost be thought of the straw that has finally broken the camel's back. the outcome was the result of the waking up to the fact that there must be something very wrong with us as a nation, people, government, and judicial system where an obvious act of negligence by a corporation that has resulted in so many deaths-visible to us all and known to us all - can go unpunished, be manipulated and almost swept under the carpet. And, most importantly and tragically, not enough was done to treat, rehabilitate and restore the community that was ravaged. We must have all been in collective amnesia if it has taken us 26 years to finally from a Group of Ministers to look into rehabilitation efforts for a community that was ravaged by this tragedy.

Sir, through this debate, I hope we can all be clear about one objective. We must not let up or compromise on the need to fix accountability for the Bhopal crime and punish the guilty.

Democracies, such as ours, can only function if there are rules and laws that are applicable equally to the common citizen and at the same time the rich and the corporate. Democracy, governance and media in our country are already under the extraordinary influence of corporates and big money. That is an inarguable fact and an increasingly obvious fallout of the last two decades of economic liberalisation. But like other advanced economies and democracies of the world, India too must send a message out to the world that we are a nation of laws, break the law and you shall have to face the consequences, regardless of who you are. And if you need inspiration please look at the example of how the US has treated the BP's negligence in oil spill.

Sir, we need to ensure that Bhopal is not another case of sweeping corporate crime under the carpet. Thousands of shattered families in Bhopal deserve to get closure and justice that we owe them.

From the bottom of my heart, I request the Home Minister to assure the House that he will not rest till the guilty are brought to book. Let me warm him, Sir, that there will be some efforts at soft-peddalling his efforts here as well as in his other efforts. Let me quote one example of a senior banker, Deepak Parekh. He was quoted as saying "I agree Bhopal is our worst tragedy. But we cannot get emotional about it. Just putting a Chairman and CEO in jail is not going to solve the problem."

This is an amazing statement. It shows just how compromised and lopsided our system has become. The hypothesis that is being advanced by him here is, of course, that we should forget that there was someone culpable and responsible simply because he is a Chairman and CEO. In effect, he is suggesting a double standard in how we enforce the law on people. We cannot allow this double standard on respect for law to continue anymore. This is the only way our system of law can send a message to other lawbreakers. Break the law and you will be punished. We owe that to the thousands of families shattered in Bhopal. Thank you, Sir.

श्री प्रभात झा (मध्य प्रदेश) : आदरणीय उपसभाध्यक्ष महोदय, भोपाल गैस त्रासदी को लेकर लम्बी

बहस चल रही है। जब मैं यहां बोलने के लिए खड़ा हुआ हूं और इस समय कोई भोपाल में त्रासदी भरे सभी वाडोर्े में जाकर पूछे कि कोई घटना हो रही है, तो 26 साल बाद भी वहां कोई घटना निश्चित हो रही होगी। अगर वहां कोई बच्चा जन्म ले रहा होगा, तो विकलांग पैदा हो रहा होगा, चर्म रोग से पीड़ित हो रहा होगा, उसके फेंफड़े में, उसकी किडनी में कोई-न-कोई बीमारी हो रही होगी और वैसा ही बच्चा पैदा हो रहा होगा। 26 साल बाद वह कहानी अभी

खत्म नहीं हुई है। यह कोई फिल्मी दुनिया का डायलॉग नहीं है। सत्यव्रत चतुर्वेदी जी राष्ट्रीय भाव से बोल गए, महात्मा गांधी की तरह पूरा प्रवचन दे गए कि किसी दोषी के बारे में बात नहीं करनी चाहिए, कुछ भी हुआ हो, अब हम सबको दूसरी बात करनी चाहिए। हम पूछना चाहते हैं कि क्या 5 लाख 74 हजार पीड़ितों की आवाज उठाना गलत है? हम पूछना चाहते हैं कि क्या यहां पर 15 हजार से अधिक लोगों की मौत के सवाल पर चर्चा करना गुनाह है?

इस सदन का सौभाग्य है कि जिस गले के नीचे सच्चाई का राज छुपा हुआ है, वे माननीय अर्जुन सिंह जी सदन में मौजूद हैं। ऊपर बैठे हुए लोग और नीचे बैठे हुए सदन के लोग, सब माननीय अर्जुन सिंह जी को सुनना चाहते हैं। उन्होंने कहा था कि मैंने कुछ बातें किताब में लिखी हैं।

(श्री उपसभापति पीठासीन हुए)

किताब में आपने लिखी होगी, वह जब जारी होगी, तब होगी, माननीय अर्जुन सिंह जी, आज सब आपको सुनना चाहते हैं, क्योंकि आपसे बड़ा गवाह कोई नहीं। आप उस समय प्रदेश के मुख्य मंत्री थे। आपने उस समय एक आयोग भी बनाया था। विक्रम जी ने बताया - एन. के सिंह आयोग। इस आयोग की रिपोर्ट क्यों नहीं आई? समय से पहले उस रिपोर्ट को समाप्त क्यों कर दिया गया? उस रिपोर्ट को किसके कहने पर समाप्त किया गया? उस रिपोर्ट में कौन-कौन सी बातें थीं? उस रिपोर्ट की फाइलें मध्य प्रदेश सरकार के यहां से क्यों गायब हुईं? केन्द्र में किसके पास आई? आज यह सदन जानना चाहता है कि एन.के.सिंह आयोग की रिपोर्ट के सारे कागजात कहाँ गए?

इतनी ही बातें नहीं हैं। जब मैं यहां खड़ा हुआ हूं, तो आपको बताना चाहता हूं कि एक नहीं, अनेक बातें यहां पर आती हैं। भोपाल गैस त्रासदी के बारे में हमने सीधे-सीधे कहना शुरू कर दिया कि यह मामला है, बहुत दिनों का मामला है, न्याय चाहिए। आज तक भारत में ऐसी कोई घटना नहीं घटी, जिस पर विधायिका दांव पर लगी हो, जिस पर न्यायपालिका दांव पर लगी हो, जिस पर कार्यपालिका दांव पर लगी हो। मैं सी.जे.एम., भोपाल, मि. तिवारी, को बधाई देना चाहता हूं, जिन्होंने यह फैसला दिया। आपको सुन कर आश्चर्य होगा कि 18 सी.जे.एम. बदल गए, फैसला नहीं आया। उन्होंने कहा कि मुझे फैसला देना ही पड़ेगा। उपसभापति महोदय, जो अभियुक्त बनाए गए हैं, वे अभियुक्त उसी दिन हाजिर हुए, जिस दिन फैसला हुआ था। इतना विरोध था कि लोग कह रहे थे कि 1984 में सरकार अर्जुन सिंह जी की नहीं थी, कांग्रेस की नहीं थी, सरकार थी यूनियन कार्बाइड की। यूनियन कार्बाइड पूरी तरह से सरकार चला रहा था। कांग्रेस की बैठकें कहां होती थीं? यूनियन कार्बाइड गेस्ट हाउस में होती थीं। यह पूरा घाल-मेल हो गया था, एक दूसरे के पूरक बन गए थे। यह सवाल था सीधे-सीधे कि लोग कहते थे कि वारेन एंडरसन सिर्फ उद्योगपति नहीं है, यह सिर्फ यूनियन कार्बाइड चलाने नहीं आया है, वह मध्य प्रदेश की सरकार और भारत की सरकार को चलाता है। ऐसा क्यों हुआ? इतनी घटनाएं होने के बाद भी क्यों नहीं पुलिस कार्रवाई की गई?

आप कह रहे हैं कि गड़े मुर्दे मत उखाड़िए। कौन जिम्मेदार था? जब यह पता चल जाएगा कि इस प्रदेश का मुख्य मंत्री, इसके इशारे पर, उसके इशारे पर सब कुछ हो सकता है और उसको वारेन एंडरसन चलाता है, तो लोग वारेन एंडरसन की बात मानेंगे कि उस प्रदेश की सरकार की बात मानेंगे। यहां सवाल यह है कि क्या कार्यपालिका अपराधियों को बचाएगी? क्या विधायिका यह सब करेगी? कलक्टर और चीफ सेक्रेटरी तो सिर्फ मोहरे होते हैं। ये मोहरे किसके इशारे पर चल रहे थे?

कांग्रेस के एक महासचिव ने कहा कि अमेरिकी का दबाव था। हम जानना चाहते हैं, सदन जानना चाहता है कि किसका दबाव था, किसने फोन किया था, किसके फोन पर वारेन एंडरसन को छोड़ा गया था? यह सदन जानना चाहता है, क्योंकि यह अपराध नहीं है, यह राष्ट्रीय अपराध है, 10-15 हजार लोगों की मौत का सवाल है। इसके अलावा भी, यह भारत के स्वाभिमान का सवाल है, भारत की साख का सवाल है, भारत की इज्जत का सवाल है। लोग कहते हैं कि भारत की कार्यपालिका ऐसी हो गई, भारत की न्यायपालिका ऐसी हो गई। मैं खबरपालिका को, मीडिया को बधाई देना चाहता हूं, जिसने 7 जून, 2010 के बाद खबरों की खुदाई करना शुरू कर दिया। खबरों की खुदाई के बाद पता चला कि अर्जुन सिंह जी, आपने क्या-क्या किया और कौन-कौन सी फाइलें चलाईं। मैं व्यक्तिगत आरोप नहीं लगाना चाहता लेकिन उस समय आप मुख्य मंत्री थे। यह सदन जानना चाहता है कि आखिर उस समय आप पर किसका दबाव था? अमरीका से किसका फोन आया था? 'Financial Times' के John Elliott के अनुसार Warren Anderson को रिहा किए जाने और भेजे जाने की सहमति तत्कालीन मुख्यमंत्री अर्जुन सिंह को स्वर्गीय राजीव गांधी ने दी थी। आज आप उसका जवाब क्यों नहीं देते हैं? पूरा देश गुमराह हो रहा है।

हम लोग कभी लाशों पर राजनीति नहीं करते हैं, हमने ऐसी राजनीति कभी नहीं की। आप पढ़िए, The Asia Times क्या लिखता है और The London Times क्या लिखता है। सवाल यह है, भारत की इज्जत के साथ खिलवाड़ कौन करता है? आज भी अगर आप जंतर-मंतर पर जाइए तो कुछ बच्चे क्यों बिलबिलाते हैं, क्यों चिल्लाते हैं? वे न्याय मांगते हैं। क्या न्याय मांगना गुनाह है? मैं यहां अपनी बात नहीं देश की जनता की बात कह रहा हूं। ऐसी एक नहीं अनेक बातें हैं। दो बातें मैं यहां आपको बताना चाहता हूं और इस ओर पूरे सदन का ध्यान चाहता हूं। भोपाल गैस त्रासदी से बड़ी त्रासदी और क्या होगी, लेकिन यूनियन कार्बाइड कंपनी बिना लाइसेंस के चली।

माननीय उपसभापति महोदय, उनका लाइसेंस 30.09.1982 तक वैध था, जो उन्हें 24.03.1983 में दिया गया। सदन इस बात का उत्तर चाहता है कि छः महीने तक यूनियन कार्बाइड कंपनी बिना किसी लाइसेंस के कैसे चली? हम इस बात का जवाब चाहते हैं। बहुत सरलता से आप कह देते हैं कि एनडीए सरकार ने क्या किया, बीजेपी की सरकार ने क्या किया। हम सरकारों के मामले में नहीं बोलेंगे। हम भी उतने ही संवेदनशील हैं, जितने संवेदनशील

आप हैं। यह मसला राष्ट्रीय त्रासदी का है, हम नहीं चाहते कि इसे राजनैतिक त्रासदी बनाया जाए। आप यह बताइए कि Bhopal Gas Leak Disaster Act, 1985 किसने पास किया था? उसमें कहा गया है, "भोपाल गैस त्रासदी से प्रभावित पेमेंट्स, जिसमें कि सरकार भी सम्मिलित है, गैस पीड़ितों के सभी प्रकार के क्लेम्स तथा त्रासदी के दुष्प्रभावों के सभी प्रकार के निदान के लिए भारत सरकार को अधिकार दिए गए हैं।" इस तरह सारा अधिकार आपने ले लिया, लेकिन आप राजग सरकार को दोषी कह रहे हैं ... (समय की घंटी) ... हम जानना चाहते हैं कि यह ऐक्ट किसने बनाया? 2003 में प्रत्यार्पण के लिए एप्लीकेशन किसने लगाई थी? उसी एनडीए की सरकार ने लगाई थी। सवाल इन बातों का नहीं है। मैं एक और बात कहना चाहता हूं, आप फाइल में देखिए कि 1985 में मध्य प्रदेश की सरकार कैसे चलती थी। महोदय, इसका एक बहुत बड़ा उदाहरण देकर मैं अपनी बात समाप्त करूंगा। भारत सरकार के कैबिनेट सेक्रेटरी, चीफ सेक्रेटरी ऑफ मध्य प्रदेश को लिखते हैं कि आप हमारा जो राजनैतिक मसला देखते हैं केंद्रीय मंत्री मंडल का एक राजनैतिक मंडल है, जो पूरी सलाह देता है। वह सलाह क्या देता है? वह कहता है कि लिखित में कुछ मत भेजो, हम जो कह रहे हैं, वरबैटिम सुनते जाओ, एन.के.सिंह के कमिशन को समाप्त करो। उसके बाद कैबिनेट सेक्रेटरी एक शीट देते हैं, उस शीट पर सब कुछ लिखा जाता है। मध्य प्रदेश के मुख्य मंत्री पूछते हैं, क्या मैं साइन कर दूं तो कहा जाता है, हां, कर दो। क्या भारत सरकार के कैबिनेट सेक्रेटरी उस समय मध्य प्रदेश की सरकार को अपने इशारों पर नहीं चला रहे थे? क्या अब मुख्य मंत्री की नोटशीट दिल्ली में बनेगी। सवाल इन मसलों का है और इसके बाद 56 वोटों में 1984 की जो कराह है, वह आज 2010 की आज की तारीख तक यहां गूंज रही है।

हम राजनीति नहीं करते। अश्विनी जी यहां पर क्या कर रहे थे, उसे मैं पढ़ना नहीं चाहता। Bhopal Memorial Hospital में राज्य सरकार को कोई व्यक्ति नहीं है, लेकिन आपने वहां पर सब कुछ बना दिया। वहां पर टेस्ट होते हैं, लेकिन वहां की लेबोरेटरी से सारी चीजें गायब कर दी गई हैं। कैमिस्ट्री रसायन के जो आइसोटोप्स होते थे, वे नहीं हैं, अब आप कोई जांच नहीं कर सकते। आपने कहा कि कागज़ नहीं है। चीफ सेक्रेटरी, मध्य प्रदेश ने क्या-क्या लिखा, ब्रह्म स्वरूप जी ने क्या-क्या लिखा, वे कागज़ात मध्य प्रदेश सचिवालय में पड़े हुए हैं, हम आपको देने के लिए तैयार हैं। मध्य प्रदेश के मुख्य मंत्री चिढ़ी लिखते हैं, लेकिन उसका जवाब नहीं दिया जाता।

अंत में मैं अपनी बात को यह कहते हुए समाप्त करूंगा कि कार्यपालिका को, न्यायपालिका को, विधायिका को और खबरपालिका को. किसी को आप दांव पर मत लगाइए। भारत का लोकतंत्र इन्हीं चारों पर टिका हुआ है। अगर ये हिल जाएंगे, तो राष्ट्र में कुछ भी नहीं बचेगा। इस त्रासदी में पीड़ित लोगों को हम जितनी मदद कर सकते हैं, हमें करनी चाहिए और उनके मुआवज़े को बढ़ाया जाना चाहिए, इतना कह कर मैं अपनी बात समाप्त करता हूं। धन्यवाद।

श्री रवि शंकर प्रसाद : सर, मैं एक मिनट कुछ कहना चाहता हूँ। आज हमें बड़ा आश्चर्य है कि माननीय अर्जुन सिंह जी को सत्ता पक्ष से काफी अटेंशन मिल रहा है। यह देख कर हमें बड़ा सुकून मिल रहा है।

MR. DEPUTY CHAIRMAN : He is an hon. Member of this House...(Interruptions).... He is an hon. Member of this House...(Interruptions)...

SHRI JESUDASU SEELAM (Andhra Pradesh) : Sir, that should be withdrawn...(Interruptions)....

MR. DEPUTY CHAIRMAN : Shri Arjun Singh...(Interruptions)... आप बैठ जाइए। ...(Interruptions)... Shri Arjun Singh.

SHRI ARJUN SINGH (Madhya Pradesh) : I am very grateful, Mr. Deputy Chairman, for the concession given to me by the House. It is a matter of great anguish to recount the events two-and-a-half decades later and the experience that we have gone through is almost equal to coming out of the jaws of death. On that fateful night of 3rd December, 1984, as any other faithful citizen, I was also asleep. Around midnight I felt a very acrid smell in my nostrils, and I felt suffocated and got up. One enquiry, I was told that some poisonous gas had leaked from the Union Carbide and it was spreading. I don't have to inform the House that the wind does not know any direction nor does it follow anybody's dictates. Whichever side the wind went, the gas went. Those of us who are fortunate survived; those of us who are not fortunate did not survive. Many of us suffered the after-effects of that gas. It was not a simple tragedy that is being described here and much less is amenable to exploitation.

I am thankful to all the hon. Members for the sentiments that they have expressed for those unfortunate brothers and sisters who did not survive. I don't want to lay the blame on any side, not in the hope of a bargain but in the consecrated fellowship which human beings shared in spite of other barriers. There was panic all around. People were running with whatever belongings they could grab on their heads, stumbling along dark streets. Nobody could prevent them from going away. Children were the worst sufferers. That is a tragedy beyond description. Sir, I had the

moisfortune of looking into those empty eyes which once belonged to
lively children, who were today not seeing anything.

6.00 P.M.

A suggestion came from some people that I should also leave the place; otherwise, I would also be in danger. I tried to reason with them that the Office of the Chief Minister does not carry the privilege of escaping from what the people are suffering.

As you know, Sir, in our country, gossip has a stronger force than reason. These are realities which we cannot ignore. Therefore, when these kinds of allegations started being made by a handful of people, the only thing I thought best was to set up a Commission of Inquiry first against myself. And that is the genesis of the N.K. Singh Commission. My learned friend in the opposite, who just spoke, wanted to give the impression that I created something and then did not obey it, I never abolished the Commission. You might be aware, at least, statistically, that I ceased to be the Chief Minister of Madhya Pradesh on 13 March, 1985. My leadership, Shri Rajivji in particular, wanted me to go and serve in Punjab. I had taken the oath of the Office of the Chief Minister again, but in obeisance to my leader, the next day I went to Punjab. I am not trying to escape from anything. I am only narrating a fact which did come in the way. I wish I remained in Madhya Pradesh again as the Chief Minister and I would have seen that the likes of Mr. Anderson, who think that they are the interitors of the colonial masters of this country, can strut about fearlessly after plundering of motherland, I would have taken it to its logical ends. But even while I was there, the first thing I thought essential to carry out was his arrest as and when came to Bhopal. If he had not been arrested, more of the debate would have ended. At least, now, our Government is committed to extradite him and then fix the responsibility on in. How he is to be extcutted, I can hard give any opinion. People, who are responsible, knwo how is to be done. I still wish that the first thing that the hon. Prime Minister would use to the hon. President of the United States of America, when he comes in November, that we have an unspoken promise unfulfilled. Then, accurate and full compensation can be asked for. I just read in the newspaper that President Obama has already said, "Let somebody make a reference us.

Then, we will see." Sir, on that night itself, I contacted the Officer of the Prime Minister in Delhi and informed them of this calamity. Rajivji was away on tour. I then got in touch with Dr. S. Varadarajan, the Director-General of the Council of Scientific and Industrial Research, and informed him of his happening. I then requested him to send such help that could be

use to us. His reaction was very forthright. By next morning, his team arrived in Bhopal. By that time, the panic had slightly subsided and toxic gas became lesser and lesser deadly. Still, on the first count, it was observed in the morning that nearly 700 people, including children, had been killed. The tragic scenes, that I faced, as I went from hospital to hospital, and then to the affected areas, are indescribable. Houses were left empty; doors and windows were fluttering in the wind; no one to protect whatever was left inside. My first duty, as the Chief Minister, was to see that whatever was left was protected and the citizens did not suffer with losses. By the afternoon, I got a message that the Prime Minister, Shri Rajiv Gandhi, was coming to Bhopal, cutting short the General Election tour. Rajivji arrived at 4.00 p.m. on 4th December. He was in a very grave mood. I briefed him with all the details in my possession, and in the end, also added that even though I was not, personally, responsible for the accident, I was prepared to step down from my office, if he so desired. Rajivji said, "All this is not called for. Nobody is blaming you. So, why should you do that?"

By that time, my well-wishers became active and manufactured all the stories that we are hearing today. The only thing in Rajivji's mind was, how we can provide relief rehabilitation to those who have been affected. The arrival of Rajivji spread like wildfire in all parts of the capital and people flocked around him in hope ultimately, but overwhelmed with despair. In the evening, Rajivji flew back after telling me that we have to go all out to help the affected people and he asked me to be in touch with him everyday. He was to come to Madhya Pradesh on his election tour on the 6th of December and wanted to know whether he should postpone it in view of this calamity. I said that he need not do so since the message might be misinterpreted that we are immobilized as a Government. I am grateful to him that he accepted my advice. I hope, Sir, you will pardon me for taking a little time, but sometimes time itself loses all relevance.

Somebody told me that Mr. Warren Anderson, who was the head of his company, was coming to Bhopal. I was amazed at the audacity of the

person, who was directly responsible -- because he was aware of what his factory was manufacturing and where it kept all the elements that went into that manufacture- that he was coming to Bhopal. For what? He could not be coming for sharing our grief, because that is so unlikely for a *bada sahib*! But at that very moment, when I came to know that he was coming, I made up my mind that as soon as he lands on the soil of Madhya Pradesh, he

should be arrested. I did not share my decision with anybody. I did call in the officers concerned and briefed them personally that they have to arrest Mr. Anderson as soon as he steps down from the plane in the morning. I also gave them these orders in writing, which is not done by Chief Minister, but I did -- because I knew of the tremendous pressure that officers are subjected to in such situations -- so that they were not bothered about it and the responsibility was mine.

As soon as Mr. Anderson stepped down from the plane, the police, the SP, Mr. Puri, escorted him in a car and told him that he was under custody and they are taking him to his own rest house for detention. He was so surprised when he was told this. He kept on asking. 'Why is the Chief Minister not here to receive me?' Just imagine the kind of arrogance that some of these people have. When the SP could not stop his chatter, he told him, 'Well, this is not a question which I can answer, you better ask it when you meet the Chief Minister yourself.' After Mr. Anderson was safely escorted to his rest house, it is necessary to say so because apart from those visitors who had come to the airport on Mr. Anderson's request, the media and some other people, a large number of affected people whose sons had died, whose daughters had died, mysteriously did not know by that time what was the cause of the deaths. You can imagine the feelings of parents, mothers and fathers. They had assembled outside the gates of the airport. I do not blame them, I cannot condemn them. But, those are the dictates of office which, I think all those who have held office know; it became my responsibility to see to it that no physical or personal harm came to him. I carried out that duty also with a heavy heart because I knew the first opportunity people get to him, they would lynch him from the nearest lamp post.

Today, 26 years later, it is very comfortable to sit and discuss these things. But, Sir, I would like to tell you that it pricks my heart. I then called my Chief Secretary, Mr. Brahma Swaroop, who unfortunately is no longer alive, and sought his advice as to what we should do. He said, 'how that he has arrived and we have decided to arrested him, we should see that whatever needs to be done should be done effectively. It has

been just suggested by my colleague opposite that the Union Carbide had taken over the administration of Madhya Pradesh and I was just figurehead.

Well, experiences may be that some people tolerating that also, and clinging on to office. It was not my habit to do that. And the first proof that he had not taken over the administration was that he himself was arrested as soon as he touched down on the ground of Madhya Pradesh. If he was that powerful, he would have come, toured the State and the factory that he lorded over, and gone away. Rajivji was, at that time, in Harda town of Hoshangabad. I drove straight to that place, met him and told him about the events of the morning, and also the arrest of Mr. Anderson. Rajivji heard me out without any comment, and just said, "Let us go to the next meeting". There was not even a flicker of any kind of sympathy for anyone much less Mr. Anderson. I take the full responsibility for having arrested Mr. Anderson, and even today, I would feel proud to suffer any punishment for this act, if it is considered to be against the interests of the people of Madhya Pradesh.

Sir, being in office certainly brings you some advantages, but not all the while. The Chief Secretary informed me that there have been persistent calls for granting bail to Mr. Anderson from Home Ministry officials in Delhi. I told him, he can do whatever he liked, but the arrest of Mr. Anderson must be duly recorded so that subsequently when we want, we can summon him, to arraign him before the laws of the land. When he was sent back, it is incongruous, even I realize, and I feel that he should not have gone back on a State plane.

I do not want to enlarge upon all these things, to add to the grief and bitterness that this issue has generated, and, I certainly do not want to shift my blame on anybody. Whatever blame is due to me, I am still prepared to suffer it as an ordinary citizen. Let me tell you, Sir, and through you, to the House and the country that the clamour about my speaking out should now subside. As an ordinary person, I have said what I had to say. Shri Rajivji never uttered a single word to me for the next two days when he was there on tour either in support of Mr. Anderson or trying to mitigate his problem. To blame him of anything is a figment of the imagination of all those who can see nothing concrete or constructive coming through a person of that calibre. I fully endorse the decision of

the Government of India to extradite Mr. Warren Anderson and seek full and adequate compensation from him for this tragedy. The recommendations of the GoM are very constructive and useful and I commend all my colleagues who are on the GoM for their sympathy with the sufferings of the people of Bhopal Thank you.

SHRI RAVI SHANKAR PRASAD : Mr. Narasimha Rao was the Home Minister...(Interruptions)... He has named the Home Ministry...(Interruptions)...

MR. DEPUTY CHAIRMAN : Mr. Arjun Singh is a Member of this House...(Interruptions)...

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY) : The question country wants to know has conveniently been shifted to those who are no more. The dead men tell no tales. So, something transpired between those who were in the Home Ministry, at that time, and the deceased, the Chief Secretary. Therefore, statement today is concealing more than what it is revealing. Therefore, since Mr. Arjun Singh knows the facts, there has to be something more to this collusive bail and collusive escape in the State plane. It cannot only be attributed to people who are no more...(Interruptions)...

MR. DEPUTY CHAIRMAN : He is a member ...(Interruptions)... He has said whatever he wants to say ...(Interruptions)...

SHRI ARUN JAITLEY : When the Prime Minister had no sympathy, then why did he listen to the Home Ministry? ...(Interruptions)... Can this version be ever accepted? ...(Interruptions)...

SHRIMATI BRINDA KARAT : Sir, just one point...(Interruptions)...

MR. DEPUTY CHAIRMAN : So, many hon. Members have spoken, he has also spoken ...(Interruptions)... From whom are you seeking answer? ...(Interruptions)... Is he obliged to answer? ...(Interruptions)... Mr. Balwinder Singh Bhunder ...(Interruptions)... The debate on the Short Duration Discussion on Bhopal Gas Tragedy has ended. The reply will be tomorrow...(Interruptions)... The House is adjourned to meet at 11.00 a.m. tomorrow.

The House then adjourned at twenty five minutes past six of the clock till eleven of the clock on Thursday, the 12th August, 2010.