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22 Agrahayana, 1933 (Saka)

PARLIAMENTARY DEBATES

RAJYA SABHA

OFFICIAL REPORT

CONTENTS

Reference by the Chair (page 1)

Re. Demand for discussion on Afzal Guru and others (pages 1-2)

Oral Answers to Questions (pages 2-22)

Written Answers to Starred Questions (pages 22-41)

Written Answers to Unstarred Questions (pages 41-280)

Short Notice Question (pages 280-285)

Papers Laid on the Table (pages 286-309)

Message from Lok Sabha—

The Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill,  
2011 — *Laid on the Table* (page 310)

Report of the Committee on Privileges — *Presented* (page 310)

Report of the Department Related Parliamentary Standing Committee on Finance — *Laid on the  
Table* (page 310)

Reports of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes — *Laid on  
the Table* (pages 310-311)

Statement by Minister—

Status of implementation of recommendations contained in the Two hundred and Eighteenth  
Report and Two Hundred and Nineteenth Report of the Department-related Parliamentary  
Standing Committee on Industry — *Presented* (page 311)

Government Bills—

The Appropriation (No. 4) Bill, 2011 — *Returned* (pages 311-319)

The Commercial Division of High Courts Bill, 2010 — *Deferred* (pages 319-365)

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RAJYA SABHA

*Tuesday, the 13th December, 2011/22 Agrahayana, 1933 (Saka)*

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

**REFERENCE BY THE CHAIR**

MR. CHAIRMAN: Hon. Members, 13th December, 2011, marks the Tenth Anniversary of the dastardly attack on the Parliament House by terrorists.

On this occasion, we recall the supreme sacrifices made by our security personnel, including two persons borne on the staff of the Parliament Security Service of the Rajya Sabha Secretariat, five Delhi Police personnel and a woman constable of the Central Reserve Police Force who laid down their lives while preventing entry of terrorists into the Parliament House Building. A Gardener of the C.P.W.D. also lost his life in the incident.

I am sure, the whole House will join me in condemning this incident in unequivocal terms. We once again reiterate our firm resolve to fight terrorism with determination and rededicate ourselves to protect the sovereignty and integrity of our nation.

I request Members to rise in their places and observe silence as a mark of respect to the memory of those who lost their lives in that tragedy.

*(Hon. Members then stood in silence for one minute)*

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**RE. DEMAND FOR DISCUSSION ON AFZAL GURU AND OTHERS**

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, during the course of the Session, I request you to allow some time to discuss this issue which is very important and which is agitating the minds of the entire country men. ...*(Interruptions)*... I am talking of Afzal Guru and others. ...*(Interruptions)*...

SHRI V.P. SINGH BADNORE (Rajasthan): Sir, the families of these people have not been looked after. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Sir, it is not a political issue. It is a very serious issue. ...*(Interruptions)*... It is a very serious issue. ...*(Interruptions)*...

MR. CHAIRMAN: No; no; please.

SHRI M. VENKAIAH NAIDU: Sir, with all seriousness, I am submitting to the Chair to please allot some time to discuss that particular issue. ...*(Interruptions)*...

MR. CHAIRMAN: All right. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA (Jharkhand): Sir, it is very important because, recently, ...*(Interruptions)*...

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RAJEEV SHUKLA): Sir, whenever the hon. Member wants to discuss it, we are ready for a discussion, and it is a good suggestion. ...*(Interruptions)*...

MR. CHAIRMAN: Fine. ...*(Interruptions)*...

SHRI RAJEEV SHUKLA: It is a good suggestion. ...*(Interruptions)*...

MR. CHAIRMAN: No; no; I think, the Minister has already given the Government's position on this. There is no difficulty. ...*(Interruptions)*... Thank you. Question No. 281, please. ...*(Interruptions)*...

SHRI RAJIV PRATAP RUDY (Bihar): Sir, it is very sad that no family members of those people were there. It is very sad. No family members were there. ...*(Interruptions)*...

MR. CHAIRMAN: Question No. 281.

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### ORAL ANSWERS TO QUESTIONS

#### Allocation of funds under NRCP for development of rivers in Gujarat

\*281. SHRI PARSHOTTAM KHODABHAI RUPALA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the number of proposals received from the State Government of Gujarat for allocation of funds for development of rivers in Gujarat under the National River Conservation Plan (NRCP);

(b) the number of proposals approved and the number of proposals pending, till date, under this scheme; and

(c) the quantum of funds allocated and proposed to be allocated in this regard?

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

### *Statement*

(a) to (c) This Ministry has received project proposals for conservation of Sabarmati River at Ahmedabad and Mindhola River at Surat from the Government of Gujarat for approval under the National River Conservation Plan (NRCP). The first phase of the project for conservation of Sabarmati River at Ahmedabad was approved at a cost of Rs. 93.83 crore and has been completed. Beside this, a project of installation of improved wood crematoria at Ahmedabad was also approved at a cost of Rs. 0.93 crore under NRCP. The Central Government has released its share of cost amounting to Rs. 0.64 crore for implementation of this project. The proposal for conservation of Mindhola River at Surat has been sent to an independent technical institution for appraisal. The proposal of phase-II of conservation of Sabarmati River at Ahmedabad has been returned to the State Government to revise it suitably.

**श्री पुरुषोत्तम खोडाभाई रूपाला:** सभापति महोदय, राष्ट्रीय नदी संरक्षण योजना (एन.आर.सी.पी.) के अंतर्गत केन्द्र सरकार की ओर से राज्यों को नदी के जल-संरक्षण की योजना हेतु आर्थिक सहायता दी जाती है।

महोदय, मैं आपके माध्यम से माननीय मंत्री जी से यह कहना चाहता हूँ कि गुजरात सरकार की ओर से केन्द्र सरकार को दो प्रस्ताव भेजे गए थे। उन दो प्रस्तावों में से साबरमती नदी का एक प्रस्ताव स्वीकृत हो गया है और जो दूसरा प्रस्ताव सूरत के नजदीक मिंधोला नदी का था, वह अभी तक स्वीकृत नहीं हुआ है। वैसे सैद्धांतिक तौर पर सरकार ने स्वीकृति दे दी है, मगर जवाब में यह कहा गया है कि सूरत में मिंधोला नदी के संरक्षण का प्रस्ताव मूल्यांकन हेतु एक स्वतंत्र तकनीकी संस्थान को भेजा गया है। उसमें अभी कितना विलंब होगा, कितने समय में आप इसको मान्यता देंगे? मैं साथ ही यह भी जानना चाहूंगा कि यह परियोजना लागू करने के लिए केंद्र सरकार के क्या नॉर्म्स हैं, क्या मानदंड हैं?

SHRIMATI JAYANTHI NATARAJAN: Sir, the hon. Member is absolutely right. Two proposals had come from Gujarat. One of them was for the conservation of the Mindhola river. Now, two rivers run near Surat; one is the Tapti river and the other is the Mindhola river, and then there is the Sabarmati river. The hon. Member has already raised this issue many times and he has also got a reply to an Unstarred Question.

Sir, the details are as follows. I do not wish to take the time of the House by giving all the time-line. The fact is that it is a 70-30 partnership. The Central Government gives 70 per cent and the State Government gives 30 per cent. All that is done. The DPR, that is, the project, was forwarded by the Gujarat Government, which accepted to pay 30 per cent cost. Clarifications were sought on certain details. Now, this has to be implemented by the State Municipal Corporation and the local authorities over there. Each step took a little while. I am happy to inform the House and the Member that after the expert report was submitted by the Delhi Technical University, that has also been accepted. Finally, the State Government of Gujarat has forwarded the modified DPR for rehabilitation of the river Mindhola for an amount of

Rs. 298.27 crores on the 12th of November, 2011, and that has been sent to the Delhi Technical University for approval. As soon as that comes, which I expect within a month or so, it will be finalized and the project will be implemented.

**श्री पुरुषोत्तम खोडाभाई रूपाला:** सभापति जी, मैं माननीया मंत्री जी से यह जानना चाहूंगा कि इस योजना के अंतर्गत आपके, केंद्र सरकार के क्या मानदंड हैं कि इस नदी पर यह लागू किया जाएगा? क्या आप इस आधार पर लागू करते हैं कि इनका कोई स्त्राव क्षेत्र है, उसमें नदी के पानी की क्या स्थिति है, क्या क्षमता है, उसकी लंबाई-चौड़ाई या इस योजना को पसंद करने के लिए कोई मानदंड है? यह सूरत-मिंडोला नदी का जो प्रोजेक्ट है, इसके लिए आप कोई बैठक करके, जो भी संबंधित लोग हैं, जिनकी भी जिम्मेदारी है, आप इन सभी को इकट्ठा बुलाकर उसको फाइनलाइज कर देंगे, क्या ऐसी कोई मंशा सरकार के मन में है?

**SHRIMATI JAYANTHI NATARAJAN:** Sir, the norms that are taken are really decided between both the Governments. As of now, there are very many polluted stretches of rivers even in Gujarat itself. What is done is, the important components are taken up. Now, we find that the main cause of pollution is really the domestic sewage; it is the cause of 75 per cent pollution; 25 per cent is because of industrial effluents. So, the domestic sewage plants have to work properly, the network has to work properly. At least, all the sewage has to reach that particular treatment plant, and the monitoring and operation of the treatment plant has to be done by the State Government. A particular stretch of the river is declared as a polluted stretch. After it is declared as a polluted stretch, the State and Central Governments take up the work with the Central Government contributing 70 per cent and the State Government contributing 30 per cent.

As for the other norms, the State Government has to first accept the 30 per cent component and the commitment to take up the operation and maintenance of the river. Then, it will have to follow the guidelines of the National River Conservation Plan, in which basically, we concentrate upon the components that I have mentioned just now — the sewage treatment plants have to be maintained properly and networks have to be maintained properly. That is the only way in which the pollution can be properly controlled.

**श्री नरेश चन्द्र अग्रवाल:** श्रीमन्, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि राष्ट्रीय नदी संरक्षण योजना के मानक क्या हैं? माननीय मंत्री जी, क्या आप यह महसूस करती हैं कि इसके मानक, जो बहुत कठोर हैं, उनमें कुछ सुधार करने की जरूरत है?

श्रीमन्, दूसरी बात यह है कि मैं गंगा और यमुना, दो नदियों के बारे में जानना चाहूँगा। गंगा की पवित्रता और उससे लोगों का जो जुड़ाव है, क्या माननीय मंत्री जी बताएँगी कि गंगा की सफाई के लिए प्रदेश सरकार ने जो प्रस्ताव भेजा है...

**श्री सभापति:** नरेश जी, यह सवाल गुजरात पर है।

**श्री नरेश चन्द्र अग्रवाल:** श्रीमन्, यह सवाल गुजरात पर है, लेकिन गंगा ऐसी नदी है, जिसकी पवित्रता और जिसके महत्व को सभी लोग जानते हैं, हमने इसलिए यमुना नदी के बारे में नहीं पूछा, गंगा नदी के बारे में

पूछा है। नर्मदा, गंगा, ये सब ऐसी नदियाँ हैं। इसलिए मैंने पूछा कि इसके मानक क्या हैं? इसमें तो सभी शामिल हैं। गंगा ऐसी नदी है, जिसकी पवित्रता और जिसके महत्व को सभी लोग जानते हैं। माननीय मंत्री जी, गंगा नदी की सफाई के लिए उत्तर प्रदेश सरकार ने जो एक्शन प्लान भेजा है, क्या आप उसको विशेष तौर पर स्वीकृत करने की कृपा करेंगी? यदि हाँ, तो कब तक?

SHRIMATI JAYANTHI NATARAJAN: Sir, the polluted stretches in 1988-89 which were identified by the CPCB were ten. Then there are 33 grossly and less polluted stretches besides the Ganga river which were identified by the CPCB which form the basis for the conceptualization of the River Action Plans. What are the criteria or norms that the hon. Member wanted to know? Polluted stretch is identified as an area where the desired level of water quality does not meet defined usage with respect to Bio-chemical Oxygen Demand (BOD) and dissolved oxygen. Drinking water level quality, which is Class A, has got dissolved oxygen level of 6.0 mg per litre or more and BOD has to be less than 2.0 mg per litre or less and the Total Coliform has to be 50 MPN/100 ml. I can give the House the entire details if you want. But I don't want to take the time of the House. For bathing, the level is different. Drinking water source is Class C with conventional treatment followed by disinfection and for it the level is different. So, the main thing is calculated upon what is BOD and what is the level of dissolved oxygen. Regarding the river quality for the Ganga, Sir, we have different river qualities in 16 places — Rishikesh, Haridwar, Garmukteshwar, Kannauj, Kanpur, Allahabad, Varanasi, Patna, Rajmahal and Patna. In most of these places, Sir, the quality of water is not desirable — the BOD levels are high and the dissolved oxygen levels are very low. The monitoring is going on. I can give the Member all the details. I have them here. But since the question relates to Gujarat, I will not give further details. For Ganga river, there is a Ganga River Basin Authority under the Chairmanship of hon. Finance Minister which is meeting constantly and the main thrust of the Ganga River Basin Authority is to treat it as a holistic river basin and not in a town-centric approach so that the flow of the river is maintained and the quality of the river is also maintained in a very holistic way. In all the polluted stretches, the Central Pollution Control Board carries out strategy from time to time. At this point of time, there are 115 stretches and seven projects have been sanctioned in Uttar Pradesh upto the tune of Rs. 1,340 crore in the last three years. ...*(Interruptions)*...

**श्री नरेश चन्द्र अग्रवाल:** श्रीमन्, मैंने बड़ा स्पष्ट सवाल पूछा है, माननीय मंत्री जी ने खुद स्वीकार किया है,...

**श्री सभापति:** वे बाकी डिटेल्स आपको भेज देंगी।

**श्री नरेश चन्द्र अग्रवाल:** माननीय मंत्री जी ने अपने उत्तर में कहा है कि उन्होंने 16 जगह चेकिंग कराई और वहाँ उन्होंने प्रदूषण पाया। माननीय मंत्री जी, मैं जानना चाहता हूँ कि एक हजार करोड़ रुपए का जो प्लान है, इसको कब तक release कर दिया जाएगा, जिससे उस पर काम हो सके और गंगा फिर से पवित्र हो सके?

SHRIMATI JAYANTHI NATARAJAN: Money has already been released. We are working on it. The work has already started. ...*(Interruptions)*... You must understand that the Prime Minister has appointed the Finance Minister as the Chairman. This is a special authority. The Central Government has released the funds. It is the State Government which has to work with the Central Government to implement it. I don't want to get into a Centre-State battle here. Whatever the Central Government has to do is being done on a war-footing. We are meeting from time to time. State Government authorities are also present there. It is for the State Government to implement it. When we have released the money, how fast those sewage treatment plants are set in order, how fast is the Municipal Corporation in Allahabad going to clear up the entire network, etc. are questions which the State Government needs to answer. The Central Government cannot do the work of a Municipal Corporation.

DR. C.P. THAKUR: Sir, the Minister talked about the Ganges in UP. The same thing applies to Bihar. It is highly polluted and nobody drinks water from the Ganges. ...*(Interruptions)*...

MR. CHAIRMAN: The question is on rivers in Gujarat. ...*(Interruptions)*...

DR. C.P. THAKUR: I am talking about the purity and the development of that basin. My question is: Whether the purity of water in the Ganges will be maintained in Bihar or UP and whether the basin would be looked after or not?

SHRIMATI JAYANTHI NATARAJAN: Sir, four sewerage projects of four towns in Bihar costing Rs. 441.86 crore have been sanctioned. That has already been given. पैसा दे दिया गया है। Proposals have been sanctioned and, therefore, it is for the Government of the State to implement it. दोनों को एक साथ मिल कर काम करना है।...*(व्यवधान)*...

**श्री सभापति:** डा. विजयलक्ष्मी साधौ।

**डा. विजयलक्ष्मी साधौ:** सभापति महोदय, मैं माननीय मंत्री जी से यह जानना चाहती हूँ कि ...*(व्यवधान)*...

MR. CHAIRMAN: Rudyji, please. ...*(Interruptions)*... I am sure the hon. Minister would be making a statement. ...*(Interruptions)*... Just one minute please. ...*(Interruptions)*... Let the question be asked. ...*(Interruptions)*...

**डा. विजयलक्ष्मी साधौ:** सर, मैं माननीय मंत्री से यह जानना चाहती हूँ कि...*(व्यवधान)*... नर्मदा नदी गुजरात में भी है।...*(व्यवधान)*...

SHRIMATI JAYANTHI NATARAJAN: I came last night. ...*(Interruptions)* Tomorrow, I will make it.

**डा. विजयलक्ष्मी साधौ:** सर, नर्मदा नदी मध्य प्रदेश से आती है। मैं माननीय मंत्री जी से यह जानना चाहती हूँ कि नर्मदा नदी गुजरात में भी है, वह मध्य प्रदेश से आती है, तो नर्मदा नदी के संरक्षण के लिए माननीय मंत्री जी ने कितना अलॉटमेंट रखा है?

SHRIMATI JAYANTHI NATARAJAN: Sir, I am sorry I don't have the details about the Narmada River. I will have to give it to the Member separately.

### कैंसर के रोगियों की निःशुल्क चिकित्सा

\*282. **श्री गंगा चरण:** क्या **स्वास्थ्य और परिवार कल्याण मंत्री** यह बताने की कृपा करेंगे:

(क) देश में कैंसर के कितने मरीज़ हैं और प्रतिवर्ष राज्यवार कितने लोग कैंसर से पीड़ित होते हैं;

(ख) क्या सरकार कैंसर के रोगियों की निःशुल्क चिकित्सा की व्यवस्था कर रही है;

(ग) यदि हाँ, तो इस वर्ष केन्द्रीय सरकार द्वारा कितने रोगियों को सहायता प्रदान की गई;

(घ) सांसदों द्वारा कितने कैंसर पीड़ित रोगियों की चिकित्सा की संस्तुति की गई है; और

(ङ) प्रत्येक राज्य में कैंसर अस्पताल खोले जाने संबंधी सरकार के प्रस्ताव के बारे में क्या प्रगति हुई है?

**स्वास्थ्य और परिवार कल्याण मंत्री (श्री गुलाम नबी आज़ाद):** (क) से (ङ) विवरण सभा पटल पर रख दिया गया है।

### विवरण

(क) भारतीय आयुर्विज्ञान अनुसंधान परिषद् के राष्ट्रीय कैंसर रजिस्ट्री कार्यक्रम द्वारा प्रक्षेपित नवीनतम अनुमानों के अनुसार देश में कैंसर की व्याप्तता लगभग 27 लाख है। देश में प्रतिवर्ष कैंसर के नये मामलों की घटना लगभग 11 लाख है। कैंसर मामलों की राज्य-वार सही संख्या केन्द्र स्तर पर नहीं रखी जाती।

(ख) कैंसर का उपचार, जहां कहीं भी सरकारी स्वास्थ्य परिचर्या प्रदानगी प्रणाली में उपलब्ध है, अधिकांशतः रियायती सहायता पर उपलब्ध है। राष्ट्रीय आरोग्य निधि के अंतर्गत राज्य बीमारी सहायता निधियों/सोसायटियों को जीवन घातक रोगों से पीड़ित सभी बीपीएल रोगियों को प्रति रोगी 1.5 लाख रुपये तक सहायता प्रदान करने के लिए निधियां प्रदान की जाती हैं। उसी स्कीम के अंतर्गत मंत्रालय, जीवन घातक रोगों से पीड़ित रोगियों को प्रत्येक मामले में 1 लाख रुपये तक वित्तीय सहायता प्रदान करने के लिए स्वास्थ्य और परिवार कल्याण मंत्रालय के नियंत्रणाधीन अस्पतालों को चक्रीय निधियों के लिए अनुदान देता है। इसके अतिरिक्त इस स्कीम के अंतर्गत स्वास्थ्य मंत्रालय उन मामलों में सीधे वित्तीय सहायता प्रदान करता है जहां प्रत्येक मामले में मांगी गई सहायता 1.5 लाख रुपये से अधिक हो। तथापि, यह सहायता सरकारी अस्पतालों में उपचार प्राप्त करने वाले केवल बीपीएल रोगियों के लिए उपलब्ध है।

स्वास्थ्य मंत्री कैंसर रोगी निधि के अंतर्गत 27 क्षेत्रीय कैंसर केन्द्रों को पूरी निधि वितरित की जाती है ताकि वे उपचार प्राप्त कर रहे बीपीएल कैंसर रोगियों को प्रत्येक मामले में 1 लाख रुपये तक सहायता प्रदान कर सकें।

इसके अलावा, उन मामलों में जहां मुफ्त चिकित्सा सुविधा उपलब्ध नहीं है सरकारी अस्पतालों में भर्ती होने/उपचार पर होने वाले व्यय को आंशिक रूप से पूरा करने के लिए स्वास्थ्य मंत्री विवेकाधीन अनुदान से निर्धन दीनहीन रोगियों को प्रत्येक मामले में अधिकतम 50 हजार रुपये तक वित्तीय सहायता प्रदान की जाती है।



(ग) इस वर्ष के दौरान इस मंत्रालय द्वारा 2202 कैंसर रोगियों को वित्तीय सहायता प्रदान की गई है।

(घ) वर्ष 2011-12 के दौरान संसद सदस्यों द्वारा उपचार हेतु वित्तीय सहायता के लिए 241 कैंसर रोगियों की सिफारिश की गई है।

(ङ) 12वीं योजना के लिए योजना आयोग द्वारा स्थापित रोग भार संबंधी कार्य समूह; गैर-संचारी रोग ने 3 राष्ट्रीय कैंसर संस्थानों के अलावा उत्कृष्टता केन्द्र के रूप में 20 राज्य कैंसर संस्थानों के विकास की सिफारिश की। तथापि, यह योजना आयोग के अंतिम अनुमोदन और संसाधनों की उपलब्धता पर निर्भर करेगा।

#### **Free treatment for cancer patients**

† \*282. SHRI GANGA CHARAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of cancer patients in the country and number of people affected by cancer every year, State-wise;

(b) whether Government is arranging free treatment for cancer patients;

(c) if so, the number of patients aided by Central Government this year;

(d) the number of cancer patients recommended for treatment by the Members of Parliament; and

(e) the progress of the proposal of Government regarding opening of cancer hospitals in each State?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) to (e) A Statement is laid on the Table of the House.

#### ***Statement***

(a) As per the latest estimates projected by National Cancer Registry Programme of Indian Council of Medical Research, the prevalence of cancer in the country is about 27 lakh. The incidence of new cancer cases every year in the country is about 11 lakh. State-wise exact number of cancer cases is not centrally maintained.

(b) Treatment of Cancer, wherever available in the Government health care delivery system is mostly subsidized. Under Rashtriya Arogya Nidhi, funds are given to States illness assistance funds/societies to provide assistance to all BPL patients suffering from life threatening diseases upto Rs. 1.5 lakhs per case. Under the same scheme, Ministry gives grants to revolving funds of hospitals under control of Ministry of Health and Family Welfare to provide financial assistance upto Rs. 1 lakh in each case to patients suffering from life threatening diseases. Further, under this scheme Health Ministry directly gives financial assistance in cases where assistance sought is more than Rs. 1.5 lakh in each case. However this assistance is available only for BPL patients taking treatment in Government hospitals.

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†Original notice of the question was received in Hindi.

Under Health Minister's Cancer Patient Fund, entire fund is distributed to 27 Regional Cancer Centres for providing assistance to BPL cancer patients taking treatments there upto Rs. 1 lakh in each case.

In addition, financial assistance is given to poor indigent patients maximum upto Rs. 50,000 in each case, from Health Minister's discretionary grant to defray a part of the expenditure on hospitalization/treatment in Government hospitals in cases where free medical facility is not available.

(c) During the current year, 2202 cancer patients have been aided financial assistance by this Ministry.

(d) 241 cancer patients have been recommended by the Members of Parliament during the year 2011-12 for financial assistance for their treatment.

(e) The Working Group on Disease Burden; Non-Communicable Diseases set up by the Planning Commission for the Twelfth Plan, recommended development of 20 State Cancer Institutes as Centre of Excellence besides 3 National Cancer Institutes. However, this will be dependent on final approval of Planning Commission and availability of resources.

**श्री गंगा चरण:** सभापति महोदय, मेरा सवाल कैंसर रोग से संबंधित है। कैंसर एक ऐसा रोग है कि किसी मरीज को जब यह पता चलता है कि उसे कैंसर हो गया है, तो वह सदमे में आ जाता है। सिर्फ वही सदमे में नहीं आता है, बल्कि उसका पूरा परिवार सदमे में आ जाता है। जिस परिवार के किसी सदस्य को कैंसर होता है, तो वह सदस्य तो कैंसर की पीड़ा से मरता ही है, उसका पूरा परिवार भी आर्थिक पीड़ा से तबाह हो जाता है।

मेरा सवाल यह है कि आपने जो उत्तर दिया है कि एम्स हॉस्पिटल ने डिटेक्ट किया है कि 27 लाख लोग कैंसर से पीड़ित हैं। मुझे लगता है कि यह संख्या कम है, चूंकि आपने कहा कि मुझे राज्यों के बारे में पता नहीं है।

**श्री सभापति:** आप सवाल पूछिए।

**श्री गंगा चरण:** जी, सर। इनके द्वारा दिए गए जवाब से ही सवाल पूछ रहा हूँ। राज्यों के बारे में पता नहीं कि कितने कैंसर-पीड़ित हैं। दिल्ली में आपका एम्स है। उस एम्स में प्रतिवर्ष 11 लाख कैंसर-पीड़ित लोग रजिस्ट्रेशन कराते हैं। कैंसर भी कई प्रकार का होता है, उसमें सबसे खतरनाक कैंसर ब्लड कैंसर है।

सर, मैं आपको याद दिलाना चाहता हूँ कि अलका तिवारी नाम की एक लड़की, जो कानपुर के एक स्लम में रहती थी, उसको 10 साल से ब्लड कैंसर था। मैंने आपसे अनुरोध किया था, उसके बारे में टी.वी. और मीडिया में बहुत आया कि उसने अदालत में मर्सी किलिंग की दख्खास्त भी दी थी, सभापति जी, मैंने आपको भी पत्र लिखा था कि मेरे एम.पी. लैड से उसको 20 लाख रुपए की मदद कर दी जाए। लेकिन माननीय मंत्री जी का शुक्रिया अदा करना चाहता हूँ और खास तौर से मैडम गुलाम नबी आज़ाद जी का शुक्रिया अदा करना चाहता हूँ कि उन्होंने आपसे झगड़ा करके आग्रह किया...(व्यवधान)...

**श्री सभापति:** प्लीज़, देखिए...(व्यवधान)...

**श्री गंगा चरण:** उस लड़की का इलाज कराने के लिए कहा। मैं उसका इलाज PGI लखनऊ में करा रहा था, लेकिन वहां bone marrow का इलाज संभव नहीं था।...(व्यवधान)...

**श्री सभापति:** कृपया आप अपना सवाल पूछ लीजिए।...(व्यवधान)...

**श्री गंगा चरण:** सर, यह मेरा सवाल है।...(व्यवधान)...

**श्री सभापति:** आपका supplementary सवाल main सवाल से ज्यादा लंबा है।...(व्यवधान)...

**श्री गंगा चरण:** सर, मेरा सवाल यह है कि क्या AIIMS में bone marrow transplantation की व्यवस्था नहीं थी कि आपने उसे Belur में भेजा? दिल्ली देश की राजधानी है और यहां पर AIIMS में, अपोलो में या किसी और हॉस्पिटल में bone marrow transplantation की व्यवस्था नहीं है। क्या आपको यह मालूम है? मैं आपसे यह जानना चाहता हूँ कि आप कितने समय में कम से कम दिल्ली में bone marrow transplantation की व्यवस्था करा देंगे? मेरा पहला सवाल यही है। दूसरा।...(व्यवधान)...

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

**श्री गंगा चरण:** सर, यह भी इसी सवाल से संबंधित है।...(व्यवधान)...

**श्री सभापति:** नहीं, आप बैठ जाइए।...(व्यवधान)...

**श्री गुलाम नबी आज़ाद:** सर. सबसे पहले तो मैं यह कहना चाहूंगा कि यह जो estimate है, यह All India Institute of Medical Sciences का नहीं है, बल्कि यह Indian Council of Medical Research (ICMR) का है। पूरे देश में इसकी branches हैं। उनके estimate के अनुसार हमारे देश में किसी भी वक्त तकरीबन 27 लाख लोगों को कैंसर है।...(व्यवधान)...

**श्री राजीव प्रताप रूडी:** सर, यह figure जँच नहीं रहा है।...(व्यवधान)...

**श्री सभापति:** प्लीज़, आप जरा सुन लीजिए।...(व्यवधान)...

**श्री गुलाब नबी आज़ाद:** और।...(व्यवधान)...

**श्री राजीव प्रताप रूडी:** क्या यह figure पूरे देश का है?...(व्यवधान)...

**श्री गुलाब नबी आज़ाद:** हां, यह पूरे देश भर का figure है।...(व्यवधान)...

**श्री राजीव प्रताप रूडी:** आपने अपने जवाब में कहा है कि 11 लाख प्रति वर्ष estimate किया है, तो 27 लाख कैसे होगा?

**श्री गुलाब नबी आज़ाद:** सबसे पहले अगर माननीय सदस्यों ने देखा होगा कि यह estimated है, क्योंकि हमारे देश में कोई इस तरह की screening नहीं हुई है। इस पर मैं दोबारा आता हूँ कि आगे आने वाले समय में यह कैसे होगा। दुनिया में भी, जहां भी इसके बारे में होता है, वह estimated ही होता है। इसमें पहले एक या दो स्टेट्स में करते हैं और फिर उससे भी estimate करते हैं कि पूरे देश में कितना हो सकता है, लेकिन individual screening हमारे देश में नहीं है। हम लोग आने वाले वक्त में इसको करने वाले हैं और इसके लिए already pilot project launch हुआ है। अभी यह estimated है।

आपने ठीक कहा कि 27 लाख हैं और हर साल 11 लाख add होते हैं, तो इसमें से हर साल मृत्यु भी होती है और जिनका treatment के दौरान early detection हो जाता है, Early detection के बाद उनको इस लिस्ट से निकाल दिया जाता है। उनकी भी संख्या लाखों में है।...(व्यवधान).... यह जो 27 लाख रखा जाता है, उसमें

जिनकी ailment ज्यादा है तथा जिनका इलाज चलता है, यह संख्या उनकी ही है। यह लिस्ट maintain की जाती है। अब एक सवाल है, जो माननीय सदस्य...(व्यवधान)...

**श्री गंगा चरण:** कृपया मेरे सवाल का उत्तर दीजिए।...(व्यवधान)...

**श्री सभापति:** यह सवाल उनका है...(व्यवधान).... आप सिर्फ उनके सवाल का जवाब दीजिए।  
...(व्यवधान)...

**श्री गुलाब नबी आजाद:** उनके सवाल का जवाब यह है कि यह ठीक है कि हमारे पास अभी तक कैंसर के लिए 27 regional institutes हैं, जो पूरा देश में हैं और पूरे देश में 65 medical colleges identify किए हैं, जिनमें AIIMS भी है, PGI भी है और कई institutes भी हैं, जो tertiary level के cancer का इलाज करते हैं। जहां तक इन्होंने particular bone marrow के बारे में बताया है, इस संबंध में यह बताना है कि All India Institute of Medical Sciences पर pressure इतना है कि हर साल कैंसर के ही कई हजार मरीज वहां आ जाते हैं। लेकिन आने वाले वक्त में हमारी कोशिश है कि Government institutions में भी और खास तौर से ऑल इंडिया मेडिकल इंस्टिट्यूट में भी bone marrow और इस तरह की जो दूसरी सुपर स्पेशलिटीज हैं, उनकी सुविधा प्राप्त हो जाए।

MR. CHAIRMAN: Second supplementary please.

**श्री गंगा चरण:** सर, मैंने सिर्फ इतना पूछा था कि आप कब तक bone marrow transplant की व्यवस्था एम्स में कर देंगे? आपने कोई समय अवधि नहीं बतायी। आपने मेरे पहले सवाल का ही जवाब नहीं दिया है। मैंने समय अवधि पूछी थी कि यह देश की राजधानी है और यहाँ एम्स में आप कब तक bone marrow transplant की सुविधा प्रदान कर देंगे?

मंत्री जी से मेरा दूसरा सवाल यह है कि आपने कैंसर के इलाज के लिए बजट में 735 करोड़ रुपये की व्यवस्था की थी और यह कहा था कि जो मेडिकल कॉलेजिज हैं, उनमें हम एक कैंसर विंग स्थापित करेंगे। मैंने एक प्रपोजल झांसी मेडिकल कॉलेज के लिए दिया था, क्योंकि मैं यह मानता हूँ कि उत्तर प्रदेश में सबसे ज्यादा कैंसर पेशेंट्स अगर कहीं हैं, तो वे बुंदेलखंड में हैं। मेरी माँ की मृत्यु भी कैंसर से ही हुई थी, तो मुझे कैंसर पीड़ितों की सेवा करने में और उनकी मदद करने में कुछ आत्मसंतोष होता है। मैंने अपने क्षेत्र बुंदेलखंड में एक हेल्पलाइन नम्बर शुरू की है कि जितने भी कैंसर पेशेंट्स हैं, वे इस फोन नम्बर पर सम्पर्क करें और अपना एस्टिमेट दें, मैं उनको सरकार से मदद दिलवाऊंगा।

आप बीपीएल कार्डधारक को डेढ़ लाख की मदद करते हैं, जबकि इस पर 20-25 लाख का खर्चा आता है, तो उस बीपीएल कार्डधारक की डेढ़ लाख में कैसे मदद हो सकती है? बीपीएल कार्डधारक का मतलब जिनकी आमदनी 29 रुपये 50 पैसे हैं। जिनकी आमदनी 30 रुपये है, उनके इलाज में आप मदद नहीं कर पाते हैं, जबकि कैंसर रोग के लिए 735 करोड़ रुपया है। मेरा आपसे अनुरोध है कि चाहे वह बीपीएल कार्डधारक हो या मध्यमवर्गीय हो, क्या आप कम से कम एक लाख की आमदनी वाले का मुफ्त इलाज करने की व्यवस्था करवाएँगे, जिससे कैंसर पीड़ितों का सही इलाज हो सके?

**श्री सभापति:** थैंक्यू।

**श्री गंगा चरण:** यह बहुत ही संवेदनशील मुद्दा है और मैं समझता हूँ कि पूरा हाउस मुझसे सहमत होगा कि कैंसर पीड़ितों का मुफ्त इलाज होना चाहिए, सरकार कम से कम इतनी तो व्यवस्था करे। चाहे वह मध्यमवर्गीय हो या...(व्यवधान).... इस पर मैं सरकार का जवाब चाहता हूँ।

MR. CHAIRMAN: This is not a debate. Please put your question.

**श्री गुलाम नबी आज़ाद:** सर, मैं माननीय सदस्यों के लिए थोड़ा सा बता दूँ कि जानकारी न होने की वजह से भी जिन लोगों को लाभ होना चाहिए था, वह नहीं हो रहा है। उसके लिए मैं बताना चाहूँगा कि पाँच स्कीमों के द्वारा इस वक्त कैंसर के लिए यहाँ पैसा दिया जाता है। हमारी नेशनल लेवल पर एक स्कीम “राष्ट्रीय आरोग्य निधि” है। इसमें 11 इंस्टिट्यूट्स हैं जिनमें ऑल इंडिया मेडिकल इंस्टिट्यूट, आरएमएल हॉस्पिटल, लेडी हार्डिंग हॉस्पिटल, सफदरजंग हॉस्पिटल, पीजीआई चंडीगढ़, जिपमेर पांडिचेरी, निमहेंस बंगलुरु, लखनऊ के दो हॉस्पिटल्स तथा शिलांग और इम्फाल के हॉस्पिटल्स शामिल हैं।

SHRI RAJNITI PRASAD: The question is very interesting कि आप एक लाख वाले को देंगे कि नहीं देंगे?

**श्री गुलाम नबी आज़ाद:** आप यही जानकारी प्राप्त नहीं करते हैं, इसलिए गलत फॉर्म भर कर भेज देते हैं। अभी एक सवाल यह उठा कि MPs ने 244 या 241 requisitions भेजे हैं, उनमें से एक में भी फॉर्म नहीं है। मैं बताना चाहता हूँ कि उनमें आर्डर में तीन-चार ही हैं, जिसकी वजह से वे लाभ नहीं उठा पाते हैं। मैं पाँच स्कीमों का जिक्र करना चाहता हूँ। अगर बाकी लोगों को नहीं, तो कम से कम माननीय संसद सदस्यों को मालूम होगा कि इन पाँच स्कीमों के द्वारा कैंसर के लिए कैसे funds access करते हैं। इसलिए पहले आप जानकारी प्राप्त कर लीजिए, फिर स्पेसिफिक की बात कीजिए।

पूरे देश में ये 11 इंस्टिट्यूट्स हैं, जिनको स्वास्थ्य मंत्रालय से पैसे दिये जाते हैं।

**श्री गंगा चरण:** क्या ये 11 इंस्टिट्यूट्स देश में पर्याप्त हैं?

**श्री सभापति:** प्लीज।

**श्री गुलाम नबी आज़ाद:** ये बीपीएल को कैंसर, हार्ट, किडनी और लीवर के लिए एक-एक लाख रुपये देते हैं। सर, जो दूसरी स्कीम है, हम स्टेट्स को...(व्यवधान)... हम यह क्वेश्चन दो साल में कई दफा भेज चुके हैं, अगर वे नहीं पढ़ें, तो हम क्या कर सकते हैं?...(व्यवधान)...

**श्री गंगा चरण:** सर, मेरा सवाल ये समझ नहीं पाये। मेरे कहने का मतलब यह है कि एक लाख तक की आमदनी वाले को भी मुफ्त इलाज की व्यवस्था होनी चाहिए।

**श्री सभापति:** आप बैठ जाइए।

**श्री गुलाम नबी आज़ाद:** इसके अलावा, राज्य सरकारों की भी एक आरोग्य निधि है। उनको भी हम यहाँ से one third पैसा देते हैं और वे भी डेढ़ लाख रुपये तक दे सकते हैं। इसके साथ कैंसर के लिए, सिर्फ कैंसर के लिए 27 जो रीजनल इंस्टिट्यूट्स हैं, उनको हम केन्द्रीय सरकार से पैसे देते हैं। उन 27 रीजनल इंस्टिट्यूट में जो पेशेंट जाते हैं, वे रीजनल इंस्टिट्यूट्स भी एक लाख रुपए पर पेशेंट के हिसाब से देते हैं। यह तीसरी स्कीम है और चौथी स्कीम यह है कि money released under the State Illness Assistance Fund. उसके लिए भी पैसे दिए जाते हैं। इसके बाद हेल्थ मिनिस्टर की ग्रांट है, इसमें से भी पैसे दिए जाते हैं। तो मेरा निवेदन है कि पांच अलग-अलग स्कीमों के द्वारा केन्द्रीय सरकार की मदद से इस वक्त पैसा दिया जाता है। अब स्पेसिफिक क्वेश्चन यह है कि एक लाख रुपया किसको दिया जाएगा?...(व्यवधान)...

**श्री राजनीति प्रसाद:** सर, ...(व्यवधान)...

**श्री सभापति:** आप बैठ जाइए, राजनीति प्रसाद जी।...**(व्यवधान)**...

**श्री गंगा चरण:** एक लाख रुपया प्रति वर्ष आमदनी वाले को?...**(व्यवधान)**...

**श्री गुलाम नबी आज़ाद:** अभी तक यह सिर्फ बीपीएल के केसेस के लिए सुविधा है। एक दूसरी सुविधा है, जिसमें सिर्फ पचास हजार तक हम दे सकते हैं, लेकिन उसमें उनकी आमदनी पर ईयर 70,000/- रुपए से नीचे होना चाहिए।...**(व्यवधान)**...

**श्री गंगा चरण:** सर...**(व्यवधान)**...

**श्री सभापति:** अब आपकी टर्न खत्म हो गई, बैठ जाइए।...**(व्यवधान)**... I am sorry, please sit down...*(Interruptions)*... One minute, please. Hon. Members, we have taken 32 minutes and have just completed one question. I would submit to the House that this is unfair to others whose questions are also listed. If you wish, we will put some kind of a limit on the number of supplementaries.

**SHRI TARIQ ANWAR:** There should be some time limit.

**MR. CHAIRMAN:** We will discuss it in the Rules Committee. But I do want to mention this. Now, Shri Tiruchi Siva.

**SHRI TIRUCHI SIVA:** Sir, as per the estimated projection of the ICMR, prevalence of cancer is to the extent of 27 lakhs and the increase every year is 11 lakhs. This increase in number is something disheartening. I appreciate the Ministry for having taken the initiative of extending financial assistance and giving necessary treatment. But my supplementary is this. Even if a patient is treated upon, the disease is not cured but only the life span of the patient, who is affected, is being pulled on for some time. Now, there are some symptoms which, if diagnosed much earlier, could safeguard persons from being affected by cancer, and even educated people are not being aware of these symptoms. I would like to know from the Minister whether the Ministry has taken any initiative to create an awareness amongst people about these symptoms which may lead a person from being inflicted with cancer. If so, what are the steps? If not, does the Government have any idea to create this awareness amongst the people about the symptoms of cancer which could save them from the disease?

**SHRI GHULAM NABI AZAD:** Sir, this is a very important supplementary, and in response to this important query, I would like to simultaneously inform the House of another scheme before I reply to him. As it was said by hon. Members that we do not have any registry, I would like to say that India is the first country in the world which is going to screen the entire population within the next five years. We have already launched a programme, a pilot programme, of screening 100 districts across the country covering 21 States. This pilot programme has already been launched, and it is called the Prevention and Control of Cancer, Diabetes, Cardio Vascular Diseases and Stroke. Now, of course, I will only talk about cancer; I will not talk about cardio vascular diseases, stroke and all that. Under this scheme, in these 100 districts, the equipment

is provided by the Health Ministry, Government of India. The human resources are being provided by the Government of India.

Then, we have chemotherapy for 100 patients per district at the rate of one lakh rupees per patient. That takes care of the one lakh rupees that the hon. Member of Parliament was mentioning, and this is irrespective of whichever category one may belong to. That means, for 10,000 patients in these 100 districts, money is being paid by the Government of India at the rate of one lakh rupees per patient. This is the new scheme.

So far as the second question raised by the hon. Member is concerned, almost 30 per cent of the cancer deaths are due to dietary changes, behavioural changes, etc. We have through the media — the electronic media and the print media — already made it clear that it is because of the high body index which needs to be controlled, and also because of the low fruit and vegetable intake, lack of physical activity and use of tobacco and alcohol. If we stop these, we can keep away 30 per cent of the cancer-related diseases.

MR. CHAIRMAN: Can we go on to the next question? Shri Baishya. Very sharp and short question, please.

SHRI BIRENDRA PRASAD BAISHYA: Sir, a majority of the cancer patients in India come from Assam and the North-Eastern Region. According to WHO reports, the highest number of patients in our country come from Assam and the North-East. But the leading cancer-treatment institutions are either in Chennai, Mumbai, Delhi or Chandigarh. The distance of these centres from Guwahati and the other parts in the North-East is 2500 to 3000 kms. In reply, the Minister might say that there is already a cancer institute in Guwahati.

MR. CHAIRMAN: Question please.

SHRI BIRENDRA PRASAD BAISHYA: I am coming to the question, Sir. The cancer institute in the North-East is inadequate to treat the cancer patients. Everyday, hundreds of cancer patients from the North-Eastern Region are either moving to Mumbai to get treatment at the Tata Memorial Hospital, to Vellore, to PGI, Chandigarh, and so on. I request the hon. Minister to take care of the North-Eastern Region. There should be a super-speciality cancer hospital in the North-Eastern Region. In reply, the Minister might say that there is already...

MR. CHAIRMAN: Mr. Baishya, please. Do not make a speech.

SHRI BIRENDRA PRASAD BAISHYA: That institute is not enough, Sir. You either establish a super speciality cancer hospital in the North-East or upgrade the existing one. I want to have the reply, Sir.

**श्री गंगा चरण:** इस पर आधे घंटे की चर्चा कराइए...(व्यवधान)... This is an important subject.

**श्री नरेश चन्द्र अग्रवाल:** माननीय सभापति जी, हम इस पर आधे घंटे की चर्चा चाहते हैं  
...(व्यवधान)...

**श्री सभापति:** आप लोग बैठ जाइए...(व्यवधान)...

**श्री गंगा चरण:** सभापति जी, मैं इस प्रश्न के उत्तर से संतुष्ट नहीं हूँ, सरकार के आश्वासन से संतुष्ट नहीं हूँ, सरकार संवेदनहीन है...(व्यवधान).... इसलिए मैं सदन से बहिर्गमन करता हूँ।

(तत्पश्चात् माननीय सदस्य सदन से बाहर चले गए)

**SHRI GHULAM NABI AZAD:** Sir, what the hon. Member has said is not true. In addition to Assam, there is a Regional Institute of Medical Sciences at Imphal in Manipur.

**SHRI BIRENDRA PRASAD BAISHYA:** No, Sir.

**MR. CHAIRMAN:** Mr. Baishya, please. Sit down.

**SHRI BIRENDRA PRASAD BAISHYA:** That is not a world-class institute, Sir.

**SHRI GHULAM NABI AZAD:** You said that there is no arrangement. I have said that there are 27 regional cancer centres across the country. Out of these 27, in addition to the one in Assam, there is another one at Imphal in Manipur. There is also one at Agartala in Tripura. So, there are three in all in the North-East out of a total of 27 across the country.

**MR. CHAIRMAN:** Shri Hanumantha Rao.

**SHRI BIRENDRA PRASAD BAISHYA:** Sir, ...

**MR. CHAIRMAN:** No. Your question is over. आप बैठ जाइए।

**SHRI BIRENDRA PRASAD BAISHYA:** I haven't got the reply, Sir. There should be a super-speciality hospital in the North-East. ...*(Interruptions)*...

**MR. CHAIRMAN:** Mr. Baishya, you are interrupting the proceedings of the House. Be careful. ...*(Interruption)*... Be careful. ...*(Interruptions)*... You are disrupting the proceedings of the House. Please resume your place. ...*(Interruption)*...

**SHRI V. HANUMANTHA RAO:** Mr. Chairman, Sir, I would like to put a very small question. In Andhra Pradesh, there are a number of private cancer hospitals. But, very few Government hospitals are there. My point is, whether the Government is doing anything in the field of Indian medicines like Ayurveda. They should allocate more funds because a lot of people are making Ayurveda medicines for cancer treatment. I would like to know whether the hon. Minister would give additional funds to Ayurveda also which would be useful for the people.

**SHRI GHULAM NABI AZAD:** Sir, it is a suggestion for consideration of the Government, thank you.



### **Problem in utilising funds under PMGSY in Kerala**

\*283. SHRI K.N. BALAGOPAL: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Ministry is aware of the practical problems in utilizing the funds allocated for the Pradhan Mantri Gram Sadak Yojana (PMGSY) in the States like Kerala;

(b) if so, the details thereof;

(c) whether Government is contemplating any policy decision to enable Kerala to utilize the funds under PMGSY scheme; and

(d) if so, the details thereof?

THE MINISTER OF RURAL DEVELOPMENT (SHRI JAIRAM RAMESH): (a) to (d) A Statement is laid on the Table of the House.

### ***Statement***

(a) and (b) Rural Road is a State subject and the responsibility of the execution of works under PMGSY is that of the State Government. Problems like inadequate availability of land, inadequate contracting capacity, inadequate number of Programme Implementation Units (PIUs) etc. are some of the problems faced by the States in utilization of PMGSY funds.

(c) and (d) Relaxation has been provided to Kerala for lowering the norms of roadway width based on their request, under which the roadway width of 6 metres has been agreed upon in place of the general norm of 7.5 metres, wherever the traffic is less than 100 motorised vehicles per day. Moreover, as requested by the State, exceptional gradients upto 10% has been agreed upon with the limitation of 100 metres at a stretch. The Ministry of Rural Development has cleared project proposals valued at Rs. 975 crore for construction of 1,173 road works covering a length 2,710 km. against which the State has completed 653 road works measuring 1,388 km. upto September, 2011.

SHRI K.N. BALAGOPAL: Sir, in the answer to my first question on the utilisation of PMGSY funds in Kerala, the hon. Minister said that it was because of problems like inadequate availability of land, inadequate contracting capacity, inadequate number of Programme Implementation Units; they are hampering or hindering the utilisation of funds in Kerala.

As per the estimate, upto 2010, in India, 1,76,235 kms. of road is newly constructed and 1,18,718 kms. of road is upgraded as of September last year. But, Kerala has got only 580 kms. which is 0.3 per cent. If you take the population into consideration, it could have had 5,800 kms. of new road under PMGSY but we got only 527 kms. of upgradation; that is only 0.3 per cent.

There is some other problem too. The Minister personally knows about it. The basic unit of PMGSY is inhabitation centres, that is, KARA; 500 people inhabited place to...

MR. CHAIRMAN: Your question please...

SHRI K.N. BALAGOPAL: In Kerala, they are saying that 8 metres is the width. The concept of KARA is there. I would like to know whether the Government is ready to reconsider the norms of PMGSY because we have to get at least 3.5 per cent of the total expenditure of the PMGSY. I would like to know whether the Government is ready to reconsider the norms.

MR. CHAIRMAN: The gist is in the last two sentences.

SHRI JAIRAM RAMESH: Sir, I would like to dispel the apprehensions. There is no discrimination against Kerala. According to Kerala Government's own assessment of its need, 435 habitations were identified for PMGSY connectivity. This was done as part of the original plan. Out of these 435 habitations, 317 habitations were in population of category 500-999 and the balance were in the category of 100-plus. I would like to tell the hon. Member that the Government of India has sanctioned Rs. 975 crores over the last 11 years to cover all these 435 habitations. The problem in Kerala is that out of these Rs. 975 crores that has been sanctioned, only Rs. 488 crores has been released because the release takes place when a demand is put on the Central Government on the basis of expenditure. On the 4th of October this year, the Kerala Government has placed an additional demand of Rs. 204 crores which we are about to release in the next few days.

The problem in Kerala has been—and this is a problem in some other States too—that the State Government has to provide money for the maintenance of the PMGSY road. Last year, the Kerala Government had to provide about Rs. 3.6 crores, it provided only 40 per cent. This year, it has to provide Rs. 4.5 crores, it has provided only about 50 per cent. The audit certificate for the last year has not been submitted. So, it is for these reasons that there has been a delay in releasing the additional Rs. 200 crores. I wish to assure the hon. Member that in the next couple of days, this balance of Rs. 200 crores would also be released to the Kerala Government.

MR. CHAIRMAN: Second Supplementary, please; very quickly.

SHRI K.N. BALAGOPAL: Sir, very quickly means! Please, be patient with me. Sir, I have to put my question. Sir, I have stated here one thing that we are getting only 0.3 per cent. I want to know whether the hon. Minister accepts it. It is only 0.3 per cent. This money is collected from the Petroleum Cess. I want to know from the hon. Minister whether the Government would consider to hand over the money collected through the Petroleum Cess to the concerned States. I want to know from the hon. Minister whether Kerala would get the Petroleum Cess collected from Kerala for this purpose.

SHRI JAIRAM RAMESH: Sir, Kerala is part of India. This is a national programme. This is not a Kerala-specific programme. It is a national programme for which national norms are laid down. However, some flexibility is given to the State Governments considering the special needs of the States. Now, there is a cess on diesel. This year, 2011-2012, out of the total expenditure on PMGSY of about Rs. 20,000 crores, about Rs. 5,500 crores comes from the Diesel Cess, and the balance comes from the General Budget support and borrowings from the international agencies. However, it is completely wrong to say that the State's share is only 0.3 per cent. That is not the right way of looking at it. Every State prepares a core network of unconnected habitations. Based on that core network, the Government of India gives the sanctions. I want to tell the hon. Member that the primary focus in the PMGSY is not upgradation, is new connectivity, is to provide connectivity to all those habitations with all-weather roads which do not have roads. Now, in States like Kerala, Andhra, Tamil Nadu, Karnataka, Gujarat and Maharashtra where already connectivity has been provided, now there is a demand for upgradation. But with limited resources, we have to make a choice. As far as I am concerned, Sir, the focus in PMGSY has to be Bihar, Jharkhand, Orissa, Madhya Pradesh, Uttar Pradesh, West Bengal and Assam where there is no connectivity, to begin with.

SHRI RAJIV PRATAP RUDY: The North-East.

SHRI JAIRAM RAMESH: Yes, the North-Eastern States. So, I am sympathetic to the needs of upgradation, as far as Kerala is concerned. I have assured the hon. Member that we have already sanctioned Rs. 975 crores, which we are committed to finance, which will take care of all the 435 habitations of population over 500. It is only in the case of upgradation that some of the advanced States may have cause for complaint. But as and when we increase the resources for PMGSY, I am sure, we will be able to spend more money on upgradation as well.

MS. MABEL REBELLO: Sir, the hon. Minister has stated the problems, like unavailability of land, inadequate contracting capacity, inadequate number of Programme Implementation Units. Sir, I want to know from the hon. Minister as to why he is stating these problems. We state the problems to the Government. I would like to inform the hon. Minister, Sir, that States like Jharkhand, which are affected by underground activities, where the contractors are not available, their major problem is availability of contractors. Will the hon. Minister allow Central PSUs to undertake road construction under PMGSY? And for that, the contract has to be large enough; otherwise, they will not come forward. So, what does the hon. Minister propose to do in this regard?

SHRI JAIRAM RAMESH: Sir, the hon. Member knows very well that in the last couple of months, States like Jharkhand have received extraordinary priority under PMGSY. In fact, the amount of clearances that we have given to States like Jharkhand, Bihar and Orissa particularly, keeping in view the problem of Left-Wing Extremism, has been unprecedented. Now, there are

peculiar problems in Jharkhand because 14, out of the 24 districts are Naxal affected; three more have now been added. Sir, as a general policy, I am not in favour of Central PSUs undertaking PMGSY works. This is the responsibility of the State Governments; it is the responsibility of the State agencies. In Bihar, we have discontinued the practice of awarding contracts to Central PSUs because the Chief Minister wanted in that way. In Jharkhand, the demand has come that we should continue using Central PSUs, and we have agreed to continue using companies like HSCL, NPCC, and some other Central PSUs which have been operating there. But I want to stress that we must discourage the use of the Central PSUs. This is the responsibility of the State Government. The States must have ownership of rural roads. The rural roads are not something that should be built by Central Government agencies. This is something which States must own up and take responsibility. ...*(Interruptions)*...

PROF. P.J. KURIEN: Sir, the hon. Minister has just now said while replying to the question of Mr. Balagopal that this is a national programme and also there is no discrimination between the States. I fully agree. But there is a basic problem that these schemes are devised by bureaucrats here. There will be certain norms. These norms may not be implementable equally in every State. For example, in Kerala the earlier condition was that width should be 8 metre. In Kerala it was impossible to get that much of width for rural roads because land value was so much and nobody would allow. Therefore, we could not implement it. Therefore, my question is only this. It is in other States also, for example, North East. What has been planned here for implementation in the Central India will not be applicable to North East. Therefore, in this kind of scheme, the Centrally sponsored schemes, will the Government allow certain amount of flexibility to States so that they can implement it? If you want the norms to be strictly implemented which are formulated by the bureaucrats here, then this will not be implemented. So, will you allow a certain amount of flexibility to States? That is all what I am asking.

SHRI JAIRAM RAMESH: Sir, first of all, norms are formulated by bureaucrats and approved by politicians. So, don't blame only the bureaucrats.

PROF. P.J. KURIEN: I blame you also. ...*(Interruptions)*...

SHRI JAIRAM RAMESH: Sometimes the norms are approved by Parliament as well. ...*(Interruptions)*... Sir, the point is that Kerala is an exception to many national norms. I am sensitive to the needs of Kerala. ...*(Interruptions)*... I am sensitive to the needs of Kerala and North East. You have to have a separate dispensation. We are trying to have maximum flexibility. The hon. Member is aware that the roadway width under PMGSY has been reduced to six metres. The maximum gradient now one is to ten has been allowed. The issue of Kara, I know you come from Mavelikara, has also been engaging our attention. We are trying to somehow provide the flexibility. But let me underscore this fact that the South Indian States are generally doing very well on new connectivity. Their need is for upgradation but there is a huge backlog of

connectivity in North India, East India and North East India, which the PMGSY must address. So, we are trying to bring a balance between upgradation and new connectivity. But the focus of the programme should not be lost. The PMGSY is for new connectivity in areas which do not have roads.

SHRI P. RAJEEVE: Sir, Kerala has developed road connectivity with its own funds. Now we are seeking Central assistance for upgradation of the existing roads and new roads. Actually, the development of Kerala has acted as a burden for further advancement of Kerala, which is discrimination. Is the Ministry ready to revisit the guidelines and include the upgradation of existing Panchayat roads under the PMGSY?

SHRI JAIRAM RAMESH: Sir, there is no discrimination against Kerala. I do not understand why this word is continued to be used. Yesterday there was a big *hangama* in the House on alleged discrimination against certain States, and I want to tell Mr. Ravi Shankar Prasad that as far as PMGSY is concerned, maximum funds are going to Bihar, Orissa, Jharkhand, West Bengal, U.P., Madhya Pradesh and barring West Bengal none of them is UPA ruled. ...*(Interruptions)*... Barring West Bengal none of them is a UPA ruled States. There is no discrimination in this matter. ...

श्री नरेश चन्द्र अग्रवाल: सर, यह गलत है, उत्तर प्रदेश के साथ भेदभाव हो रहा है।...*(व्यवधान)*...

श्री सभापति: आप बैठ जाइए। आप बैठ जाइए। आप बैठ जाइए।...*(व्यवधान)*...

श्री जयराम रमेश: सर, नरेश चन्द्र अग्रवाल जी को जानकारी नहीं है।...*(व्यवधान)*...

श्री सभापति: आप बैठ जाइए।...*(व्यवधान)*...

श्री जयराम रमेश: सर, नरेश चन्द्र अग्रवाल जी को जानकारी नहीं है।...*(व्यवधान)*...

श्री नरेश चन्द्र अग्रवाल: सर, मंत्री जी, ...*(व्यवधान)*...

श्री सभापति: नरेश जी, आप बैठ जाइए।...*(व्यवधान)*... प्लीज़...*(व्यवधान)*...

श्री जयराम रमेश: सर, नरेश चन्द्र अग्रवाल जी को सिर्फ भेदभाव ही दिखाई देता है क्योंकि चुनाव आने वाले हैं। अभी मैं 12.00 बजे उनके एक और प्रश्न का जवाब देने वाला हूँ, उसमें मैं इसका जिक्र करूंगा। कोई भेदभाव PMGSY में नहीं है, अगर भेदभाव है...*(व्यवधान)*...

श्री विक्रम वर्मा: सर, मध्य प्रदेश में...*(व्यवधान)*...

श्री सभापति: आप बैठ जाइए।...*(व्यवधान)*...

श्री जयराम रमेश: जवाब देने दीजिए।...*(व्यवधान)*... वर्मा जी, मध्य प्रदेश को हजार किलोमीटर की अनुमति दी गई है।...*(व्यवधान)*...

श्री विक्रम वर्मा: अनुमति दी गई है, तो फंड क्यों नहीं दे रहे हैं?...*(व्यवधान)*...

श्री जयराम रमेश: क्या?...*(व्यवधान)*...

**श्री विक्रम वर्मा:** सर, मध्य प्रदेश के लिए फंड रिलीज होना चाहिए।...**(व्यवधान)**... Please assure the House. Funds should be released.

**SHRI JAIRAM RAMESH:** I am telling you, there is no discrimination against Kerala. This is a PMGSY programme. I cannot start using PMGSY funds for upgrading or connecting roads within Panchayats. For that we can have a separate scheme. But that is not the scheme of PMGSY. ...**(Interruptions)**...

**MR. CHAIRMAN:** Please...**(Interruptions)**...

**SHRI P. RAJEEV:** My question is whether the State Government...**(Interruptions)**... He has given an answer with regard to UP, Bihar. My question is whether the Government is ready to release....

**MR. CHAIRMAN:** Q.No. 284. The question is over.

#### **Setting up of National Rural Bank**

**\*284. SHRIMATI RENUBALA PRADHAN:** Will the Minister of FINANCE be pleased to state:

(a) the number of nationalized and private banks operating in the country and their branches;

(b) the number of foreign banks with their branches in the country and the number of their branches;

(c) the number of Regional Rural Banks (RRBs) functioning in the country and the number of their branches; and

(d) whether Government has proposed to set up the National Rural Bank on the line of RBI to have control over RRBs?

**THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE):** (a) to (d) A Statement is laid on the Table of the House.

#### ***Statement***

(a) There are 19 nationalised banks with 44369 branches and 20 private sector banks with 11874 branches in the country as on 30th September, 2011.

(b) There are 39 foreign banks with 319 branches in the country as on 30th September, 2011.

(c) There are 82 Regional Rural Banks (RRBs) with 16001 branches in the country as on 31st March, 2011.

(d) No, Sir.

**SHRIMATI RENUBALA PRADHAN:** I would like to know whether the Government has any plans to privatise any of the 19 nationalised banks in the near future. If so, please elucidate the details; and I would also like to know whether the Government is going to allow more foreign banks into the country as part of the present ongoing liberalized policy of the Government?

SHRI NAMO NARAIN MEENA: Sir, the merger of banks depends on the merging bank and the banks who want to be merged. There is no direction from the Government side in this regard. As far as foreign banks are concerned the licenses are given by the RBI and the information is available on the website of RBI.

SHRIMATI RENUBALA PRADHAN: Since more than seventy per cent of India is rural based, 82 RRB's with 16001 branches are very less. So I would like to know whether Government has any plans to oversee the number of RRB's in the country.

SHRI NAMO NARAIN MEENA: Sir, branch expansion is an on-going process. The RBI is implementing the financial inclusion in the entire country. So far as the RRBs are concerned, yes, there is a plan of expansion and the proposals for 2012 is to open 1247 branches and in the year 2013, 1845 branches.

SHRIMATI GUNDU SUDHARANI: It is good that the Finance Ministry has released a vision 2030 and prepared an Action Plan under this. It aims to open 30,000 branches and 1.5 lakh employment and 64 lakh crores of business. Firstly, I would like to know the progress of this action plan. Secondly, Sir, this can be achieved only if employees working in rural banks are given benefits at par with the nationalised banks because rural bank employees are giving services to farmers and BPL people. So, I would like to know from the hon. Minister what steps he is taking to provide them pension and other benefits at par with nationalised banks.

SHRI NAMO NARAIN MEENA: Sir, employees of the RRBs are covered under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and the Employees Pension Scheme of 1995 formulated thereunder. The employees of the sponsored banks, the nationalised banks on the other hand are covered under the Employees Pension Regulation, 1995.

MR. CHAIRMAN: Question Hour is over.

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## WRITTEN ANSWERS TO STARRED QUESTIONS

### Account holders in Swiss banks

\*285. SHRI D. RAJA: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that Government had acquired information from the Swiss Government regarding the names of Indians who have deposited unaccounted money in Swiss banks;

(b) if so, the details thereof;

(c) whether it is also a fact that Government is not disclosing the names it received from the Swiss Government; and

(d) if so, the reasons therefor?

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): (a) to (d) No information has been received from the Swiss Government regarding Indians holding unaccounted money in Swiss banks. However, any information received under DTAA is covered by the confidentiality provisions of the DTAA.

#### **Death of animals in Zoos**

\*286. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that five cubs and one tiger died in Nandankanan Zoological Park in Odisha and a lot of other animals are also dying in the Zoos daily due to negligence of the Government;

(b) whether Government proposes to pass an Act to close all Zoos and setting the animals free to wild areas, especially in Reserve Forests like Project Tiger and Project Elephant; and

(c) whether all the Zoos would be converted into modern gardens and lawns?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) Yes, Sir. It is a fact that five newly born tiger cubs born on 16.11.2011 had died on 18.11.2011 in Nandankanan Zoological Park, Bhubaneswar, Odisha. The cubs died because of not being taken care of by mother. No negligence of the State Government is reported.

(b) The Government of India/Central Zoo Authority has no proposal to pass an Act to close the Zoos.

(c) There is no plan to covert the zoos to modern garden and lawns, however all recognized Zoos in the country have been asked to prepare and submit master plan for their long term development and its approval from the Central Zoo Authority. It has been made mandatory to provide atleast 30% of the area as green belt and natural vegetation.

#### **Fiscal package for debt-ridden States**

\*287. SARDAR SUKHDEV SINGH DHINDSA: Will the Minister of FINANCE be pleased to state:

(a) whether any fiscal/financial package is being considered by Government, on priority basis, to bail out some State Governments, including Punjab, which are debt-ridden; and

(b) if so, the details thereof?

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): (a) and (b) Debt relief to States is normally considered within the ambit of Finance Commissions' recommendations. The



Thirteenth Finance Commission (FC-XIII) has recommended the following measures, subject to enactment/amendment of Fiscal Responsibility and Budget Management Acts (FRBMAs), containing specified targets, by the States:—

- (i) Writing off of loans to States for Centrally Sponsored Schemes/Central Plan Schemes given through ministries other than Ministry of Finance, outstanding at the end of 2009-10.
- (ii) Interest rates on small savings loans contracted upto 2006-07 and outstanding at the end of 2009-10 be reset at a common rate of 9% per annum.
- (iii) Consolidation of Central loans from Ministry of Finance to the States that had not availed the benefit of debt consolidation during the award period of the Twelfth Finance Commission. This benefit, available to the States upon enactment of their FRBMAs, is relevant for loans contracted upto the end of 31.3.2004 and outstanding at the end of the year preceding the year in which the legislation is enacted.

These recommendations have been accepted. Seventeen States, including Punjab, have so far reported enactment/amendment of their FRBMAs as recommended by FC-XIII.

#### **Review of NRHM**

\*288. DR. JANARDHAN WAGHMARE: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state

- (a) whether Government has reviewed the working of the National Rural Health Mission (NRHM);
- (b) if so, the details thereof alongwith the irregularities noticed by Government;
- (c) whether several State Governments/Union Territories are lagging far behind in the implementation of the Mission; and
- (d) if so, the steps taken or proposed to be taken for effective implementation of NRHM in the country?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (b) The implementation of National Rural Health Mission (NRHM) are reviewed on regular basis through Common Review Missions (CRM), Joint Review Missions (JRM), monitoring of progress through Health Management Information System (HMIS) and National level reviews with State Governments and Union Territories. The Concurrent evaluation of NRHM was also undertaken.

Some of the deficiencies pointed out through the reviews are as under:—

- (i) The Common Review Missions are undertaken by Government officials, development partners, public health experts and civil society representatives. So far, five CRMs

have been undertaken, last being held between 8-15th November, 2011 covering 15 States. The 4th Common Review Mission highlighted certain gaps in infrastructure, human resources especially the shortage of specialists, ANMs and MPWs (male health workers). They have also highlighted need for a proper procurement system and establishment of laboratory services at peripheral levels, need to expand civil society involvement in training of ASHAs, capacity building of Village Health Sanitation and Nutrition Committee and Community based monitoring and planning etc.

- (ii) The Joint Review Missions (JRM) are undertaken to review the Reproductive and Child Health (RCH) component and teams include professionals from civil society, development partners and public health experts etc. so far eight JRM have been undertaken, the last being between 12-16th September, 2011 covering five States. Some of the deficiencies pointed out by 7th JRM include lack of availability of blood storage facilities alongwith specialists and/or general duty doctors trained in EMOC and LSAS, gaps in training that include lack of comprehensive planning in trainee selection, post training placement, management of severe malnutrition, lack of capacity in the area of procurement etc.
- (iii) Concurrent Evaluation of NRHM was done during 2009-10 by International Institute of Population Sciences (IIPS), Mumbai. The shortcomings mentioned in the report include preparation of Village Health plan by only 53% of VHSNCs, 67% of Gram Panchayats reported receiving untied funds, 25% ANMs expressing difficulty in operating bank accounts due to non-availability of Sarpanch, only 23% ANMs staying in official residences, inadequate neo-natal ICU/specialized sick new born care units in district hospitals.
- (iv) Though progress of implementation under NRHM has been variable. Most of the States have shown improvement in the vital health indicators *i.e.* Infant Mortality Rate (IMR), Maternal Mortality Ratio (MMR) and Total Fertility Rate (TFR). The details are given in Statement (See below). Government of India has identified 264 backward districts with poor health indicators for focused attention and differential financing. In addition, several initiatives have been undertaken under NRHM to improve the implementation process as under:—
  - (a) Allowing contractual appointments to bridge the gap in human resources. Over 1.4 lakhs health personnel including doctors, specialists, nurses and paramedics have been engaged under NRHM.
  - (b) To overcome shortage of Specialists, Multi skilling of the available doctors through trainings such as Life Saving Anesthetic Skills (LSAS), Basic

Emergency Obstetrics and Neonatal Care (BeMONC), Comprehensive Emergency Obstetric and Neonatal Care (CeMONC) are taken up.

- (c) Over 8 lakhs ASHAs have been engaged to provide a link between community and health facilities.
- (d) Improvement of infrastructure of Government health care facilities and providing Mobile Medical Units for out-reach services and Referral Transport facilities.
- (e) Allowing flexible financing to enable the States to take up activities based on their own priorities
- (f) To improve availability of personnel in difficult and remote areas, allowing monetary and non-monetary incentives to staff posted in such hard and inaccessible areas.
- (g) New initiative under Janani Shishu Suraksha Karyakaram (JSSK) was launched under NRHM to make available completely free and cashless deliveries by providing free medicines and consumables, free diet, referral transport to institution and drop back home for pregnant mother and similar cashless treatment for sick newborn upto 30 days.

#### ***Statement***

*Status of drop (in Points) in MMR from 2004-06 to 2007-09*

Sl. No.	State	MMR SRS 2004-06	MMR SRS 2007-09	Drop in MMR
1	2	3	4	5
<b>Stages above National Average of decline</b>				
1.	Assam	480	390	90
2.	Uttar Pradesh	440	359	81
3.	Uttarakhand	440	359	81
4.	Rajasthan	388	318	70
5.	Chhattisgarh	335	269	66
6.	Madhya Pradesh	335	269	66
7.	Bihar	312	261	51
8.	Jharkhand	312	261	51
9.	Orissa	303	258	45

1	2	3	4	5
<b>States below National Average of decline</b>				
10.	Karnataka.	213	178	35
11.	Haryana	186	153	33
12.	Maharashtra	130	104	26
13.	Andhra Pradesh	154	134	20
14.	Punjab	192	172	20
15.	Kerala	95	81	14
16.	Tamil Nadu	111	97	14
17.	Gujarat	160	148	12
18.	West Bengal	141	145	-4
19.	Himachal Pradesh	NA	NA	NA
20.	Jammu and Kashmir	NA	NA	NA
21.	Arunachal Pradesh	NA	NA	NA
22.	Manipur	NA	NA	NA
23.	Meghalaya	NA	NA	NA
24.	Mizoram	NA	NA	NA
25.	Nagaland	NA	NA	NA
26.	Sikkim	NA	NA	NA
27.	Tripura	NA	NA	NA
28.	Goa	NA	NA	NA
29.	Andaman and Nicobar Island	NA	NA	NA
30.	Chandigarh	NA	NA	NA
31.	Dadra and Nagar Haveli	NA	NA	NA
32.	Daman and Diu	NA	NA	NA
33.	Delhi	NA	NA	NA
34.	Lakshadweep	NA	NA	NA
35.	Puducherry	NA	NA	NA
INDIA :		254	212	42

*Status of drop (in Points) in TFR from 2005 to 2009*

Sl. No.	State	TFR SRS 2005	TFR SRS 2009	Drop in TFR
1	2	3	4	5
<b>States above National Average of decline</b>				
1.	Uttar Pradesh	4.2	3.7	0.5
2.	Rajasthan	3.7	3.3	0.4
3.	Bihar	4.3	3.9	0.4
4.	Chhattisgarh	3.4	3	0.4
<b>States at or below National Average of decline</b>				
5.	Himachal Pradesh	2.2	1.9	0.3
6.	Madhya Pradesh	3.6	3.3	0.3
7.	Maharashtra	2.2	1.9	0.3
8.	Jharkhand	3.5	3.2	0.3
9.	Assam	2.9	2.6	0.3
10.	Gujarat	2.8	2.5	0.3
11.	Haryana	2.8	2.5	0.3
12.	Orissa	2.6	2.4	0.2
13.	Karnataka	2.2	2	0.2
14.	Punjab	2.1	1.9	0.2
15.	West Bengal	2.1	1.9	0.2
16.	Delhi	2.1	1.9	0.2
17.	Jammu and Kashmir	2.4	2.2	0.2
18.	Andhra Pradesh	2	1.9	0.1
19.	Kerala	1.7	1.7	0
20.	Tamil Nadu	1.7	1.7	0
21.	Uttarakhand	NA	NA	NA
22.	Arunachal Pradesh	NA	NA	NA
23.	Manipur	NA	NA	NA

1	2	3	4	5
24.	Meghalaya	NA	NA	NA
25.	Mizoram	NA	NA	NA
26.	Nagaland	NA	NA	NA
27.	Sikkim	NA	NA	NA
28.	Tripura	NA	NA	NA
29.	Goa	NA	NA	NA
30.	Andaman and Nicobar Island	NA	NA	NA
31.	Chandigarh	NA	NA	NA
32.	Dadra and Nagar Haveli	NA	NA	NA
33.	Daman and Diu	NA	NA	NA
34.	Lakshadweep	NA	NA	NA
35.	Puducherry	NA	NA	NA
INDIA:		2.9	2.6	0.3

*Status of drop (in Points) in IMR from 2005 to 2009*

Sl. No.	State	IMR SRS 2005	IMR SRS 2009	Drop in IMR
1	2	3	4	5
1.	Orissa	75	65	10
2.	Uttar Pradesh	73	63	10
3.	Bihar	61	52	9
4.	Chhattisgarh	63	54	9
5.	Madhya Pradesh	76	67	9
6.	Rajasthan	68	59	9
7.	Haryana	60	51	9
8.	Karnataka	50	41	9
9.	Tamil Nadu	37	28	9

1	2	3	4	5
<b>States below National Average of decline</b>				
10.	Andhra Pradesh	57	49	8
11.	Assam	68	61	7
12.	Jharkhand	50	44	6
13.	Gujarat	54	48	6
14.	Punjab	44	38	6
15.	Puducherry	28	22	6
16.	Jammu and Kashmir	50	45	5
17.	Arunachal Pradesh	37	32	5
18.	Goa	16	11	5
19.	Maharashtra	36	31	5
20.	West Bengal	38	33	5
21.	Dadra and Nagar Haveli	42	37	5
22.	Himachal Pradesh	49	45	4
23.	Daman and Diu	2.8	24	4
24.	Kerala	14	12	2
25.	Delhi	35	33	2
26.	Uttarakhand	42	41	1
27.	Tripura	31	31	0
28.	Andaman and Nicobar Island	27	27	0
29.	Manipur	13	16	-3
30.	Lakshadweep	22	25	-3
31.	Sikkim	30	34	-4
32.	Chandigarh	19	25	-6
33.	Nagaland	18	26	-8
34.	Meghalaya	49	59	-10
35.	Mizoram	20	36	-16
INDIA :		58	50	8

### Incentives and tax exemption for corporate sector

\*289. SHRI P. RAJEEVE: Will the Minister of FINANCE be pleased to state:

- (a) whether Government has given incentives and tax exemptions to the corporate sector;
- (b) if so, the details thereof; and
- (c) the quantum of money lost to the exchequer due to these tax exemptions and incentives during the last three years?

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): (a) Yes, Sir.

(b) So far as direct taxes are concerned, the Income Tax Act, 1961 provides for direct tax incentives and tax exemptions to businesses in the corporate sector mainly in the form of profit-linked deductions under Chapter VI-A, investment-linked deductions under Section 35AD, depreciation and additional depreciation under Section 32 and weighted deduction under Section 35 of the Act. With regard to indirect taxes, some exemptions from Customs duty, Central excise duty and Service tax are available to the corporate sector. These exemptions have been given from time to time in public interest for the fulfillment of policy objectives such as protection of small scale sector, development of Khadi and village sector, industrial development of backward areas, encouragement of domestic value addition and regulation of prices of essential commodities. Service tax exemptions have been provided to social infrastructure sectors such as education, health etc. as well as to services provided to the agriculture sector. Some exemptions are also available to the physical infrastructure sector such as highways, dams, bridges, power etc.

(c) The cost to exchequer on account of tax exemptions and incentives is maintained in the form of the revenue foregone Statement which is reported in the Receipt Budget, which is a part of the Annual Budget. The estimates of revenue foregone on account of direct tax exemptions/incentives availed by the corporate sector during the last three years are as under:—

Financial Year 2008-09	Rs. 66901 crore
Financial Year 2009-10	Rs. 72881 crore
Financial Year 2010-11	Rs. 88263 crore (projected)

The revenue forgone on account of various exemptions for Central Excise and Customs duties in the last three years are as under:—

(Rs. in crore)

Year	Excise	Customs
1	2	3
2008-09	128293	225752



1	2	3
2009-10	169121	195288 *
2010-11	198291	174418 *

\*Excludes revenue foregone on account of input tax neutralization schemes for export.  
Estimates of revenue foregone on account of service tax exemptions are not computed.

#### **NOC for Lavasa township**

†\*290. SHRI RASHEED MASOOD: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that the Ministry has issued instructions to stop work at Lavasa township;
- (b) if so, the reasons therefor; and
- (c) whether NOC was obtained from the Ministry for this township and if so, on which date?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) The Ministry of Environment and Forests, based on complaints received, had issued Show Cause Notice (SCN) on 25th November, 2010 to M/s Lavasa Corporation Ltd. (M/s LCL), under section 5 of the Environment (Protection) Act, 1986 for the violations of the provisions of the Environment Impact Assessment (EIA) Notification, 1994 as amended in 2004 and EIA Notification, 2006. In this SCN, M/s LCL was directed to respond within fifteen days as to why the following directions may not be made final:—

- (i) The unauthorized structures erected without any environmental clearance between 18.03.2004 till 07.07.2004, from 07.07.2004 till 14.09.2006 under EIA Notification, 1994 and further constructions carried out after the EIA Notification, 2006 by M/s LCL in Musli and Velhe Talukas, Districts Pune, Maharashtra be removed forthwith in entirety.
- (ii) Pending decision on the SCN the status quo ante for construction/development as on date be maintained.

(c) The proposal for environmental clearance of development of Phase-I (2000 ha.) hill station project at village Mushi and Velhe Talukas, District Pune, Maharashtra was submitted by M/s LCL. The Environmental appraisal for the first phase of the project was under taken as per the provisions of the Environment Impact Assessment (EIA) Notification, 2006. An Environmental Clearance (EC) was accorded to this project on 9th November, 2011, stipulating various environmental safeguards

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†Original notice of the question was received in Hindi.

measures, after following the due procedure, considering the recommendations of the relevant Expert Appraisal Committee and the compliance status of five pre-conditions, including the action initiated by the Government of Maharashtra in regard to violation of the Environment (Protection) Act, 1986.

#### **Outbreak of Japanese Encephalitis in the country**

†\*291. SHRIMATI MAYA SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that a large number of people are dying due to Japanese Encephalitis in the country;

(b) if so, the number of deaths that took place and the age of persons found to be suffering from this disease and the number of patients who recovered after taking medicines, State-wise;

(c) the number of patients suffering from Encephalitis, who got admitted in BRD medical college in Gorakhpur district of Uttar Pradesh during the last three years and the number of patients died; and

(d) the details of the steps taken by the Central Government for treatment of this disease?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (b) During the current year (upto 8th December, 2011), 157 deaths have been reported due to Japanese Encephalitis (JE) in the country. The most vulnerable age-group for contracting JE is 5-10 years. Details of patients who were admitted to Government hospitals and recovered following clinical care are given in Statement (See below).

(c) Details of JE cases and JE deaths at BRD Medical College, Gorakhpur, during last 3 years are given below:—

Year	Cases	Deaths
2008	176	41
2009	375	76
2010	417	75

(d) There is no specific drug for treatment of JE and JE patients are managed based on symptomatic treatment under the care of trained physicians in Government hospitals. Guidelines for clinical management of such cases have been prepared and circulated by the Directorate of National Vector Disease Control Programme.

†Original notice of the question was received in Hindi.

***Statement-1***

*Details of patients who were admitted in Government hospitals*

Sl. No.	State	No. of recovered patients
1.	Andhra Pradesh	3
2.	Assam	376
3.	Bihar	17
4.	Goa	1
5.	Delhi	5
6.	Haryana	9
7.	Jharkhand	3
8.	Karnataka	2
9.	Kerala	34
10.	Maharashtra	1
11.	Manipur	9
12.	Nagaland	24
13.	Tamil Nadu	19
14.	Uttar Pradesh	193
15.	West Bengal	73
TOTAL :		769

*Note:* Out of a total of 926 lab. confirmed JE cases admitted in different hospitals in the endemic States, 769 patients (83%) recovered.

**Preventive measures for curing CVDs cases**

\*292. SHRI RAMDAS AGARWAL : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government is aware that 50 per cent of all heart diseases in the world are happening in India and out of 64 million cases of Cardio-Vascular Diseases (CVDs) likely to be seen by the year 2015, nearly 61 million would be of coronary heart diseases;

(b) if so, the preventive measures Government proposes to take as there is only one Government hospital in Delhi to cure CVDs cases; and

(c) Government's plans to open more Government Hospitals in the country to meet the healthcare of common man, who cannot afford very high rates of treatment being charged by private heart curative centres?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) Yes. According to the Report of National Commission of Macroeconomics and Ministry of Health and Family Welfare, Government of India (2005), there may be as many as 64 million cases of cardiovascular diseases in 2015 of which 61 million would be Coronary artery disease. The World Health Organisation estimated that by 2010, 60 per cent of World's heart disease patients will be in India.

(b) In Delhi, the patients with cardiovascular diseases are being treated in All India Institute of Medical Sciences, Safdarjang Hospital, Dr. Ram Manohar Lohia Hospital and Gobind Ballabh Pant Hospital. The Government of India has also initiated a National Programme for Prevention and Control of Cancer, Diabetes, Cardiovascular Diseases and Stroke (NPCDCS) in 100 selected districts in 21 States.

(c) The Government of India has initiated "The Pradhan Mantri Swasthya Suraksha Yojana (PMSSY)" which aims at setting up six institutions like the All India Institute of Medical Sciences (AIIMS) in Bihar (Patna), Madhya Pradesh (Bhopal), Orissa (Bhubaneswar), Rajasthan (Jodhpur), Chhattisgarh (Raipur) and Uttarakhand (Rishikesh) and upgradation of existing State medical institutions.

#### **Pneumonia-related fatalities among children**

\*293. SHRIMATI VASANTHI STANLEY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that India has the highest number of deaths among children below the age of five due to Pneumonia and flu-related pneumonia;

(b) whether Government has initiated steps to reduce the mortality rate among children by administering appropriate vaccines in such cases; and

(c) if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) Yes, Sir.

In India, pneumonia is one of the leading causes of death among children below five years of age. As per report on nationally representative data collected by the Registrar General of India (2001-03) on cause specific mortality in children aged 1 to 59 months. 3.71 lakh deaths have been attributed to pneumonia.

(b) and (c) Yes, Sir.

The Government of India is implementing the following strategies for prevention and control of pneumonia including immunization to reduce child mortality:—

- (1) Capacity building of the health care providers through Integrated Management of Neonatal and Childhood Illness (IMNCI) for early diagnosis and management of common childhood illnesses including pneumonia.
- (2) Improving child care practices like early initiation of breast feeding, exclusive breast feeding and strengthening of infant and young child feeding practices for prevention of malnutrition.
- (3) The following vaccines are used under Universal Immunization Programme for preventing pneumonia in children:
  - (a) DPT vaccine (b) Measles vaccine including second dose and (c) Pentavalent vaccine in Tamil Nadu and Kerala.

#### **Re-cycling of e-waste**

\*294. SHRI B.S. GNANADESIKAN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether the Government has insisted upon the State Governments to impose penalty and punish those companies contributing to e-waste pollution;
- (b) if so, the details thereof;
- (c) whether Government has also issued notification for recycling of e-waste since the quantity of e-waste is increasing every year; and
- (d) if so, the details of future plans of Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) to (d) The Ministry of Environment and Forests has notified the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, for proper management and handling of hazardous wastes including e-waste. As per these Rules, units handling e-waste are required to obtain authorisation and registration from the State Pollution Control Board (SPCB)/Pollution Control Committee concerned. In addition, such units are required to obtain Consent to Operate as per the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. Compliance under these Rules is monitored by the respective SPCB/PCC. Contravention of the provisions of these Rules is liable to be punished as per the provisions of the Environment (Protection) Act, 1986 (29 of 1986).

E-waste recycling can be undertaken only in facilities authorized and registered with State Pollution Control Boards/Pollution Control Committees. E-waste generated can be sent or sold

to a registered and authorized recycler or re-processor having environmentally sound recycling facilities.

The Government has also notified the E-Waste (Management and Handling) Rules, 2011 on 12th May, 2011. These Rules will come in to effect from 01.05.2012. The concept of Extended Producer Responsibility (EPR) has been enshrined in these rules to make EPR a mandatory activity associated with the production of electronic and electrical equipments. EPR is an environment protection strategy that makes the producer responsible for the entire life cycle of the product, especially for take back, recycling and final disposal of the product.

Under these Rules, producers will be responsible for collection of e-waste generated from the end of life of their products by setting up collection centers or take back systems either individually or collectively.

Further, Guidelines for Environmentally Sound Management of E-waste brought out by Central Pollution Control Board provide the approach and methodology for environmentally sound management of e-waste.

The Government is also implementing a scheme to provide financial assistance for setting up of integrated recycling facilities for E-waste on public private partnership mode.

#### **Climate Change Action Plan**

\*295. SHRI BAISHNAB PARIDA: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that the State Government of Odisha has sent a Climate Change Action Plan to the Ministry for its consideration;

(b) whether it is also a fact that a financial outlay of ₹ 17,000 crores has been estimated for the Action Plan to focus on eleven different areas for a period of five years upto 2015; and

(c) if so, by when clearance would be given by the Ministry?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) to (c) Government of Odisha has prepared a State Action Plan on Climate Change (SAPCC) in response to the request made by the Ministry of Environment and Forests, Government of India, as a follow up of the announcement made by the Prime Minister in the Conference of State Environment Ministers held on August 18, 2009 and submitted to this Ministry on June 13, 2011. The SAPCC has proposed activities under eleven sectors namely Agriculture, Water, Coastal and Disaster, Energy, Fisheries and Animal resources, Forests, Health, Industry, Mining, Transport and Urban, with a total budget provision of Rs. 17,032 crores for five years.

The draft SAPCC was considered on September 27, 2011 by the Expert Committee on Climate Change set up in this Ministry. Recommendations of the Expert Committee have been conveyed to the Government of Odisha with a request to submit the final SAPCC for consideration of the National Steering Committee on Climate Change set up in the Ministry of Environment and Forests.

#### **Strengthening of National Small Savings Schemes**

\*296. DR. E.M. SUDARSANA NATCHIAPPAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government will strengthen the National Small Savings Schemes by increasing the interest rate on deposits, as the RBI has given the liberty to the banks to meet the competition;

(b) whether Government will declare the Small Savings Scheme Agents as Mobile Bank Agents and provide them Electronic Instruments, as already done by Commercial Banks; and

(c) if so, the commission fixed for them?

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): (a) Yes, Sir. The Government has increased the rate of interest on small savings instruments with effect from 1st December, 2011. Details are as under:—

Instrument	Pre-revised rate (%)	Revised rate (%)
Savings Bank	3.50	4.00
1 Year Time Deposit6.25	7.70	
2 Year Time Deposit6.50	7.80	
3 Year Time Deposit7.25	8.00	
5 Year Time Deposit7.50	8.30	
5 Year Recurring Deposit	7.50	8.00
5 Year Senior Citizens Savings Scheme (SCSS)	9.00	9.00
5 Year Monthly Income Account (MIS)	8.00 (6 year MIS)	8.20
5 Year National Saving Certificate (NSC)	8.00 (6 year NSC)	8.40
10 Year National Saving Certificate	New instrument	8.70
Public Provident Fund (PPF)	8.00	8.60

(b) There is no such proposal.

- (c) Does not arise.

**Ban on use of regional languages in Medical  
Entrance Examination**

**\*297. SHRI PRAKASH JAVADEKAR:** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether it is a fact that the use of regional languages as a medium for medical entrance examination has been banned from this year;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether Government has received any complaints in this regard;
- (d) if so, the details thereof; and
- (e) whether Government is planning to take back this decision?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (b) The Central Board of Secondary Education (CBSE) conducts All India Pre-Medical/Pre-Dental Entrance Examination only for 15 per cent seats in the Government Medical/Dental Colleges- in the country and candidates can opt for question paper either in English or in Hindi. For the remaining 85 per cent seats, the States conduct their own entrance examination and have the liberty to conduct it in their respective regional languages and, as such, there is no ban on use of regional languages as a medium for medical entrance examination

(c) to (e) The Hon'ble Supreme Court, in Simran Jain case, has accepted the proposal of the Medical Council of India (MCI) to conduct common entrance test viz. National Eligibility and Entrance Test (NEET) for admission to Under Graduate (UG) and Post Graduate (PG) medical courses in the country and directed the Council to take such steps as are necessary to implement the NEET. Accordingly, the Central Government has constituted a Committee to finalize the modalities for implementation of NEET.

A few State Governments have expressed apprehensions about the proposed NEET *inter alia* relating to medium of the test. The Central Board of Secondary Education, which is the agency for conducting NEET for UG, has constituted an Advisory Committee consisting of Members from States to address the issues of admission processes prevalent in various States like reservation, medium of test, etc.

**CET for MBBS admission**

**\*298. DR. K.P. RAMALINGAM:** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Medical Council of India has proposed Common Entrance Test (CET) for MBBS admission;



(b) if so, whether this proposal has been accepted by all the State Governments; and

(c) if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) Yes, Sir.

(b) and (c) Majority of the States have accepted the proposal but few States have expressed apprehension about the proposed NEET which pertained to the syllabus, medium of test, reservation, etc. the Central Board of Secondary Education, which is the agency for conducting NEET for undergraduates, has constituted an Advisory Committee consisting of representatives from the States to address the issues of admission processes prevalent in various States like reservation, medium of test, etc.

#### **Extension of PNG network**

†\*299. SHRI RAGHUNANDAN SHARMA: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether it is a fact that the number of subscribers of Piped Natural Gas (PNG) is far less than that of LPG subscribers;

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

(c) whether it is also a fact that Government has recently increased the number of cities identified for supply of PNG; and

(d) if so, the details of progress made in this regard?

THE MINISTER OF PETROLEUM AND NATURAL GAS (SHRI S. JAIPAL REDDY): (a) and (b) Against a total of 1328 lakh LPG customers, there are only 15.88 lakh PNG customers in the country. While LPG is being sold to the customers for several decades, the City Gas Distribution (CGD) projects are just taking off and its success depends, *inter alia*, upon pipeline connectivity, availability of gas and commercial viability.

(c) and (d) Government of India has enacted the Petroleum and Natural Gas Regulatory Board (PNGRB) Act, 2006, wherein PNGRB is entrusted with the responsibility of, *inter alia*, authorization of entities to operate CGD networks. PNGRB has envisaged rollout of CGD Networks over the next five years in more than 300 Geographical Areas (GAs) in the country.

#### **Opening of new LPG outlets in Jammu and Kashmir**

\*300. SHRI G.N. RATANPURI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether the process of opening new LPG outlets in Jammu and Kashmir (J&K) has been stalled due to a court case;

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†Original notice of the question was received in Hindi.

(b) if so, the steps taken to get the stay order of the court vacated and open new LPG outlets in J&K;

(c) whether there is only one agency/ outlet at Jammu to sell non-conductor electric transformer oil; and

(d) whether oil companies will be directed to open at least one outlet in Srinagar also in order to sell non-conductor electric transformer oil?

THE MINISTER OF PETROLEUM AND NATURAL GAS (SHRI S. JAIPAL REDDY): (a) and (b) Yes, Sir. The LPG distributors of Indian Oil Corporation Limited (IOC) had filed Courts cases in the Hon'ble High Court of Jammu and Kashmir at Jammu and at Srinagar, in which the Hon'ble Court, on 12.04.2010, has passed an interim order for maintaining *status quo* on setting up of new LPG distributorships at various locations in the State, where extension counters are being operated by the existing LPG distributors. Further, the Hon'ble Court has directed Public Sector Oil Marketing Companies (OMCs) namely, Indian Oil Corporation Limited (IOC), Bharat Petroleum Corporation Limited (BPCL) and Hindustan Petroleum Corporation Limited (HPCL) to file objections in the matter. In compliance of the directions of the Hon'ble Court, IOC, BPCL and HPCL have submitted their reply for filing objections. The cases are *sub-judice*.

However, after filing the objections pertaining to the Court cases, OMCs have issued notice inviting applications for selection of LPG distributors for establishing 65 LPG distributorships under the Rajiv Gandhi Gramin LPG Vitaran Yojana in the State on 10.11.2011 and the last date for receipt of applications was 12.12.2011.

(c) and (d) For retail sale of non-conductor electric transformer oil in the State, IOC has two sale points: a major stock point for direct sale and a Servo stockist at Jammu. Since free trade, it is a deregulated product, the customers in the State are free to take the supply from any of the selling/stocking points.

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## WRITTEN ANSWERS TO UNSTARRED QUESTIONS

### Clean drinking water in villages

†2171. DR. PRABHA THAKUR: Will the Minister of DRINKING WATER AND SANITATION be pleased to state:

(a) whether it is a fact that thousands of crores of rupees are being spent on sports and space research programmes by Government, when crore of people in the country are deprived of clean drinking water even after so many years of Independence;

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†Original notice of the question was received in Hindi.

(b) whether Government has formulated any effective plan to make drinking water available in every village; and

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

THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): (a) to (c) Water is a State subject. The Government of India administers the Centrally Sponsored Scheme, National Rural Drinking Water Programme (NRDWP) for providing financial and technical assistance to the States to supplement their efforts to provide adequate and potable drinking water to the rural areas. A budgetary allocation of Rs. 9,350 crore has been provided for NRDWP for 2011-12. Under NRDWP, State Governments are vested with powers to plan, approve and implement drinking water supply schemes covering the remaining partially covered and quality affected habitations on priority. Through the NRDWP and other Central and State programmes significant achievements have been made by covering nearly 12 lakh rural habitations fully with drinking water supply. As per National Sample Survey Organization 65th Round Survey of 2008-09, more than 90% of rural households are covered with improved sources of drinking water.

#### **Subsidy provided under ILCS**

2172. SHRI N.K. SINGH:

SHRIMATI SHOBHANA BHARTIA:

Will the Minister of DRINKING WATER AND SANITATION be pleased to state:

(a) whether more than 6.5 crore households do not have access to toilets in rural and urban parts of the country;

(b) whether the steps taken and schemes implemented in this regard have been effective;

(c) if so, the details thereof; and

(d) the reasons for providing only 45 per cent subsidy under Integrated Low Cost Sanitation Scheme (ILCS) to the economically weaker sections?

THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): (a) Government of India administers the Total Sanitation Campaign (TSC), a comprehensive programme started in the year 1999 to facilitate States to ensure sanitation facilities in rural areas with the main objective of eradicating the practice of open defecation and ensuring clean environment. TSC is a demand driven project based programme taking district as a unit. TSC, at present, is being implemented in 607 rural districts of the country. The main components under the programme are incentives for Individual Household Latrines (IHHL), School Sanitation and Hygiene Education (SSHE), assistance for Community Sanitary Complex (CSC), Anganwadi toilets and Solid and Liquid Waste Management (SLWM). The total project objectives for IHHL

identified under TSC are 12.57 crore, out of which 8.30 crore have been reported to be constructed as of November 2011 as per progress provided by the States through online monitoring system maintained by the Ministry. As far as urban areas are concerned, as per 65th report 2008-09 published by National Sample Survey Organisation (NSSO), 11.3% of urban population does not have access to sanitation facilities.

(b) and (c) The sanitation coverage in rural areas of the country was 21.9% as per census, 2001. With the effective implementation of TSC, the sanitation coverage in rural areas of the country has increased to approximately 74% as of November, 2011.

(d) The Subsidy provided under Integrated Low Cost Sanitation (ILCS) Scheme of the Ministry of Housing and Urban Poverty Alleviation (HUPA) to the economically weaker sections is 75% as Central subsidy and 15% as State subsidy.

#### **Safe drinking water to villages near big cities**

2173. SHRI KALRAJ MISHRA: Will the Minister of DRINKING WATER AND SANITATION be pleased to state:

(a) whether Government has evolved any procedure to ensure safe drinking water to the villagers living in the vicinity of Metropolitan cities and big cities/towns/ industrial areas;

(b) the details of steps taken for periodic checking of drinking water sources in these areas;

(c) whether separate fund has been allocated for water and sanitation in towns/cities;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): (a) The Government of India administers through the States, the Centrally Sponsored Scheme, National Rural Drinking Water Programme (NRDWP) for providing financial and technical assistance to the States, to supplement their efforts to provide adequate and safe drinking water to the rural areas including for villagers living in peri-urban areas in the vicinity of Metropolitan cities and big cities/town/industrial areas. Water being a State subject, under NRDWP, State Governments are vested with powers to plan, approve and implement drinking water supply schemes. States can fix appropriate service levels for peri-urban areas as per demand and resource availability.

(b) Under the Water Quality Monitoring and Surveillance component of the NRDWP, States are to test every drinking water source once a year for chemical contamination and twice a year for bacteriological contamination. Financial assistance of 3% of NRDWP allocation on 100% Central share basis is provided for setting up, upgradation and operating water quality testing laboratories at State, district and sub-district levels. Further Gram Panchayats are to be

provided with Field Test Kits for testing water samples at the village level. 5 persons in each Gram Panchayat are to be trained in the use of the Kit.

(c) and (d) In order to supplement the efforts of the State Governments/Urban Local bodies, in providing water and sanitation services in towns/cities, the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) was launched in 2005 with a view to provide financial assistance for creating infrastructure facilities in all urban areas of the country including water supply and sanitation with a reform oriented agenda. The JNNURM has two sub-missions namely Urban Infrastructure and Governance (UIG) and Urban Infrastructure Development Scheme for Small and Medium towns (UIDSSMT). Under the UIG component of JNNURM, 65 cities having population of more than one million and State capitals are eligible for funding while the remaining towns are eligible under the UIDSSMT component.

Under UIG component, so far 152 water supply projects at an estimated cost of Rs. 19,659.83 crore and 111 sewerage projects at an estimated cost of Rs. 14,834.14 crore have been approved, which are under different stages of implementation. Similarly, under the UIDSSMT component, 524 water supply projects at an estimated cost of Rs. 10,478.33 crore and 161 sewerage projects at an estimated cost of Rs. 6,148.56 crore have been approved, which are under different stages of implementation.

(e) Does not arise.

#### **Rajiv Gandhi National Drinking Water Mission in Gujarat**

2174. SHRI DILIPBHAI PANDYA: Will the Minister of DRINKING WATER AND SANITATION be pleased to state:

(a) the details of projects taken up in Gujarat under the Rajiv Gandhi National Drinking Water Mission;

(b) the present status of the work on the projects; and

(c) the necessary steps taken by Government for completion of the projects?

THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): (a) and (b) As per information provided by the Government of Gujarat, under the National Rural Drinking Water Programme of the Rajiv Gandhi National Drinking Water Mission, projects cleared by the State Level Scheme Sanctioning Committee during 2008-09 to 2010-11, projects taken up and under planning for 2011-12 and their present status are given in Statement (*See below*).

(c) The Government of Gujarat has informed that it has a full-fledged Project Monitoring system to monitor and ensure timely completion of projects. The Project Execution is being done by the district level executive machinery. The regional level monitoring is done by Zonal Chief Engineers and Central monitoring unit keeps a constant vigil on the work under progress.

**Statement**

**A. Status of RWSS projects cleared under RGNDW mission in Gujarat (2008-09 to 2010-11)**

(Rs. in lakh)

**Year 2008-09**

Sl. No.	Name of the Scheme	District	Programme	Habitation including	Estimated cost	Expenditure 03-11	Expenditure 11-12	Total	Present Status
1	2	3	4	5	6	7	8	9	10
1.	Distribution Group of integrated WSS based on Dholi Dhaja Dam Intake (Narmada) Phase-II in Surendranagar district	Surendranagar	ARP	224	9809.48	14956.00	2.09	14958.09	Completed
2.	Augmentation to SZBT-II RWSS	Bharuch	ARP	34	733.00	326.36	434.55	760.91	Completed
3.	Remodeling of Sani Dam based RWSS	Jamnagar	DDP	48	2436.34	0.00	2.86	2.86	In progress
4.	Sami Harij Regional WSS	Patan	DDP	86	2934.47	1947.84	0.00	1947.84	Completed
5.	Meghalpur RWSS	Anand	QP	20	433.19	5.35	0.00	5.35	In progress
6.	Ras RWSS	Anand	QP	52	1605.00	0.00	0.00	0.00	In progress
7.	Watrak RWSS	Sabarkantha	QP		1776.33		0.00	0.00	Dropped
TOTAL:				464	19727.81	17235.55	439.50	17675.06	

1	2	3	4	5	6	7	8	9	10
<b>Year 2009-10</b>									
1.	Hafeshwar RWSS (Revised)	Vadodara	ARP	180	11545.00	9.27	1129.91	1139.18	To be taken up
2.	BK-4 Phase-II-A WSS, Devpura H/W	Banaskantha	ARP	134	2312.50	2149.00	260.46	2409.46	In progress
3.	Porbandar Distt. Group-Phase-2	Porbandar	ARP	48	2166.95	1228.23	573.42	1801.65	In progress
4.	Ranavav Distt. Group-Phase-2	Porbandar	ARP	49	3712.90	1453.84	1115.31	2569.15	In progress
5.	Kutiyana Distt. Group-Phase-2	Porbandar	ARP	39	1079.46	637.37	344.94	982.31	In progress
6.	Wanakbori RWSSS	Panchmahal	ARP	68	2148.63		0.00	0.00	To be revise
7.	Bedia Manchhundri Distt. Group	Junagadh	ARP	90	4284.60	2509.27	584.68	3093.95	In progress
8.	Integrated WSS for Village of Bhiloda and Vijaynagar	Sabarkantha	ARP	271	10621.00	10636.91	19.02	10655.93	In progress
9.	Rundh-Rajpardi RWSS	Bharuch	ARP	70	2746.13	420.55	775.23	1195.78	In progress
10.	BK-4 Phase-II-B WSS, Bhapi H/W	Banaskantha	DDP	64	2049.50	1255.07	174.16	1429.23	In progress
11.	BK-4 Phase-III-A WSS, Bhapi H/W	Banaskantha	DDP	59	5951.00	4860.64	235.54	5096.18	In progress
12.	Panna RWSS	Jamnagar	DDP	20	531.18	572.25	5.79	578.04	Completed
13.	Lakhapat Express line	Kachha	DDP	93	1706.11	1481.95	5.35	1487.30	Completed
TOTAL :				1185	50854.96	27214.35	5223.81	32438.16	

Year 2010-11									
1.	Khirsara Complex RWSS Ta. Nakhatrana	Kachchh	DDP	9	199.33	72.43	16.75	89.18	In progress
2.	Khombadi Complex RWSS Ta. Nakhatrana	Kachchh	DDP	35	638.26	384.04	42.18	426.22	In progress
3.	Nakhatrana Complex RWSS Ta. Nakhatrana	Kachchh	DDP	43	1361.40	771.21	0.29	771.50	In progress
4.	Varamseda Complex RWSS Ta. Nakhatrana	Kachchh	DDP	22	1130.41	864.13	-109.91	754.22	In progress
5.	Manjal Complex RWSS Ta. Nakhatrana	Kachchh	DDP	26	811.20	375.35	25.26	400.61	In progress
6.	Dedicated pipe line from Anjar to Chandroda headworks	Kachchh	DDP	59	1177.83	0.00	0.00	0.00	To be taken up
7.	BK-4 Phase-3B (Samala-Vadana Offtake)	Banaskantha	DDP	87	5691.55	5838.69	731.78	6570.47	In progress
8.	Vadodara North Zone RWSS	Vadodara	ARP	73	3839.52	0.00	0.00	0.00	To be taken up
9.	Augmentation to Danta Remodeling	Banaskantha	ARP	29	693.06	0.00	0.00	0.00	To be taken up
10.	Narmada no source Part-2	Narmada	ARP	12	608.02	0.00	0.00	0.00	In progress
11.	SSW Sk-3 Part-I	Sabarkantha	ARP	120	5663.35	0.00	0.00	0.00	To be taken up
12.	SSW Sk-3 Part-II	Sabarkantha	ARP	77	2442.56	0.00	0.00	0.00	To be taken up
TOTAL :				592	24256.49	8305.85	706.35	9012.20	



*B. Schemes taken up and under planning in 2011-12*

(Rs. in lakh)

Sl. No.	Name of the Scheme	District	Programme	Habitation including	Estimated cost	Expenditure 03-11	Expenditure 11-12	Total	Present Status
1	2	3	4	5	6	7	8	9	10
1.	NMC Based Water Supply Project covering 150 hemlet of BK-3 Phase-2 of Kankrej and Deodar Taluka	Banaskantha, Patan	DDP	150	1087.74	0.00	0.00	0.00	To be taken up
2.	Santalpur Regional Water Supply Scheme Bhilot and Shreenath headworks	Patan	DDP	24	907.40	0.00	0.00	0.00	To be taken up
3.	NMC Based Water Supply Project covering hemlet of BK-4 Phase-3B of Villages of Bhabhor and Deodar Taluka	Banaskantha	DDP	122	813.68	0.00	0.00	0.00	To be taken up
4.	Border Out Posts Water Supply Scheme B.O.P.-960m to RKB-1001 (Phase-1)	Banaskantha	DDP	27	654.50	0.00	0.00	0.00	To be taken up
5.	Banni RWSS, Laying of GRP pipeline	Kutch	DDP	127	1493.23	733.23	0.00	733.23	In progress

6.	Narmada Canal Based Emergency break down pipeline for Tappar dam based RWSS	Kutch	DDP	1268	2195.00	100.05	631.51	731.56	In progress
7.	Storage reservoir at different Head works under Banni RWSS	Kutch	DDP	127	431.99	0.00	0.00	0.00	To be taken up
8.	508mm dia MS pipeline from Samakhiali to Chitrod HW under Rapar RWSS	Kutch	DDP	122	139.87	0.00	0.00	0.00	To be taken up
9.	Kumbhardi RWSS on Gadsisar Branch Canal	Banaskantha	DDP	20	1127.90	0.00	0.00	0.00	To be taken up
10.	Streghnening of NCD-4 Water Supply Scheme	Surendranagar	DDP	245	449.00	0.00	0.00	0.00	In progress
11.	Streghnening of S2-S3 Water Supply Scheme	Surendranagar	DDP	185	1389.00	0.00	0.00	0.00	In progress
12.	Umarpada Regional Water Supply Scheme	Surat	ARP	18	1564.91	0.00	0.00	0.00	To be taken up
13.	Kakarapar Regional Water Supply Scheme	Surat	ARP	160	12886.17	0.00	22.83	22.83	To be taken up
14.	Rabda Water Supply Scheme	Valsad	ARP	87	1025.48	0.00	0.00	0.00	Tender Stage
15.	Timberthava RWSS	Dang	ARP	4	112.99	0.00	0.00	0.00	Tender Stage
16.	Umargam East Zone RWSS	Valsad	ARP	16	2057.71	0.00	0.00	0.00	To be taken up

1	2	3	4	5	6	7	8	9	10
17.	Individual Water Supply Schemes for PC category habitations	Gujarat	ARP	558	3864.00	0.00		0.00	In progress
18.	Mini pipe Water Supply Scheme for Tribal areas of the State	Gujarat	ARP	1257	4400.00	0.00		0.00	In progress
19.	Naswadi RWSS	Vadodara	QP	125	4942.20	0.00	6.00	6.00	In progress
20.	CZBT Part-II RWSS	Bharuch	QP	105	2920.00	879.36	73.40	952.76	To be taken up
21.	Sankheda RWSS (Part-3)	Vadodara	QP	26	521.04	0.00	21.45	21.45	In progress
22.	Dabhoi RWSS	Vadodara	QP	26	2631.55	0.00	0.00	0.00	To be taken up
23.	Savli-Agar RWSS	Narmada	QP	30	1383.19	0.00	0.00	0.00	Tender Stage
24.	Integrated Water Supply Project of Deesa, Dantiwada and Palanpur Taluka based on Dantiwada Dam Package BK-5 project	Banaskantha	QP	94	10998.88	0.00	0.00	0.00	To be taken up
25.	Remolding of Vadgam Mukteshwer RWSS of Vadgam Taluka	Banaskantha	QP	31	360.00	0.00	0.00	0.00	To be taken up
26.	Aajani	Sabarkantha	QP	3	279.89	0.00	0.00	0.00	To be taken up
27.	Individual Water Supply Schemes for QP category habitations	Gujarat	QP	97	549.41	0.00		0.00	In progress
TOTAL :				5054	61186.73	1712.64	755.19	2467.83	

### **Uranium content in drinking water in Punjab**

2175. SARDAR SUKHDEV SINGH DHINDSA: Will the Minister of DRINKING WATER AND SANITATION be pleased to state:

(a) whether a panel of experts has found recently that drinking water in Punjab's Malwa region has high uranium content which far exceeds the limit set by the Atomic Energy Regulatory Board of India (AERBI);

(b) whether Government has sent any team of experts to that region to find out the causes of uranium in water and had suggested remedial measures; and

(c) if so, the details thereof?

THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): (a) to (c) A team of scientists from Bhabha Atomic Research Centre (BARC) visited uranium affected areas in Punjab in the year 2009 and found 3 samples exceeding the Atomic Energy Regulation Board (AERB) limit of 60 ppb in drinking water sources. Subsequently, in a detailed survey conducted by the Department of Physics, Guru Nank Dev University, Amritsar and analyzed in Health Physics Centre laboratory of BARC, 42% of the 235 water samples collected and analyzed were found to contain uranium levels in excess of AERB limit. The Team of experts had observed that the uranium levels in surface water sources and filtered water from Reverse Osmosis plants were found within safe limit. In Bhatinda and Mansa districts, uranium content in water decreases with increase in depth.

Government of Punjab has informed that it has requested Baba Farid Medical University of Health Sciences, Faridkot, to carry out a detailed survey regarding uranium levels in drinking water supplied in the rural areas from surface water (canal based) and underground water (tubewell) based water supply schemes and the possibility of percolation of uranium into deeper aquifer sources.

Government of Punjab also informed that rural water supply schemes in this region are primarily based upon water drawn from canals or deep tubewells of depth more than 500 feet and there are no reports of uranium contamination in canal and deep tubewell based drinking water supply schemes.

The Ministry of Drinking Water and Sanitation released a special grant of Rs 3.80 crore to the Government of Punjab in the year 2010-11 for testing the uranium concentration in drinking water sources in all affected districts of Punjab utilizing the services of BARC approved laboratories/CSIR laboratories.

### **Sanitation facilities in the country**

2176. SHRI A.W. RABI BERNARD: Will the Minister of DRINKING WATER AND SANITATION be pleased to state:

(a) the number of households in India which do not have toilets and the percentage having access to toilet facilities;

(b) whether Government has any plan to ban open defecation in the country; and

(c) the number of Indian cities which have sewage systems and in the absence of a sewage system how things are done/managed?

THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): (a) Government of India administers the Total Sanitation Campaign (TSC), a comprehensive programme started in the year 1999 to facilitate States to ensure sanitation facilities in rural areas with the main objective of eradicating the practice of open defecation and ensuring clean environment. TSC is a demand driven project based programme taking district as a unit. TSC, at present, is being implemented in 607 rural districts of the country. The main components under the programme are incentives for Individual Household Latrines (IHHL), School Sanitation and Hygiene Education (SSHE), assistance for Community Sanitary Complex (CSC), Anganwadi toilets and Solid and Liquid Waste Management (SLWM). The total project objectives for IHHL identified under TSC are 12.57 crore, out of which 8.30 crore have been reported to be constructed as of November 2011 as per progress provided by the States through online monitoring system maintained by the Ministry. The sanitation coverage in rural areas of the country was 21.9% as per census, 2001. With the effective implementation of TSC, the sanitation coverage in rural areas of the country has increased to approximately 74% as of November, 2011. As far as urban areas are concerned, as per 65th report 2008-09 published by National Sample Survey Organisation (NSSO), 88.7% of urban population has access to sanitation facilities.

(b) There is no such proposal at present.

(c) TSC covers only the rural areas of the country and promotes only low cost decentralised onsite sanitation systems. Solid and Liquid Waste Management (SLWM) is however, an integral component of TSC with a provision for expenditure upto 10% of the project outlay. Under this component activities like common compost pits, low cost drainage, soakage channels/pits, reuse of waste water, system for collection, segregation and disposal of household garbage etc. may be taken up.

#### **Drinking water and sanitation facilities in educational institutions**

2177. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of DRINKING WATER AND SANITATION be pleased to state:

(a) whether Government has taken any step to provide pure drinking water in Government schools and Anganwadi centres as well as proper sanitation facilities specially for girls in the country;

(b) if so, the details thereof including number of schools covered in this regard, State-wise;

(c) if not, the reasons therefor; and

(d) the steps being taken by Government towards quality testing of drinking water used by students in Government schools and other educational institutions in our country, specially in Assam?

THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): (a) to (c) The Government of India administers through the States the centrally sponsored scheme, National Rural Drinking Water Programme (NRDWP) for providing financial and technical assistance to the States to supplement their efforts to provide adequate potable drinking water to the rural areas. Under NRDWP, State Governments are required to cover Government rural schools, both boys and girls schools and anganwadi centers in rural areas with drinking water from the funds provided on a 50:50 Centre : State sharing basis. Further, in order to address the problem of water quality in schools, under the Jalmani programme, installation of Stand Alone Water Purification Systems in rural schools is being implemented. The State-wise details of schools covered with water supply during 2010-11 and 2011-12 are enclosed is given in Statement-I (*See below*). The State-wise achievement under the Jalmani Programme is given in Statement-II (*See below*).

The Government of India also administers the Total Sanitation Campaign (TSC), a comprehensive programme to ensure sanitation facilities in rural areas with the main goal of eradicating the practice of open defecation and ensuring clean environment. TSC is operated in demand driven and a project mode taking district as a unit. The main components under the programme are incentives for Individual Household Latrines (IHHL), School Sanitation and Hygiene Education (SSHE), assistance for Community Sanitary Complex, Anganwadi toilets and Solid and Liquid Waste Management (SLWM). The TSC projects cover 607 rural districts of the country. Under SSHE component of TSC, the projects include provision of adequate sanitation facilities in those Government schools in the rural areas that did not have toilet facilities. TSC monitors number of school toilet units provided in schools against project objectives. As against the total project objectives of 13.15 lakh school toilet units in various rural schools under TSC, 11.62 lakh have been reported to be constructed as per progress reported by the States through on line data monitoring system maintained by the Ministry, as of November 2011. Under TSC there is a provision for separate toilets for girls and boys in all co-educational schools. State-wise status is given in Statement-III (*See below*). Also, as against the total project objectives of 5.06 lakh anganwadi toilets under TSC, 3.94 lakh toilets have been reported to be constructed.

(d) Under the Water Quality Monitoring and Surveillance Programme, the Government of India has earmarked 3% of annual allocation of NRDWP to test quality of drinking water. Funds are provided to all States including Assam, to provide field test kits and bacteriological vials to each Gram Panchayat and train 5 grass root workers so as to build their capacities in testing

quality of all drinking water sources including in schools in their jurisdiction. Positively tested samples can be referred to district/sub-district water quality testing laboratories for confirmation. Water sources are to be tested for chemical contaminants once a year and for bacteriological contaminants twice a year.

***Statement-I***

*NRDWP — Number of rural Government schools covered with drinking water supply*

Sl. No.	State	2010-11	2011-12*
1	2	3	4
1.	Andhra Pradesh	8	0
2.	Arunachal Pradesh	360	0
3.	Assam	626	593
4.	Bihar	7076	0
5.	Chhattisgarh	906	501
6.	Goa	0	0
7.	Gujarat	88	259
8.	Haryana	54	8
9.	Himachal Pradesh	0	221
10.	Jammu and Kashmir	10	48
11.	Jharkhand	5854	472
12.	Karnataka	1970	1137
13.	Kerala	200	0
14.	Madhya Pradesh	1266	1663
15.	Maharashtra	1715	5467
16.	Manipur	36	35
17.	Meghalaya	154	83
18.	Mizoram	0	0
19.	Nagaland	22	0
20.	Orissa	1948	577

1	2	3	4
21.	Punjab	67	0
22.	Rajasthan	1575	530
23.	Sikkim	9	3
24.	Tamil Nadu	2972	269
25.	Tripura	201	104
26.	Uttar Pradesh	1	0
27.	Uttarakhand	228	0
28.	West Bengal	0	0
TOTAL:		27362	11970

\*As reported by States in the Integrated Management Information System (IMIS) of the Ministry as on 9.12.2011.

***Statement-II***

*Jalmani Program — Physical Progress*

Sl. No.	State	Number of schools provided with standalone water purification units
1	2	3
1.	Andhra pradesh	3,449
2.	Bihar	3,331
3.	Chhattisgarh	370
4.	Goa	0
5.	Gujarat	9,435
6.	Haryana	80
7.	Himachal Pradesh	996
8.	Jammu and Kashmir	0
9.	Jharkhand	381
10.	Karnataka	10,869
11.	Kerala	0



1	2	3
12.	Madhya Pradesh	2,746
13.	Maharashtra	3,258
14.	Orissa	3,109
15.	Punjab	1,946
16.	Rajasthan	34
17.	Tamil Nadu	8,622
18.	Uttar Pradesh	10,668
19.	Uttarakhand	711
20.	West Bengal	804
21.	Arunachal Pradesh	251
22.	Assam	938
23.	Manipur	268
24.	Meghalaya	322
25.	Mizoram	983
26.	Nagaland	363
27.	Sikkim	176
28.	Tripura	1158
TOTAL :		65,268

***Statement-II***

*Total Sanitation Campaign (TSC)*

Sl. No.	State	Toilets for school		
		Project objectives	Project achievement	%
1	2	3	4	5
1.	Andhra Pradesh	115908	106078	91.52
2.	Arunachal Pradesh	3944	3886	98.53
3.	Assam	34772	33449	96.2

1	2	3	4	5
4.	Bihar	76581	65564	85.61
5.	Chhattisgarh	52338	49106	93.82
6.	Dadra and Nagar Haveli	0	0	0
7.	Goa	731	446	61.01
8.	Gujarat	28617	28043	97.99
9.	Haryana	9160	8865	96.78
10.	Himachal Pradesh	17863	16500	92.37
11.	Jammu and Kashmir	27277	16304	59.77
12.	Jharkhand	42687	37474	87.79
13.	Karnataka	39267	41275	100
14.	Kerala	3600	3638	100
15.	Madhya Pradesh	137730	122857	89.2
16.	Maharashtra	87452	87709	100
17.	Manipur	3919	3358	85.69
18.	Meghalaya	10331	6758	65.41
19.	Mizoram	3219	3219	100
20.	Nagaland	2972	2129	71.64
21.	Orissa	70663	67758	95.89
22.	Puducherry	26	0	0
23.	Punjab	7464	7781	100
24.	Rajasthan	68134	62686	92
25.	Sikkim	1604	1606	100
26.	Tamil Nadu	53678	40241	74.97
27.	Tripura	6833	5621	82.26
28.	Uttar Pradesh	269860	243495	90.23
29.	Uttarakhand	3925	2721	69.32
30.	West Bengal	134081	93764	69.93
TOTAL :		1314636	1162331	88.41

### Schemes for providing pure drinking water in rural areas

‡2178. SHRI OM PRAKASH MATHUR: Will the Minister of DRINKING WATER AND SANITATION be pleased to state:

- (a) the schemes being run by Government to provide pure drinking water in the rural areas;
- (b) the schemes particularly benefiting Rajasthan; and
- (c) the amount allocated to Rajasthan under this head during the last three years and the extent thereof utilised by the State?

THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): (a) and (b) The Government of India administers through the States the centrally sponsored scheme, National Rural Drinking Water Programme (NRDWP) for providing financial and technical assistance to the States, including Rajasthan, to supplement their efforts to provide adequate and potable drinking water to the rural areas. It also administers Jalmani scheme through the States for providing safe drinking water by installation of standalone water purification units in rural schools.

(c) The amounts allocated to Rajasthan under NRDWP and Jalmani during the last three years and utilized by the State are given below:—

(Rupees in crore)

Year	NRDWP (including DDP)		Jalmani	
	Allocation	Expenditure	Allocation	Expenditure
2008-09	970.13	967.95	6.89	0.00
2009-10	1036.46	671.30 *	0.00	0.00
2010-11	1165.44	852.82 *	0.00	0.04 *

\*As per Integrated Management Information System data.

### Illegal construction of IT parks in Mumbai

2179. SHRI JAI PRAKASH NARAYAN SINGH: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether Government is aware that Indiabulls Real Estate Company has started construction work on its Information Technology (IT) Parks in Mahim and Lower Parel in Mumbai violating the green environment laws;
- (b) if so, the details of violations by Indiabulls so far;

‡Original notice of the question was received in Hindi.

(c) whether Indiabulls has also ignored the warning of Maharashtra Pollution Control Board (MPCB) for illegal construction activities; and

(d) if so, the action taken or propose to be taken against the builders?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) According to the information received from the Maharashtra Pollution Control Board (MPCB), the Indiabulls Real Estate Private Limited had started construction work of IT Park in Mahim and Lower Parel areas in Mumbai without obtaining prior environmental clearance. The MPCB, therefore, had issued stop work notice to these projects in June, 2011.

(c) and (d) The construction work at both the projects in Mahim and Lower Parel, as referred in parts (a) and (b) of the question above, is stopped.

#### **Assistance under CAMPA by Andhra Pradesh**

2180. SHRI NANDI YELLAIAH: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the status of the request of the State Government of Andhra Pradesh (AP) to the Ministry for approval of the proposals for release of ` 554.58 crores from Compensatory Afforestation Fund Management and Planning Authority (CAMPA);

(b) the reasons for delay in giving approval; and

(c) by when these proposals are likely to be accorded approval, and the areas in the State identified for afforestation with CAMPA funds?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) The Government of Andhra Pradesh has reported that no proposal for release of Rs. 554.58 crores from the CAMPA has been forwarded to the Ministry of Environment and Forests.

(b) and (c) Do not arise.

#### **Hybridization of Indian onions**

2181. SHRIMATI GUNDU SUDHARANI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that Monsanto has applied to the National Biodiversity Authority (NBA) to use two varieties of Indian onions for potential hybridization;

(b) if so, when the application for processing has been submitted and when the clearance has been given by the NBA;

(c) whether any consultations have been held with the Genetic Engineering Approval Committee in this regard; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) Yes, M/s Monsanto Holding Pvt. Ltd., Mumbai has submitted an application in Form-I for access of 2 pairs of CMS lines MS 48 and MS 65, Male sterile lines (Line A) and fertile maintainer lines (Line B) of onions (25g. each), developed by Indian Institute of Horticulture Research, ICAR, Bangalore. The purpose of access is for using the male sterile lines to make hybrid combinations with their pollinators to develop new hybrids.

(b) The application was submitted on 28th June, 2011. The clearance has not been given as yet.

(c) and (d) The relevance of Genetic Engineering Approval Committee does not arise in this case, since the applicant is not seeking permission from National Biodiversity Authority for large scale field trials/commercialization.

#### **Effect of global warming on Gujarat coast line**

†2182. SHRI PARSHOTTAM KHODABHAI RUPALA:

SHRI BHARATSINH PRABHATSINH PARMAR:

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

(a) whether due to global warming the sea level of long coastal line of Gujarat is rising every year thereby posing a serious threat to some major cities and industrial units located along the coastline of Gujarat;

(b) whether the Ministry has prepared any concrete plan thereon; and

(c) if so, the details thereof and the time limit within which this work would be completed?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) As per the study of the tide gauge records of the north Indian Ocean for more than 40 years, conducted by the National Institute of Oceanography, it is observed that the sea-level rose by 1.06-1.75 millimeters per year in the past century. This estimate is consistent with the estimated global sea-level rise of 1-2 millimeters per year made by the Inter Governmental Panel on Climate Change (IPCC). The scientific studies of climate scenario for the period up to the end of the century and beyond projected likely rise in sea-level of the order of 55-60 millimeters. Specific studies on sea-level rise trends are not available for the Gujarat coast.

(b) and (c) Government of India is aware of the implications of climate change and released National Action Plan on Climate Change (NAPCC) on June 30, 2008. NAPCC includes eight National Missions, of which the National Mission on Sustainable Habitat is one of the

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†Original notice of the question was received in Hindi.

missions, which includes activities for managing coastal zone. These activities will be implemented during the Twelfth Five Year Plan.

#### **Extraction of sand in coastal regulation zones**

2183. SHRI SHANTARAM NAIK: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government has changed the guidelines or changed the Rules for the extraction of sand in Coastal Regulation Zone Areas (CRZAs) or in other areas;

(b) if so, when these new guidelines, rules etc. were issued and details of the provisions therein;

(c) whether the State Government of Goa had made any demand in this matter and to what extent they have been accepted; and

(d) what are the consequences of violation of these guidelines and the authorities who can enforced these guidelines?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) The Ministry of Environment and Forests had issued guidelines on 8th November, 2011 for removal of sand in the Coastal Regulation Zone (CRZ) area of rivers/estuaries by manual methods by traditional communities. The procedure to be followed *inter-alia* include constitution of a Seven Member Committee including a representative of local community under the chairmanship of concerned District Collector who will make recommendations for permitting the quantity of sand to be removed for given period avoiding ecologically sensitive areas.

(c) The Ministry has received requests from some State Governments including Goa for removal of sand in CRZ areas. Based on this request, the guidelines referred in parts (a) and (b) of the Question above were issued.

(d) The violations in the CRZ regulations are dealt with under the provisions of the Environment (Protection) Act, 1986, which is enforced by the concerned State/Union Territory Coastal Zone Management Authorities.

#### **Toxic waste in Union Carbide factory at Bhopal**

†2184. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether some appropriate steps have been taken by Government for clearing 346 tonnes of toxic waste lying in the premises of a factory of the Union Carbide, responsible for Bhopal gas tragedy, even after about 25 years of the occurrence of the Bhopal gas tragedy;

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†Original notice of the question was received in Hindi.

- (b) if so, the details thereof; and
- (c) the number of times tender has been given by Government for destroying this waste?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) to (c) As per the implementation schedule approved by the Union Cabinet, the responsibility for disposal of 346 MT toxic waste lying in the Union Carbide premises has been entrusted to the Government of Madhya Pradesh. The Ministry of Environment and Forests has constituted an Oversight Committee to provide oversight and support to the Government of Madhya Pradesh in this regard. On the request of Ministry of Environment and Forests, the Defence Research and Development Organization (DRDO) has agreed to undertake the safe disposal of toxic waste in its incineration facility located at Borkhedi near Nagpur. Further action in the matter is dependent upon the grant of authorization to the DRDO incinerator facility and interstate transportation No Objection Certificate to the Bhopal Gas tragedy Relief and Rehabilitation Department by the Maharashtra Pollution Control Board as required under the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008. This matter is also *sub-judice* in the Hon'ble High Court of Jabalpur at Madhya Pradesh.

#### **Encroachment of forest land in the country**

2185. SHRI KANJIBHAI PATEL: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether it is a fact that forest land has been encroached on large scale in the country;
- (b) if so, the details thereof, State/UT-wise; and
- (c) the steps being taken by Government to remove this encroachment?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) The State-wise details of forest land under encroachment is given in Statement (*See below*).

(c) The protection of forest areas is primarily the responsibility of the concerned State/Union Territory Governments under the relevant provisions of various Central/State Acts, Rules and Regulations. This Ministry provides financial assistance to the State Forest Departments under a Centrally Sponsored Scheme 'Intensification of Forest Management' to strengthen their forest protection machinery by way of infrastructure development, use of modern technology and improved communication. This infrastructural support provided to all State/UT Governments help them in demarcation of forest with boundary pillar, enhances the patrolling capabilities of frontline staff and strengthens efforts for eviction of forest land encroachers. Other efforts being made by various State Governments for removing

encroachment includes delegation of powers of Collectors to Divisional Forest officers (DFOs) under Public Premises and Land Recovery Act, constitution of special eviction squads with the help of Police and Revenue departments, and expediting the cases of forest encroachments under trials in various Courts, etc.

***Statement***

*Cases of “encroachment of forest land in the country”  
under trials in Courts*

Sl. No.	Name of States	Area under encroachment (in ha.)	As on (Date)
1	2	3	4
1.	Andhra Pradesh	2,56,000.00	11.03.2011
2.	Bihar	Nil	01.12.2010
3.	Chhattisgarh	1,18,494.60	07.03.2011
4.	Gujarat	34,791.00	31.03.2010
5.	Haryana	184.63	24.11.2011
6.	Himachal Pradesh	1,832.1403	21.03.2011
7.	Karnataka	96,014.349	14.03.2011
8.	Kerala	42,420.5085	16.05.2011
9.	Madhya Pradesh	8,077.72	27.08.2011
10.	Maharashtra	85,388	31.12.2010
11.	Orissa	78,505.077	01.01.2004
12.	Punjab	7404	23.11.2011
13.	Tamil Nadu	14,352.16	07.03.2011
14.	Uttaranchal	9,676	31.03.2010
15.	West Bengal	12,660.972	31.03.2010
16.	Arunachal Pradesh	58,553.07	04.03.2011
17.	Assam	2,59,700.00	18.03.2011
18.	Manipur	1,918.37	02.08.2011
19.	Meghalaya	9,378.00	21.03.2011



1	2	3	4
20.	Mizoram	12,057.90	01.10.2010
21.	Nagaland	2,671.86	22.11.2010
22.	Sikkim	3,300.96	27.05.2011
23.	Tripura	47,758.14	16.03.2011
24.	Andaman and Nicobar Islands	3,326.63	10.03.2011
25.	Chandigarh	14.00	11.03.2011
26.	Dadra and Nagar Haveli	613.30	22.12.2010
27.	Daman and Diu	87.83	28.09.2010
28.	Lakshadweep	Nil	16.03.2011
29.	Puducherry	Nil	

#### **Clearance to Lavasa Project**

2186. SHRI MOINUL HASSAN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government has given a clearance to the Lavasa project to go ahead with its operations;

(b) if so, the details thereof;

(c) the details of the conditions laid out by Government and whether Lavasa has agreed with them; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) The Environmental appraisal for the first phase (2000 ha.) of development of hill station project of M/s Lavasa Corporation Limited, the project proponent, at village Mulshi and Velhe Talukas, District Pune, Maharashtra, was undertaken as per the provisions of the Environment Impact Assessment (EIA) Notification, 2006. An Environmental Clearance (EC) was accorded to this project on 9th November, 2011, stipulating various environmental safeguards measures.

(c) and (d) The Environmental Clearance (EC) referred to in reply to part (a) and (b) above, was accorded after following the due procedure, considering the recommendations of the relevant Expert Appraisal Committee and the compliance status of five pre-conditions, including the action initiated by the Government of Maharashtra in regard to violation of the

Environment (Protection) Act, 1986. The conditions stipulated in the EC *inter-alia* include the restriction on hill cutting, the environmental restoration plan and the constitution of high-level Verification and Monitoring Committee as also the earmarking of funds towards the Corporate Social Responsibilities by the project proponent.

#### **Expeditious environment clearances for new industries**

2187. SHRI NARESH GUJRAL: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) the steps Government is contemplating to expedite the process of environment clearances for setting up of new industries across the country;
- (b) whether Government is planning to set up an independent administrative and control mechanism as a part of the process; and
- (c) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) The appraisal of the developmental projects, including setting up of new industries, for environmental clearance is undertaken as per the provisions of the Environmental Impact Assessment (EIA) Notification, 2006. The steps taken for expediting the environmental clearances *inter-alia* include:—

- Regular meetings of sector specific Expert Appraisal Committees;
- Continuous updating of website covering the agenda and meeting schedule, minutes of the Expert Appraisal Committees, environmental clearance letters and status of project clearances;
- Finalization of sector specific technical manuals for facilitating preparation of the Environmental Impact Assessment (EIA) Reports.

(b) and (c) There is no proposal to establish independent administrative and control mechanism as a part of the process.

#### **Measures to combat mounting e-waste in the country**

2188. SHRI S. THANGAVELU: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether the country generates 3,30,000 tonnes of e-waste, equivalent of 110 million laptops, annually;
- (b) whether the volume of e-waste generation is increasing sharply every year;
- (c) if so, whether Government is contemplating any future plan to combat the mounting e-waste in the country; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) Based on a survey carried out by the Central Pollution Control Board (CPCB), it is estimated that 1.47 lakh MT of e-waste was generated in the country in the year 2005. This is expected to increase to about 8.0 lakh MT by 2012.

(c) and (d) The Ministry of Environment and Forests has taken a number of steps to ensure environmentally sound management of e-waste in the country. These include:—

- (i) The Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008, are in place for proper management and handling of hazardous wastes including e-waste.
- (ii) The guidelines for Environmentally Sound Management of e-waste, published by CPCB, provide approach and methodology for environmentally sound management of e-waste.
- (iii) Separate e-Waste (Management and Handling) Rules, 2011 have been notified on 12th May, 2011. These Rules will come in to effect from 1st May, 2012. The concept of Extended Producer Responsibility (EPR) has been enshrined in these rules to make EPR a mandatory activity associated with the production of electronic and electrical equipments. The Extended Producer Responsibility (EPR) is an environment protection strategy that makes the producer responsible for the entire life cycle of the product, especially for take back, recycling and final disposal of the product.
- (iv) E-waste recycling can be undertaken only in facilities authorized and registered with State Pollution Control Boards/Pollution Control Committees. Waste generated is required to be sent or sold to a registered or authorized recycler or re-processor having environmentally sound facilities.
- (v) The Ministry is implementing a Scheme to provide financial assistance for setting up of treatment, disposal and storage facility for hazardous and integrated recycling facilities for E-waste on public private partnership mode.

#### **Climate Change Conference at Durban**

2189. PROF. SAIF-UD-DIN SOZ: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether there is any hope that the Climate Change Conference at Durban would bring any positive results on climate change; and

(b) the course of action India would adopt if countries such as United States, Australia, Japan, New Zealand and Canada stand together against any mandated cuts on emissions suggested under Kyoto protocol or otherwise?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) The 17th Conference of Parties (CoP-17) and the 7th session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP-7) to the United Nations Framework Convention on Climate Change (UNFCCC) were held in Durban from November 28-December 9, 2011 and expected to adopt a package of decisions *inter-alia* on the following key aspects:—

- Operationalisation of the Cancun Agreements;
- Second Commitments of the Kyoto Protocol as part of the Bali Road Map;
- Governance and operational structure for the institutional arrangements for Green Climate Fund, Technology Mechanism and the Adaptation Committee;
- Guidelines for Mitigation targets and actions of developed and developing countries, long terms sources of funding of climate change;
- Technology transfer and linkage between finance and other institution under the convention; and
- Issues relating to equity in burden sharing, intellectual property rights relating to climate technologies and unilateral trade actions.

(b) India's course of actions would be as per the principle of equity and common but differentiated responsibilities and respective capabilities of Parties as enshrined in the UNFCCC, Kyoto Protocol and Bali Action Plan.

#### **Projects pending for environmental clearance**

2190. DR. T. SUBBARAMI REDDY: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the details of the developmental projects *viz.*, Irrigation, power plants, mining etc. pending with the Ministry for environmental and forest clearance, State/UT-wise;

(b) the reasons for the pendency alongwith the period of pendency of each of these projects;

(c) the number of these projects cleared during each of the last three years and the current year, State/UT-wise;

(d) the number of projects rejected during the last three years and the current year, State/UT-wise alongwith the reasons therefor; and

(e) the steps taken/proposed to be taken for early clearance of the pending projects?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) The details of the developmental projects covering hydropower sector including irrigation, thermal power, mining, building and construction

projects and industry which are pending presently with the Ministry of Environment and Forests for environmental clearance, State and Union Territory-wise are given in Statement-I (*See below*). The details of the developmental projects covering hydropower sector including irrigation, thermal power, mining, building and road projects which are pending presently for forestry clearance, State and Union Territory-wise are given in Statement-II (*See below*).

(b) Projects awaiting environmental clearance under the Environmental Impact Assessment (EIA) Notification, 2006 are pending varying periods of time mainly due to non-submission of complete information by the project proponents in the Environmental Impact Assessment (EIA) Report and Environmental Management Plan (EMP). The main reason for proposals pending forestry clearance is the non-submission of complete information/documents by the project proponents or State Governments.

(c) The details of developmental projects covering hydropower sector including irrigation, thermal power, mining, and building and construction projects which includes housing and industry which have been granted environmental clearance by the Ministry of Environment and Forests during the last three years and during the current year; State and Union Territory-wise are given at Annexure-3. The details of the developmental projects covering hydropower sector including irrigation, thermal power, mining, building and road projects which have been approved forestry clearance, State and Union Territory-wise are given in Statement-III (*See below*).

(d) The details of developmental projects covering hydropower sector including irrigation, thermal power, mining, and building and construction projects and industry rejected environmental during the last three years and during the current year State and Union Territory-wise are given at Annexure-4. The details of the developmental projects covering hydropower sector including irrigation, thermal power, mining, building and road projects which have been rejected forestry clearance, State and Union Territory-wise are given in Statement-IV (*See below*).

(e) The steps taken for early environmental and forestry clearance include:—

- (i) Regular meetings of the Expert Appraisal Committee and Forest Advisory Committee.
- (ii) Regular updation of project status on Ministry's website for the benefit of all stakeholders.
- (iii) Sector specific Manuals have been prepared and uploaded on the Ministry website to facilitate better preparation of EIA-EMP Reports by the project proponents.
- (iv) A number of Circulars on the EIA Notification, 2006 and the process for obtaining environmental clearance have also been uploaded on the MOEF website to facilitate the project proponents in preparation of EIA-EMP reports with all relevant information.

**Statement-1**

*Sector-wise break-up of projects of various sectors received from various States/UT pending environmental clearance (as on 30.11.2011)*

State/UT	Mining	Thermal power	Hydro-power and irrigation	Building and construction	Industry
1	2	3	4	5	6
Andaman and Nicobar Islands	—	—	—	03	—
Andhra Pradesh	06	—	—	03	30
Arunachal Pradesh	—	—	03	—	—
Assam	—	—	—	12	08
Bihar	—	—	01	—	02
Chhattisgarh	11	01	—	—	06
Dadra and Nagar Haveli	—	—	—	01	01
Delhi	—	—	—	—	—
Goa	01	—	—	01	—
Gujarat	04	04	—	01	31
Haryana	01	—	—	155	04
Himachal Pradesh	—	—	02	—	01
Jammu and Kashmir	—	—	—	—	01
Jharkhand	17	04	—	03	03
Karnataka	08	02	01	—	25
Kerala	—	02	—	10	01
Madhya Pradesh	10	04	—	—	07
Manipur	—	—	01	—	—
Maharashtra	08	03	03	—	13
Meghalaya	—	—	—	01	—

1	2	3	4	5	6
Orissa	24	04	—	—	14
Punjab	—	—	—	—	05
Rajasthan	32	04	—	—	03
Sikkim	—	—	—	—	—
Tamil Nadu	04	04	—	143	06
Tripura	—	—	—	01	—
Uttarakhand	07	01	02	—	03
Uttar Pradesh	24	02	—	—	03
West Bengal	—	01	—	—	07
<b>TOTAL :</b>	<b>157</b>	<b>36</b>	<b>13</b>	<b>341</b>	<b>174</b>

***Statement-II***

*Consolidated list of projects in the sectors of mining, thermal power, hydel power, irrigation and road (infrastructure), which have been approved and rejected during the last 3 years and during the current year and the list of cases from these sectors pending as on 09.12.2011 for forestry clearance*

**Category: Thermal**

State/UT	Approved	In-principle	Rejected	Pending with-Gol	Pending with Government of India due to non-receipt of essential information sought from the State/UT Government	Total
1	2	3	4	5	6	7
Andaman and Nicobar Island	0	0	0	0	0	0

1	2	3	4	5	6	7
Andhra Pradesh	0	0	0	0	0	0
Arunachal Pradesh	0	0	0	0	0	0
Assam	0	0	0	0	0	0
Bihar	0	0	0	0	0	0
Chandigarh	0	0	0	0	0	0
Chhattisgarh	1	3	0	0	0	4
Dadra and Nagar Haveli	0	0	0	0	0	0
Daman and Diu	0	0	0	0	0	0
Delhi	0	0	0	0	0	0
Goa	0	0	0	0	0	0
Gujarat	2	0	0	0	0	2
Haryana	0	0	0	0	0	0
Himachal Pradesh	0	0	0	0	0	0
Jammu and Kashmir	0	0	0	0	0	0
Jharkhand	2	1	0	0	0	3
Karnataka	0	0	0	0	0	0
Kerala	0	0	0	0	0	0
Lakshadweep	0	0	0	0	0	0
Madhya Pradesh	2	2	0	0	0	4
Maharashtra	0	0	0	0	1	1
Manipur	0	0	0	0	0	0
Meghalaya	0	0	0	0	0	0
Mizoram	0	0	0	0	0	0
Nagaland	0	0	0	0	0	0
Orissa	1	0	0	0	0	1
Pondicherry	0	0	0	0	0	0
Punjab	0	1	0	0	0	1



1	2	3	4	5	6	7
Rajasthan	0	0	0	2	0	2
Sikkim	0	0	0	0	0	0
Tamil Nadu	0	0	0	0	0	0
Tripura	0	0	0	0	0	0
Uttar Pradesh	0	0	0	0	1	1
Uttaranchal	0	0	0	0	0	0
West Bengal	0	0	0	0	0	0
<b>TOTAL :</b>	<b>8</b>	<b>7</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>19</b>

**Category: Hydel Power**

Andaman and Nicobar Island	0	0	0	0	0	0
Andhra Pradesh	1	0	0	0	0	1
Arunachal Pradesh	1	1	0	2	2	6
Assam	1	0	0	0	0	1
Bihar	0	0	0	0	0	0
Chandigarh	0	0	0	0	0	0
Chhattisgarh	5	2	0	0	0	8
Dadra and Nagar Haveli	0	0	0	0	0	0
Daman and Diu	0	0	0	0	0	0
Delhi	0	0	0	0	0	0
Goa	0	0	0	0	0	0
Gujarat	0	0	0	0	0	0
Haryana	4	0	0	0	1	5
Himachal Pradesh	44	21	0	6	17	90
Jammu and Kashmir	0	0	0	0	0	0
Jharkhand	0	1	0	0	0	2
Karnataka	3	1	0	0	0	5

1	2	3	4	5	6	7
Kerala	2	0	0	1	1	4
Lakshadweep	0	0	0	0	0	0
Madhya Pradesh	0	0	0	0	0	0
Maharashtra	1	0	0	0	0	1
Manipur	0	1	0	1	0	2
Meghalaya	0	0	0	0	0	0
Mizoram	0	0	0	0	0	1
Nagaland	0	0	0	0	0	0
Orissa	0	0	0	1	0	2
Pondicherry	0	0	0	0	0	0
Punjab	5	1	0	0	4	10
Rajasthan	3	0	0	0	0	3
Sikkim	6	2	0	0	0	8
Tamil Nadu	1	1	0	0	0	2
Tripura	0	0	0	0	0	0
Uttar Pradesh	5	5	0	0	0	11
Uttaranchal	17	5	2	0	3	29
West Bengal	0	0	0	0	0	0
<b>TOTAL :</b>	<b>99</b>	<b>41</b>	<b>2</b>	<b>11</b>	<b>28</b>	<b>191</b>

**Category: Irrigation**

Andaman and Nicobar Island	0	0	0	0	0	0
Andhra Pradesh	14	14	0	0	1	38
Arunachal Pradesh	0	0	0	0	0	0
Assam	0	0	0	0	0	0
Bihar	0	2	0	0	0	2
Chandigarh	0	0	0	0	0	0

1	2	3	4	5	6	7
Chhattisgarh	9	22	0	0	4	45
Dadra and Nagar Haveli	0	0	0	0	0	0
Daman and Diu	0	0	0	0	0	0
Delhi	0	0	0	0	0	0
Goa	1	0	0	0	1	2
Gujarat	6	11	0	0	0	25
Haryana	3	4	0	0	4	11
Himachal Pradesh	1	3	0	0	1	6
Jammu and Kashmir	0	0	0	0	0	0
Jharkhand	1	0	0	1	2	4
Karnataka	3	6	0	0	2	14
Kerala	1	0	0	0	0	1
Lakshadweep	0	0	0	0	0	0
Madhya Pradesh	18	20	0	2	4	64
Maharashtra	48	43	5	4	8	188
Manipur	0	1	0	0	0	1
Meghalaya	0	0	0	0	0	0
Mizoram	0	0	0	0	0	0
Nagaland	0	0	0	0	0	0
Orissa	8	4	0	0	0	12
Pondicherry	0	0	0	0	0	0
Punjab	0	2	0	0	0	2
Rajasthan	7	8	0	2	0	21
Sikkim	0	0	0	0	0	0
Tamil Nadu	0	0	0	0	0	0
Tripura	1	0	0	0	0	1

1	2	3	4	5	6	7
Uttar Pradesh	6	3	0	0	0	12
Uttaranchal	7	2	0	0	1	10
West Bengal	0	0	1	0	0	3
<b>TOTAL :</b>	<b>134</b>	<b>145</b>	<b>6</b>	<b>9</b>	<b>28</b>	<b>462</b>

**Category: Road**

Andaman and Nicobar Island	1	1	3	1	0	6
Andhra Pradesh	19	16	0	12	7	65
Arunachal Pradesh	32	43	0	3	6	84
Assam	8	3	0	0	0	11
Bihar	32	50	0	10	8	102
Chandigarh	0	0	0	0	2	2
Chhattisgarh	4	1	0	0	1	6
Dadra and Nagar Haveli	3	18	0	0	0	25
Daman and Diu	1	0	0	0	0	1
Delhi	1	1	0	0	0	2
Goa	0	1	0	0	1	2
Gujarat	143	73	0	6	37	296
Haryana	112	58	0	3	72	259
Himachal Pradesh	164	77	1	7	123	387
Jammu and Kashmir	0	0	0	0	0	0
Jharkhand	7	2	1	1	2	13
Karnataka	4	16	0	2	0	24
Kerala	0	1	0	1	0	3
Lakshadweep	0	0	0	0	0	0
Madhya Pradesh	35	17	0	3	10	71

1	2	3	4	5	6	7
Maharashtra	17	15	0	1	4	43
Manipur	0	3	0	1	3	7
Meghalaya	3	0	0	0	1	5
Mizoram	0	1	0	1	2	4
Nagaland	0	0	0	0	0	0
Orissa	2	6	0	0	0	8
Pondicherry	0	0	0	0	0	0
Punjab	87	50	0	8	40	189
Rajasthan	40	38	0	3	6	103
Sikkim	32	23	0	0	0	55
Tamil Nadu	14	16	0	0	4	38
Tripura	1	1	0	0	2	4
Uttar Pradesh	149	79	1	7	20	300
Uttaranchal	589	202	100	24	72	1058
West Bengal	7	6	0	0	0	13
<b>TOTAL :</b>	<b>1507</b>	<b>818</b>	<b>106</b>	<b>94</b>	<b>423</b>	<b>3186</b>

***Statement-III***

*Details of Sector-wise and State/UT-wise break-up of projects granted environmental clearance during the past three years and during current year*

State/UT	Thermal power	Hydro-power and irrigation	Mining	Building and construction	Industry
1	2	3	4	5	6
Andaman and Nicobar Islands	—	—	—	—	—
Andhra Pradesh	26	01	67	24	196
Arunachal Pradesh	—	07	—	—	04

1	2	3	4	5	6
Assam	01	—	01	08	50
Bihar	03	—	—	04	23
Chhattisgarh	21	01	43	04	75
Chandigarh	—	—	—	07	—
Dadra and Nagar Haveli	—	—	—	—	06
Daman and Diu	—	—	—	—	12
Delhi	01	—	—	66	—
Goa	01	—	50	24	10
Gujarat	15	—	28	07	437
Haryana	04	01	02	109	23
Himachal Pradesh	—	08	02	02	15
Jammu and Kashmir	—	01	02	—	04
Jharkhand	08	—	49	01	59
Karnataka	05	02	55	02	72
Kerala	—	—	—	94	05
Madhya Pradesh	10	03	57	08	39
Maharashtra	27	06	57	112	158
Manipur	—	01	—	—	—
Meghalaya	01	01	01	—	10
Mizoram	—	—	—	—	01
Orissa	16	02	104	06	76
Punjab	04	—	—	51	21
Pondicherry	—	—	—	—	—
Rajasthan	08	01	88	24	54
Sikkim	—	04	—	—	—
Tamil Nadu	26	—	11	76	73

1	2	3	4	5	6
Tripura	—	—	—	—	03
Uttarakhand	03	04	13	10	34
Uttar Pradesh	06	02	02	15	17
West Bengal	05	01	14	01	105
<b>TOTAL :</b>	191	46	646	655	1600

***Statement IV***

*Details of proposals rejected environmental clearance during  
2008-2010 and during the current year*

State/UT	Mining	Thermal power	Hydro- power and irrigation	Building and construction	Industry
1	2	3	4	5	6
Andaman and Nicobar Islands	—	—	—	—	—
Andhra Pradesh	—	—	—	—	—
Arunachal Pradesh	—	—	—	—	—
Assam	—	—	—	—	—
Bihar	—	—	—	—	—
Chhattisgarh	02	—	—	—	—
Daman and Diu	—	—	—	—	—
Delhi	—	—	—	—	—
Goa	02	—	—	—	—
Gujarat	03	—	—	—	—
Haryana	—	—	—	—	—
Himachal Pradesh	—	—	—	—	—
Jammu and Kashmir	—	—	—	—	—
Jharkhand	01	—	—	—	—
Karnataka	02	01	—	—	—

1	2	3	4	5	6
Kerala	—	—	—	—	—
Madhya Pradesh	—	—	—	—	—
Maharashtra	02	—	—	—	—
Meghalaya	—	—	—	—	—
Orissa	—	—	—	—	—
Pondicherry	—	—	—	—	—
Punjab	—	—	—	—	—
Rajasthan	06	—	—	—	—
Sikkim	—	—	—	—	—
Tamil Nadu	—	—	—	—	—
Tripura	—	—	—	—	—
Uttarakhand	—	—	—	—	—
Uttar Pradesh	—	—	—	—	—
West Bengal	—	—	—	—	—
<b>TOTAL :</b>	<b>18</b>	<b>01</b>	<b>—</b>	<b>—</b>	<b>—</b>

#### Meeting of MEF in Washington

2191. DR. K.V.P. RAMACHANDRA RAO: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that a meeting of Major Economies Forum (MEF) was held recently in Washington, United States of America (USA) to discuss the present climate treaty; and

(b) if so, the details thereof, and the decisions arrived at?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) A Major Economies Forum (MEF) Meeting was held in Washington, D.C. on November 17-18, 2011, to discuss about various issues on climate change which are to be negotiated against the backdrop of the 17th session of the Conference of the Parties (COP 17) and the 7th session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP-7), held during November 28 to December 9, 2011 in Durban, South Africa.



The meeting was in the nature of exchange of views among the world's major economies. No decision was taken at this meeting. However, it was emphasized for a balanced package of decisions in Durban including key areas like operational aspects of the Cancun Agreements, second period commitments under the Kyoto Protocol, operation of the Green Climate Fund, Long-term finance and guidelines for Monitoring, Reporting and Verification.

#### **Conservation of Great Indian Bustard**

2192. SHRI V.P. SINGH BADNORE: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) the details of number of Great Indian Bustard (GIB) in the country, State-wise;
- (b) whether the Great Indian Bustard is on the verge of extinction in the country;
- (c) if so, the details of programme being taken up for its survival, and increasing its population;
- (d) whether any fund has been given to Desert National Park, (Rajasthan) for this species existence and survival; and
- (e) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) As per the information available in the Ministry, the total population of Great Indian Bustard in the country is estimated to be 296. The State-wise details of estimated number of Great Indian Bustard in the country are as follows:—

Sl. No.	Name of State	Estimated Population (no. of individuals)
1	Rajasthan	175
2	Gujarat	30
3	Madhya Pradesh	10
4	Maharashtra	46
5	Andhra Pradesh and Karnataka	35

(b) and (c) According to the IUCN Red List of Threatened Species for birds, the Great Indian Bustard is on the brink of extinction and is now listed as 'Critically Endangered' species. The population of Great Indian Bustard has drastically reduced in the past few years due to several factors such as habitat loss and degradation, and illegal hunting.

Great Indian Bustard has been identified as one of the species under component-*“Recovery programme for saving critically endangered species and habitats”* of the Centrally Sponsored Scheme ‘Integrated Development of Wildlife Habitats’, wherein financial assistance is given for recovery programme of the species. Further, the Central Government has constituted a Task Force to formulate an action plan for the conservation of Great Indian Bustard and Florican species in India.

(d) and (e) Funds have been released to the Government of Rajasthan for the Desert National Park under the Centrally Sponsored Scheme— ‘Integrated Development of Wildlife Habitats’ for various activities, including protection of Great Indian Bustard and its habitat. Details of funds released for the Desert National Park during the last three years as well as the current year are as follows:—

Name of the Protected Area	Year	Amount released (Rs. in lakh)
Desert National Park, Rajasthan	2008-09	22.84
	2009-10	34.13
	2010-11	28.05
	2011-12	20.18
TOTAL:		105.2

#### Extinction of birds in the country

2193. SHRI KANWAR DEEP SINGH: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether a number of birds are on the verge of extinction in the country;
- (b) if so, the details thereof alongwith the names of birds; and
- (c) the steps taken/being taken by Government in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) As per the report of the scientific institutions like Wildlife Institute of India, Dehradun, Bombay Natural History Society, Mumbai and Salim Ali Centre for Ornithology and Natural History, Coimbatore, the IUCN Red List version 2010.1 indicates 14 Critically Endangered species of birds from India. The details of the bird species reported from India which are listed as Critically Endangered are given in Statement (See below).

(c) The important steps taken for protecting the endangered birds of India are given below:—

- (i) Rare and endangered birds are included in Schedule-I of the Wild Life (Protection) Act, 1972 thereby according them highest degree of protection.

- (ii) Stringent punishments have been provided for in the Wild Life (Protection) Act, 1972 for violation of the provisions of the Act.
- (iii) Important habitats of birds, including endangered and migratory birds have been notified as Protected Areas under the Wild Life (Protection) Act, 1972 for better conservation and the protection of birds and their habitats.
- (iv) Financial and technical assistance is provided to the State/Union Territory Governments for protection and management of the Protected Areas.
- (v) The State/Union Territory Governments have been requested to strengthen the field formations and intensify patrolling in and around the protected areas.
- (vi) Wildlife Crime Control Bureau has been established for control of illegal trade in wildlife, including endangered species of birds, and their parts and products.
- (vii) India is signatory to all major international conventions relating to conservation and management of wildlife, including endangered species of birds. These are Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on International Trade in Endangered Species of Wild Fauna and Flora and Ramsar Convention on Wetlands of International Importance.
- (viii) The Sub-committee constituted under National Board for Wildlife, has developed Guidelines for Threatened Species Recovery Plan and has also identified Great Indian Bustard, Jerdon's Courser and Nicobar Megapode as threatened bird species, for conservation and better management of their habitats on priority basis.
- (ix) Research and monitoring activities on birds are promoted by the Government through reputed research organizations. Wildlife Institute of India, Bombay Natural History Society and Salim Ali Center for Ornithology and Natural History are some of the research organizations engaged in research for conservation of birds.

### ***Statement***

*Details of bird species reported from India which are listed as Critically  
Endangered in IUCN Red List version 2010*

Sl. No.	Common Name	Scientific Name	Family	Status
1	2	3	4	5
1.	White-rumped Vulture	<i>Gyps bengalensis</i>	Accipitridae	CR
2.	Indian Vulture	<i>Gyps indicus</i>	Accipitridae	CR

1	2	3	4	5
3.	Slender-billed Vulture	<i>Gyps tenuirostris</i>	Accipitridae	CR
4.	Red-headed Vulture	<i>Sarcogyps calvus</i>	Accipitridae	CR
5.	Pink-headed Duck	<i>Rhodonessa caryophyllacea</i>	Anatidae	CR
6.	White-bellied Heron	<i>Ardea insignis</i>	Ardeidae	CR
7.	Sociable Lapwing	<i>Vanellus gregarius</i>	Charadriidae	CR
8.	Christmas Frigatebird	<i>Fregata andrewsi</i>	Fregatidae	CR
9.	Jerdon's Courser	<i>Rhinoptilus bitorquatus</i>	Glareolidae	CR
10.	Siberian Crane	<i>Grus leucogeranus</i>	Gruidae	CR
11.	Bengal Florican	<i>Houbaropsis bengalensis</i>	Otididae	CR
12.	Himalayan Quail	<i>Ophrysia superciliosa</i>	Phasianidae	CR
13.	Spoon-billed Sandpiper	<i>Eurynorhynchus pygmeus</i>	Scolopacidae	CR
14.	Forest Owlet	<i>Heteroglaux blewitti</i>	Strigidae	CR

CR: Critically Endangered.

#### Pamba action plan in Kerala

2194. PROF. P.J. KURIEN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- whether Government has approved Pamba action plan for the river Pamba in Kerala;
- if so, the details thereof;
- the reasons for the inordinate delay in its implementation; and
- the action Government has taken in this regard?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) to (d) The Pamba Action Plan for abatement of pollution of river Pamba in Kerala was sanctioned in May, 2003 for an amount of Rs. 18.45 crore under the National River Conservation Plan (NRCP) on 70:30 cost sharing basis between the Central and State Governments. Central share in the project is Rs. 12.92 crore and State Government share Rs. 5.53 crore. The project includes sewerage system and sewage treatment plants, bathing ghats, community toilets, public participation etc. at Pamba and Sabrimala. So far the non-core works namely bathing ghat, public awareness and community toilets have been

completed under the plan. However, major core works are yet to be commenced by the State. Against the Central Government's share, Rs. 2.78 crore has been released to the State. A total expenditure of Rs. 7.68 crore has been reported on completion of non-core works.

The implementation of this project has been delayed due to non-availability of the required land and delays in tendering process. To expedite progress of project, the Central Government has pursued the matter several times with the State Government.

#### **Forest clearance to coal mines and thermal power projects**

2195. SHRI MANGALA KISAN: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether Government has any information regarding the number of the coal mines and thermal power projects given forest clearance by the Ministry from 2005 onwards till 31 July, 2011; and

(b) if so, the details of the total forest land diverted for coal mining and thermal power projects, area-wise and project-wise?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) and (b) Central Government during the period from 2005 onward till 31st July, 2011 accorded 148 approvals under the Forest (Conservation) Act, 1980 for diversion of 36,185.185 hectares of forest land for coal mining (including renewal of mining leases) and thermal power projects. Project-wise and area-wise detail of the same is given in Statement.

#### ***Statement***

*A. Details of coal mining projects for which final/stage-II approval under the forest (Conservation) Act, 1980 has only been accorded during the period from 2005 onward till 31st July, 2011 (i.e. in-principle/stage-I approval was accorded prior to 2005)*

Sl. No.	Name of Project/Project Proponent	State	District	Area diverted (ha.)
1	2	3	4	5
1.	Venkatesh Khani coal mine project of M/s Singareni Collieries Company Limited (SCCL)	Andhra Pradesh	Khammam	11.96
2.	Shanti Khani extension coal mining project of M/s SCCL	Andhra Pradesh	Adilabad	290.77
3.	Gouthami Khani (Phase-I) coal mining project of M/s SCCL	Andhra Pradesh	Khammam	161.31

1	2	3	4	5
4.	Cenetary incline at Yellandu of M/s SCCL	Andhra Pradesh	Khammam	4.77
5.	Coal mining project in Namchik-Namphuk coal fields of M/s Arunachal Pradesh Mineral Development Corporation Limited	Arunachal Pradesh	Changlang	39.02
6.	Khasmahal opencast coal mining project of M/s Central Coalfields Limited (CCL)	Jharkhand	Bokaro	174.48
7.	Urimari opencast project of M/s CCL	Jharkhand	Hazaribagh	91.04
8.	Parej opencast coal mining project of M/s. CCL	Jharkhand	Hazaribagh	50.62
9.	Topa opencast coal mining project of M/s. CCL	Jharkhand	Hazaribagh	77.30
10.	Pundi opencast coal mining project of M/s. CCL	Jharkhand	Hazaribagh	52.97
11.	Argada underground coal mining project of M/s. CCL	Jharkhand	Hazaribagh	90.10
12.	Giddi C opencast coal mining project of M/s CCL	Jharkhand	Hazaribagh	237.30
13.	Sirka opencast coal mining project of M/s CCL	Jharkhand	Hazaribagh	50.80
14.	Sarubera opencast coal mining project of M/s CCL	Jharkhand	Hazaribagh	196.55
15.	Opencast coal mining project of M/s CCL	Jharkhand	Hazaribagh	166.90
16.	Kuju coal mining project of M/s CCL	Jharkhand	Hazaribagh	115.00
17.	Govindpur-II opencast coal mining project of M/s CCL	Jharkhand	Bokaro	148.167
18.	Tarni opencast coal mining project of M/s CCL	Jharkhand	Giridih	55.06
19.	Piparwar opencast coal mining project of M/s CCL	Jharkhand	Hazaribagh	43.3
20.	Opencast coal mining project of M/s WCL in Damua Region	Madhya Pradesh	Chindwara	8.5

1	2	3	4	5
21.	Durgapur open cast coal mining project of M/s WCL	Maharashtra	Chandrapur	80.77
22.	Jagannath extension opencast coal mining project of M/s Mahanadi Coalfields Limited	Orissa	Angul	58.096
23.	Jagannath extension opencast coal mining project of M/s Mahanadi Coalfields Limited	Orissa	Angul	58.096
24.	Coal mining project of M/s Mahanadi Coalfields Limited	Orissa	Sundergarh	227.89
Sub-Total of Area Diverted				2,490.769

*B. Details of coal mining projects for which both in-principle and final approvals under the Forest, (Conservation) Act, 1980 were accorded during the period from 2005 onward till 31st July, 2011*

Sl. No.	Name of Project/Project Proponent	State	District	Area diverted (ha.)
1	2	3	4	5
1.	Koyagudem-OCP-II coal mining project of M/s SCCL	Andhra Pradesh	Khammam	231.94
2.	Gdk-9, Vakilpally Block-A, 10 and 10A inclines in Ramagundam-II Opencast Project-I of M/s SCCL	Andhra Pradesh	Karimnagar	412.40
3.	Gouthami Khani open cast project of M/s SCCL	Andhra Pradesh	Khammam	154.96
4.	Yellandu OCP-II coal mining project of M/s SCCL	Andhra Pradesh	Khammam	42.50
5.	Manauguru coal mining project of M/s SCCL.	Andhra Pradesh	Khammam	175.69
6.	Goleti-I incline underground mining block of M/s SCCL	Andhra Pradesh	Adilabad	83.77
7.	Khairaguda OCP coal mining project of M/s SCCL	Andhra Pradesh	Adilabad	126.71

1	2	3	4	5
8.	Indaram extension coal mining project of M/s SCCL	Andhra Pradesh	Adilabad	180.88
9.	Khairaguda coal mining project of M/s SCCL	Andhra Pradesh	Nizamabad	29.85
10.	Baroud expansion opencast mining project of M/s South Eastern Coalfields Limited (SECL)	Chhattisgarh	Raigarh	123.899
11.	Haldibari underground mining project of M/s SECL	Chhattisgarh	Koera	205.60
12.	Amera opencast coal mining project of M/s SECL	Chhattisgarh	Sarguja	51.989
13.	Gevera opencast coal mining project of M/s SECL	Chhattisgarh	Korba	100.898
14.	Coal Mining project of M/s Prakash Industries Limited	Chhattisgarh	Janjgir	960.286
15.	Chirimiri colliery project of M/s SECL	Chhattisgarh	Koriya	989.40
16.	Dhori coal mining project of M/s Central Coalfields Limited (CCL)	Jharkhand	Bokaro	70.568
17.	Sayal 'd' coal mining project of M/s CCL	Jharkhand	Hazaribagh	192.32
18.	Dhori Khas coal mining project of M/s CCL	Jharkhand	Bokaro	172.20
19.	Karma, opencast mining project of M/s CCL	Jharkhand	Hazaribagh	132.28
20.	K.D. Hesalong coal mining project of M/s CCL	Jharkhand	Ranchi	28.95
21.	Pakribarwadih coal project of M/s NTPC	Jharkhand	Hazaribagh	1026.44
22.	Churi underground mining project of CCL	Jharkhand	Ranchi	312.76
23.	Coal Mining project of M/s CCL	Jharkhand	Hazaribagh	531.64
24.	Magadh open cast project of M/s CCL	Jharkhand	Hazaribagh	96.72
25.	Mandu coal block of M/s CCL	Jharkhand	Hazaribagh	213.52



1	2	3	4	5
26.	Sikni coal mining project of M/s Jharkhand State Mineral Development Corporation	Jharkhand	Latehar	46.986
27.	Block-B, Gorbi Coal mining project of M/s Northern Coalfield Limited (NCL)	Madhya Pradesh	Sidhi	447.00
28.	Bina coal mining project of M/s NCL	Madhya Pradesh	Sidhi	378.935
29.	Barkuhi block coal mining project of M/s WCL	Madhya Pradesh	Chindwara	63.606
30.	Coal mining project of M/s WCL in Navegaon	Madhya Pradesh	Chindwara	63.282
31.	Coal mining project of M/s WCL	Madhya Pradesh	Chindwara	68.704
32.	Urdhan open cast mine of M/s WCL	Madhya Pradesh	Balaghat	78.069
33.	Pathakheda (Tawa mines) project of M/s WCL	Madhya Pradesh	Betul	2.275
34.	Muher and Muher Amlori block coal mining project of M/s Sasan Ultra Mega Power Project	Madhya Pradesh	Sidhi	1064.02
35.	Muher and Muher Amlori block coal mining project of M/s Sasan Ultra Mega Power Project (OB dump)	Madhya Pradesh	Singrauli	133.19
36.	Coal mining project of M/s Prism Cement Limited.	Madhya Pradesh	Chindwara	205.53
37.	Durgapur Rayawari colliery of M/s WCL	Maharashtra	Chandrapur	462.43
38.	Coal mining project of M/s WCL	Maharashtra	Chandrapur	136.54
39.	Belgaon underground coal mines project M/s Sunflag Iron and Steel Company Limited	Maharashtra	Nagpur	55.91
40.	Hindustan Lalpeth Colliery of M/s WCL	Maharashtra	Chandrapur	44.30
41.	Samaleswari coal mining project of M/s Mahanadi Coalfields Limited (MCL)	Orissa	Jharsuguda	145.82

1	2	3	4	5
42	Nandira coal mining project of M/s MCL	Orissa	Angul	325.38
43	Natraj coal mining project of M/s MCL	Orissa	Angul	289.856
44	Utkal-B coal Block of M/s Jindal Steel and Power Ltd.	Orissa	Angul	33.722
SUB-TOTAL OF AREA DIVERTED :				10,693.73

*C. Details of coal mining projects for which in-principle/stage-I approval under the Forest (Conservation) Act, 1980 has only been accorded during the period from 2005 onward till 31st July, 2011*

Sl. No.	Name of Project/Project Proponent	State	District	Area diverted (ha.)
1	2	3	4	5
1.	Coal mining project of M/s Singareni Collieries Company Limited (SCCL)	Andhra Pradesh	Khammam	136.50
2.	Coal mining project of M/s SCCL	Andhra Pradesh	Adilabad	1105.00
3.	Manuguru coal mining project of M/s SCCL	Andhra Pradesh	Hyderabad	477.03
4.	Coal mining project of M/s SCCL	Andhra Pradesh	Khammam	10.05
5.	Ravindra Khani opencast Project Phase-I of M/s SCCL	Andhra Pradesh	Adilabad	202.50
6.	Rajgamar underground coal mining project of M/s South Eastern Coalfields Limited (SECL)	Chhattisgarh	Korba	461.80
7.	West Chirimiri Colliery of M/s SECL	Chhattisgarh	Koriya	170.352
8.	Koriya colliery of M/s SECL	Chhattisgarh	Koriya	232.337
9.	Coal mining projects in Chirimiri area of M/s SECL	Chhattisgarh	Koriya	1253.91
10.	Coal Mining projects in Chirimiri area of M/s SECL	Chhattisgarh	Koriya	205.888
11.	Kuresia colliery of M/s SECL	Chhattisgarh	Koriya	469.496

1	2	3	4	5
12.	North Chirimiri colliery of M/s SECL	Chhattisgarh	Koriya	550.00
13.	Katkona colliery of M/s SECL	Chhattisgarh	Koriya	549.94
14.	Gevra opencast mining project of M/s SECL	Chhattisgarh	Korba	46.198
15.	Dipka expansion opencast coal mine project of M/s SECL	Chhattisgarh	Korba	148.866
16.	Gevra opencast mining project of M/s SECL	Chhattisgarh	Korba	192.046
17.	Dipka expansion open cast mining project of M/s SECL	Chhattisgarh	Korba	206.638
18.	Gevra opencast coal mining project of M/s SECL	Chhattisgarh	Korba	564.885
19.	Coal mining project of M/s SECL	Chhattisgarh	Korba	20.00
20.	Rajnagar coal mining project of M/s SECL	Chhattisgarh	Koriya	4.20
21.	Gare-palma block coal mining project of M/s Jayaswal NECO Limited	Chhattisgarh	Raigarh	224.22
22.	Manikpur opencast mine of M/s SECL	Chhattisgarh	Korba	181.177
23.	Durgapur-II Taraimar Coal Block of M/s Bharat Aluminum Company Limited	Chhattisgarh	Korba	365.056
24.	Deepika expansion opencast coal mining project of M/s. SECL	Chhattisgarh	Raipur	33.84
25.	Coal Mining project of M/s SECL	Chhattisgarh	Koriya	256.545
26.	Churcha coal mine project of M/s SECL	Chhattisgarh	Koriya	2600.30
27.	M/s Jindal Steel and Power Limited.	Chhattisgarh	Raigarh	93.566
28.	Gare Pelma Sector-III coal block of M/s Goa Industrial Development Corporation.	Chhattisgarh	Raigarh	197.727
29.	Parsa East and Kente Basan captive coal block of M/s Rajasthan Rajya Vidhyut Utpadan Limited	Chhattisgarh	Sarguja	1898.33
30.	Rajgamar underground coal mine project of M/s SECL	Chhattisgarh	Korba	419.34

1	2	3	4	5
31.	Coal Mining project of M/s Chhattisgarh State Electricity Board	Chhattisgarh	Sarguja	948.256
32.	Tara coal block of M/s Chhattisgarh Mineral Development Corporation Limited	Chhattisgarh	Sarguja	2301.26
33.	Birsa open cast project of M/s Central Coalfields Limited (CCL)	Jharkhand	Hazaribagh	226.51
34.	Konar opencast coal mining project of M/s CCL	Jharkhand	Bokaro	288.26
35.	Jharkhand opencast mining project of M/s CCL	Jharkhand	Hazaribagh	6.59
36.	Tokisud north captive coal mine M/s GVK (Govindwal Sahib) Limited	Jharkhand	Hazaribagh	374.87
37.	Chitra opencast coal mining project of M/s Eastern Coalfield Limited	Jharkhand	Deoghar	124.28
38.	Khasmahal phase-II open cast mining project of M/s CCL	Jharkhand	Bokaro	26.94
39.	Saunda 'D' coal mining project of M/s CCL	Jharkhand	Hazaribagh	99.69
40.	Opencast coal mining project of M/s Bharat Coking Coal Limited (BCCL)	Jharkhand	Dhanbad	234.08
41.	Badam coal mining project of M/s Tenughat EMTA Coal Mines Limited	Jharkhand	Hazaribagh	150.49
42.	Urimari opencast coal mining project of M/s CCL	Jharkhand	Hazaribagh	49.97
43.	Chatti-bariatu coal mining project M/s NTPC	Jharkhand	Hazaribagh	128.92
44.	Brinda-Sisai Coal Mining Project of M/s Abhijeet Infrastructure Limited	Jharkhand	Chatra	49.07
45.	Hura 'C' coal mine project of M/s Eastern Coalfields Limited (ECL).	Jharkhand	Godda	260.00
46.	Haldibari underground coal mining project of M/s SECL	Madhya Pradesh	Anoopur	120.00

1	2	3	4	5
47.	Kapildhara underground coal mining project of M/s SECL	Madhya Pradesh	Shahdol	4.96
48.	Pathakheda-2 coal mining project of M/s WCL	Madhya Pradesh	Betul	4.943
49.	Rajnagar coal mining project of M/s SECL	Madhya Pradesh	Balaghat	123.56
50.	Amelia (north) coal block of M/s Madhya Pradesh State Mining Corporation Limited	Madhya Pradesh	Sidhi	728.75
51.	Coal mining project of M/s WCL	Madhya Pradesh	Chindwara	247.176
52.	Coal mining project of M/s WCL	Madhya Pradesh	Chindwara	9.50
53.	Harradol underground coal mining Project of M/s WCL	Madhya Pradesh	Neemuch	40.70
54.	New-Jharia coal mining project of M/s SECL	Madhya Pradesh	Shahdol	6.31
55.	Hindustan Lalpeth Colliery of M/s WCL	Maharashtra	Chandrapur	216.25
56.	Majra coal mining project of M/s Gondwana Ispat Limited	Maharashtra	Chandrapur	50.47
57.	Coal mining project of M/s Orissa Mining Corporation Limited	Orissa	Angul	137.02
58.	Coal mining project of M/s Bhusan Power and Steel Limited	Orissa	Sundergarh	58.92
59.	Utkal-C coal block of M/s Utkal Coal Limited	Orissa	Angul	149.00
60.	Lakhanpur opencast project of M/s Mahanadi Coalfields Limited	Orissa	Jharasguda	84.239
61.	Opencast coal mining project of M/s Bengal EMTA Coal Mines Limited	West Bengal	Birbhum	4.89
SUB-TOTAL OF AREA DIVERTED				20,533.61

*D. Details of thermal power projects in respect of which final/stage-II approval under the Forest (Conservation) Act, 1980 has only been accorded during the period from 2005 onward till 31st July, 2011 (i.e. in-principle/stage-I approval was accorded prior to 2005)*

Sl. No.	Name of Project/Project Proponent	State	District	Area diverted (ha.)
1.	Construction of dam on river Kurkut for 1000 MW Thermal Power Plant of M/s Jindal Power Limited	Chhattisgarh	Raigarh	179.059
2.	1000 MW Maithan Right Bank Thermal Power Project of M/s Damodar Valley	Jharkhand	Dhanbad	176.611
SUB-TOTAL OF AREA DIVERTED				355.67

*E. Details of thermal power projects in respect of which both in-principle and final approvals under the Forest (Conservation) Act, 1980 were accorded during the period from 2005 onward till 31st July, 2011*

Sl. No.	Name of Project/Project Proponent	State	District	Area diverted (ha.)
1.	Korba super thermal power station for ash dyke stage-III of M/s NTPC	Chhattisgarh	Korba	85.514
2.	2x (250-300) MW thermal power project in favour of Chhattisgarh State Development Board	Chhattisgarh	Korba	111.811
3.	Ash dyke pond and hot water channel by Gujarat Electricity Board	Gujarat	Jam Nagar	96.50
4.	4,000 MW Mundra Ultra Mega Power Project	Gujarat	Kutch	130.00
5.	Const. of railway siding facilities for (2x300) MW D.C.R. Thermal Power Plant	Haryana Nagar	Yamuna	2.30
6.	Ash disposal system of Bokaro 'B' Thermal Power Station of M/s Damodar Valley Corporation	Jharkhand	Bokaro	65.00
7.	2 x 500 MW Koderma Super Thermal Power Plant in favour of M/s Damodar Valley Corporation	Jharkhand	Koderma	155.1498

1	2	3	4	5
8.	4000 MW Tilaiya Ultra Mega Power Project (UMPP) in favour of M/s Jharkhand Integrated Power Limited.	Jharkhand	Hazaribagh	494.11
9.	New ash bund of Satpura Thermal Power Station of M/s Madhya Pradesh Power Generating Company Limited	Madhya Pradesh	Betul	111.00
10.	Sasan Ultra Mega Power Project (UMPP)	Madhya Pradesh	Sidhi	320.938
11.	1050 MW coal fired Thermal power Plant of M/s GMR Energy Ltd.	Orissa	Dhenkanal	32.092
12.	Laying of pipe line for Barsingsar Lignite mining cum Thermal Power Project	Rajasthan	Bikaner	13.941
13.	Gas based thermal power project of M/s Tripura Power Development Corporation Private Limited	Tripura	Tripura (South)	77.87
SUB-TOTAL OF AREA DIVERTED :				1,696.226

*F. Details of thermal power projects in respect of which in-principle/stage-I approval under the Forest (Conservation) Act, 1980 has only been accorded during the period from 2005 onward till 31st July, 2011*

Sl. No.	Name of Project/Project Proponent	State	District	Area diverted (ha.)
1.	Construction of ash bund for 2x210 MW Hasdeo Thermal Power Station of Chhattisgarh Rajya Vidhyut Mandal	Chhattisgarh	Korba	116.664
2.	North Karanpura Super Thermal Power Station of M/s NTPC limited	Jharkhand	Chatra	101.922
3.	Thermal Power Project of M/s S.J.K. Powergen Limited	Madhya Pradesh	Shahdol	66.294
4.	Malwa thermal power station of Madhya Pradesh Power Generating Company Limited	Madhya Pradesh	Khandwa	130.30
SUB-TOTAL OF AREA DIVERTED :				415.18

### Classification of coal mining areas

2196. SHRI PARIMAL NATHWANI: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) the details of the issue of Go-No-Go classification of coal mining areas;
- (b) whether there has been difference of opinion between the Ministry of Coal and the Ministry on this issue;
- (c) if so, the details thereof;
- (d) whether these differences have been ironed out; and
- (e) if so, the latest position on this issue?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN): (a) To facilitate objective, informed and transparent decision on diversion of forest land for coal mining projects, Ministry of Environment and Forests (MoEF) on the suggestion from the Ministry of Coal jointly undertaken a study in nine major coal fields, namely the Talcher, IB Valley, Mandiraigarh, Sohagpur, Wardha, Singrauli, North Karanpura, West Bokaro and Hasdeo and the coal blocks located in these coalfields were classified into following two categories:

- (a) Unfragmented forest landscapes having gross forest cover (GFC) more than 30 per cent and weighted forest cover (WFC) more than 10 per cent, named as category-A or 'No-Go' area.
- (b) Fragmented forest landscapes having GFC less than 30 % and WFC less than 10%, named as category-B or 'Go' area.

Detail of extent of area covered under the said study and the area classified as 'Go' and 'No-Go' etc. is given in Statement (*See below*).

(b) to (e) The Ministry of Coal is of the view that the MoEF should consider all coal blocks without reference to Go — No Go areas, as per the current statutes and stipulations for according forest clearances. The MoEF is however, of the view that classification of coal blocks into 'Go' — 'No Go' category, though has only indicative value, the exercise undertaken by the MoEF on the initiative of Ministry of Coal has clearly prioritized the forest areas that may be considered for diversion for coal mining by causing least possible damage to the forests and wildlife and hence, it needs to be taken into account while granting approvals under the Forest (Conservation) Act, 1980.

The Cabinet Committee on Infrastructure while considering the note dated 26.11.2010 and supplementary note dated 10.12.2010 from the Ministry of Coal regarding "Need for making available more coal bearing areas for enhancing coal production" in its meeting held on 13.01.2011, directed that all pertinent issues may, in the first instance, be considered by a Group of Ministers (GoM), and thereafter, the matter be brought before the Committee. The Cabinet Secretariat *vide* their Memorandum dated 3rd February, 2011 constituted a GoM under the Chairmanship of Shri Pranab Mukherjee, Minister of Finance. Matter is still under consideration of the GoM.



***Statement***

*Details of the extent of area covered and area classified as ‘no go’ etc. as per a study undertaken jointly by the Ministry of Coal and the Ministry of Environment and Forests in nine major coalfields in the country*

Sl. No.	Coalfield	State	Total blocks		Blocks classified as ‘No Go’		Blocks classified as ‘Go’	
			No. of blocks	Area (ha.)	No. of blocks	Area (ha.)	No. of blocks	Area (ha.)
1.	Talcher	Orissa	82	80,400	07	10,200	75	70,200
2.	IB Valley	Orissa, Chhattisgarh	49	51,600	16	21,300	33	30,300
3.	Mandiraigarh	Chhattisgarh	80	1,18,200	48	77,900	32	40,300
4.	Sohagpur	Chhattisgarh/Madhya Pradesh	110	1,27,550	12	22,550	98	105,000
5.	Wardha	Maharashtra	113	82,900	09	34,900	104	48,000
6.	Singrauli	Madhya Pradesh/Uttar Pradesh	46	66,800	20	31,000	26	35,800
7.	North Karanpura	Jharkhand	63	60,600	12	21,300	51	39,300
8.	West Bokaro	Jharkhand	39	14,800	9	3,300	30	11,500
9.	Hasdeo	Chhattisgarh	20	45,883	20	45,883	0	0
TOTAL :			602	6,48,733	153	2,68,333	449	3,80,400

### Rise in NAPs of SBI

2197. SHRI R.C. SINGH:

SHRI D. RAJA:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the total gross Non-Performing Assets (NPAs) of State Bank of India (SBI) has shot up from ` 23,205 crore as on September 30, 2010 to ` 33,946 crore as on September 30, 2011; and

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

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) and (b) Yes, Sir. The detailed break-up of Non-Performing Assets (NPAs) of the State Bank of India (SBI) is as under:—

(Rs. in crores)		
Segment	30.09.2010	30.09.2011
Commercial and Institutional	7,826	3,252
Small Scale Industry	2,502	3,006
Small Business Finance	2,654	6,832
Agriculture	3,718	13,545
Personal (Retail)	4,549	4,870
Foreign Offices	1,956	2,441
<b>TOTAL:</b>	<b>23,205</b>	<b>33,946</b>

SBI has taken a number of steps to cope up with this situation. Some of the important steps are as under:—

(i) **Controlling fresh accretion to NPAs:**

- Identification and review of Special Mention Accounts (SMA) has been put in place for early diagnosis of the problems with appropriate time bound action.
- Focused attention is given to Restructuring/Reschedulement of eligible accounts, which are technically viable and economically feasible.
- Account tracking Centres have been set up to focus on prevention of probable NPAs slipping into NPAs.

(ii) **Resolution of NPAs:**

- All recovery measures, already in vogue, are being seriously reviewed and followed up.

- Credit cum Recovery camps are being organised.
- Involving Business Correspondents, Business Facilitators and Self Help Group in recovery of Agricultural NPAs.
- Performance of Enforcement Agent is being followed up for quick recovery of overdues.

#### **Loan defaulters**

2198. SHRI MANGALA KISAN: Will the Minister of FINANCE be pleased to state:

(a) the names and details of persons who have defaulted on loans to public sector banks to the tune of ` 100 crores and above; and

(b) by when Government will take steps to recover that amount?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) The details of loan defaulters having outstanding amount of Rs. 100 crore and above (Non-suit filed accounts) in case of Public Sector Banks, as reported to Reserve Bank of India as on March 31, 2011, are as under:—

No. of defaulters	Amount
21	3661.04 crore

Section 45E of the Reserve Bank of India Act, 1934 prohibits the RBI for disclosing 'credit information' except in the manner provided therein.

Further, in accordance with the practices and usages customary amongst the banks and in conformity with provisions of statutes governing the financial institutions as also the provisions of the Public Financial Institutions (Obligations as to Fidelity and Secrecy) Act, 1983, information relating to the names of individual defaulters is not divulged.

As intimated by RBI, the number of suit-filed accounts of Rs. 1 crore and above, as maintained by CIBIL, is 3,379 involving an amount of Rs. 21,428.80 crore. The information pertaining to suit filed cases can be accessed at the website of CIBIL at

(b) To improve the health of financial sector, to reduce the NPAs, to improve asset quality of the banks and to create a good recovery climate, Reserve Bank of India (RBI) and the Government have already taken various steps over the years, which, *inter-alia*, include prescribing prudential norms for provisioning and classification of non-performing assets, guidelines for prevention of slippages, Corporate Debt Restructuring and other restructuring schemes, One Time Settlement schemes, enactment of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002, the Credit Information Companies (Regulation) Act, 2005 and the Recovery of Debts due to Banks and

Financial Institutions (DRT) Act, 1993 and Central Registry of Securitisation Asset Reconstruction and Security Interest of India (CERSAI), which has been operationalised *w.e.f.* 31st March, 2011.

#### **Issuing of new banking licences**

2199. SHRI RAMDAS AGARWAL: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that banking licences are set to be issued shortly in the country by Government;

(b) if so, the criteria likely to be followed by Government in issuing new banking licences;

(c) whether Government would prefer issuing licences through auction in order to keep complete transparency; and

(d) if so, the details thereof including total number of such licences issued so far?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (d) The Finance Minister, in his budget speech on February 26, 2010, announced that granting new licenses to private sector players would be considered by the Reserve Bank. With a view to examining the need, if any, to issue revised guidelines for bank licensing, a discussion paper — marshalling the international practices, the Indian experience as also the extant ownership and governance guidelines — was prepared by RBI and placed on its website for wider comments and feedback in August, 2010. After examining the comments/suggestions received, RBI has issued draft guidelines for licensing of new banks in the private sector on 29.08.2011. RBI has informed that it would issue the final guidelines after taking views/suggestions of various stakeholders.

#### **Operation of ATMs through private operators**

†2200. SHRI RASHEED MASOOD: Will the Minister of FINANCE be pleased to state:

(a) whether Government has formulated a policy to operate ATMs through private operators; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) and (b) As per the extant branch authorization policy of the Reserve Bank of India (RBI), general permission has been granted to all the Scheduled Commercial Banks to install ATMs/Mobile ATMs at the location of their choice and the banks are not required to take prior permission of RBI for setting up of ATMs.

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†Original notice of the question was received in Hindi.

### **Liquidity needs of the Indian economy**

2201. SHRI SYED AZEEZ PASHA: Will the Minister of FINANCE be pleased to state:

(a) whether Government has noted the reluctance of international financial markets and European banks to lend to “emerging economies” like India;

(b) whether this reluctance will tighten liquidity in the Indian economy;

(c) the steps proposed by Government to meet the liquidity needs of the Indian economy;

(d) whether Government has miscalculated the severity of the Euro zone economic crisis and put strain on the Indian economy; and

(e) the steps proposed by Government to review its policies?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) Sovereign debt crisis in euro zone is straining capital base and liquidity position of euro zone banks as they are among the largest investors in sovereign bonds. To shore up liquidity, capital base as well as to meet stricter capital requirements, banks are expected to curtail credit including lending to emerging economies.

(b) and (c) To augment supply of foreign exchange in the country, the recent policy initiatives include *inter alia*, increase in all-in-cost ceiling for trade credits; liberalization of External Commercial Borrowing (ECB) norms; requirement to bring into the country proceeds of ECB raised abroad for Rupee expenditure; raising of FII investment limit in corporate and Government securities and raising of interest rates on Non-Resident Indian Deposits.

(d) and (e) The Finance Ministry has been keeping a close watch on the situation. The Subcommittee of the Financial Stability and Development Council (FSDC) headed by the Governor, Reserve Bank of India is also making continuous assessment in the matter.

### **Installation of note sorting machines in all bank branches**

2202. SHRI N.K. SINGH: Will the Minister of FINANCE be pleased to state:

(a) the details regarding instances of counterfeit currency being dispensed through ATMs during the year 2009-10;

(b) whether by March, 2010, banks had been advised to use note sorting machines in all their branches having average daily cash receipts of ₹ 1 crore and above;

(c) whether the banks have adhered to the above advice in order to eliminate fake currency;

(d) if so, the details thereof; and

(e) if not, the reasons therefor and by when such machines will be installed in all banks?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) Reserve Bank of India (RBI) has reported that there were 15 complaints received in RBI regarding receipt of counterfeit currency notes through ATM during the period from 1.7.2009 to 31.10.2011 as detailed are given in Statement (*See below*). All the complaints have been disposed in appropriate manner.

(b) Yes.

(c) to (e) RBI has reported that the details regarding adherence to the advice by banks as on March 31, 2011 are given as under:—

Sl. No.	No. of Non-chest branches having daily cash receipts of Rs. 1 crore and above	No. of branches having NSMs
1.	1518	1273

RBI has reported that regarding the remaining 245 branches, the banks have reported making suitable arrangements to ensure that all notes in the denomination of Rs. 100 and above are processed through machines conforming to the standards/parameters prescribed by RBI from time to time before issuing them over their counters or through ATMs.

***Statement***

*Complaints received in RBI regarding receipt of counterfeit currency notes through ATM from 1.7.2009 till 31.10.2011*

Sl. No.	Name of the complainant	Brief nature of complaint
1	2	3
1.	Shri Ashis Dasgupta	Receipt of forged note in withdrawal across the counter of Allahabad Bank Ubbuddalpur Branch, Kolkata.
2.	Shri Purnendu Raut	Receipt of forged note of Rs. 500 from ATM of Punjab National Bank
3.	Shri Safdar Ulde	Receipt of suspect notes of Rs. 100 and Rs. 500 through ATM of Canara Bank, Kausa

1	2	3
4.	Shri G. Hubert Vino	Impounding of Rs. 1000 denomination note by ICICI Bank Ltd. from the amount deposited by the complainant. The notes were initially withdrawn from ATM of SBI.
5.	Shri Mukal Ranjan	Receipt of forged note of Rs. 500 denomination in the cash withdrawn through ATM of State Bank of Hyderabad, Mira Road. The note was detected while depositing the cash at Shamrao Vithal Cooperation Bank, Mira Road
6.	Shri Sunil Padda	Rs. 500 notes dispensed with from ATM in Bangalore
7.	Shri Harjinder Singh	Received fake notes from ATM of Oriental Bank of Commerce and State Bank of India
8.	Shri Balasubramaniam Iyyar	Rs. 1000/- note (1) note dispensed with from ATM of ICICI Bank Ltd. at Magarpatta Branch
9.	Shri Usharani Raut	One note of Rs. 500 dispensed with from ATM of HDFC Bank
10.	Shri R.K. Patnaik	One note of Rs. 500 dispensed with from the ATM of State Bank of India, Kandagiri
11.	Shri Deependra Chauhan	Received one note of Rs. 500/- from the ATM of SBI, Ranipur
12.	Shri R. Jayaprakash	Fake currency notes through ATMs of SBI Hyderabad
13.	Shri Manohar	Issue of fake notes from an ATM of PNB
14.	Shri Sandeep	Banks issuing fake notes from ATMs
15.	Shri Sivaji Kashyap	Fake note from ATM of CITI Bank

#### **Review of charges for services**

2203. SHRI A. ELAVARASAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government had written to all departments to review charges for services like issue of passports, public works, security, patent and copy right etc. where the cost of delivery was higher than the revenue generated;

(b) if so, whether this move is to maximize non-tax revenue from services which comprise about half of the total non-tax revenue; and

(c) if so, the details thereof and follow up actions taken by Government?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) Yes, Sir.

(b) The review of non-tax revenue rates is part of a continuous process and the purpose is to keep the rates in line with cost of delivery of services.

(c) As follow up action, meetings with select Ministries like Urban Development, External Affairs, Commerce etc. were held in the months of June-July, 2011 and November, 2011. Assistance of Chief Adviser (Costs) has been taken in Ministries to assess the cost of delivery of services. These Ministries have also nominated nodal officers to liaise with Chief Adviser (Costs).

#### **Irregularities in fund allocation under loan waiver scheme**

†2204. SHRIMATI HEMA MALINI:

SHRI PRABHAT JHA:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that ` 70,000 crore had been allocated by Government under the farmers' loan-waiver scheme in the year 2008;

(b) if so, the details of allocation thereof, State-wise;

(c) whether any case of irregularity in the allocation of funds under loan waiver scheme had come to the notice of Government; and

(d) if so, the details thereof and the action taken, so far this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (d) The bank-wise details of fund released by Government of India for implementation of Agricultural Debt Waiver and Debt Relief Scheme (ADWDRS) in respect of Public Sector Banks, Private Sector Banks and Local Area Banks are given in Statement-I (*See below*). The State-wise details in respect of Regional Rural Banks and Cooperative Banks are given in Statement-II (*See below*).

The Government of India (GoI) has so far released an amount of Rs. 52419.88 crore to the lending institutions as reimbursement under the Scheme.

The Government of India had made the Reserve Bank of India (RBI) the nodal agency for the implementation of the Scheme by the Public Sector Banks and the National Bank for Agriculture and Rural Development (NABARD), the nodal agency for the implementation of the Scheme by Regional Rural Banks and Cooperative Banks. As per the guidelines for the Scheme, there was a decentralized grievance redressal mechanism for dealing with complaints right down to the branch level of the banks.

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†Original notice of the question was received in Hindi.



***Statement***

*Consolidated claim for the amount in respect of debt waiver received  
from Public Sector Banks*

Sl. No.	Name of the bank	Total amount paid (Actual amount Rs. in lakh)	
	Public Sector Banks	Debt waiver	Debt relief
1	2	3	4
1.	State Bank of India	530736.08	100723.63
2.	SB of Bikaner and Jaipur	40230.44	23879.67
3.	State Bank of Hyderabad	54423.21	15949.31
4.	State Bank of Indore (SBI)	16147.16	11666.45
5.	State Bank of Mysore	24045.87	5713.85
6.	State Bank of Patiala	14202.19	4971.86
7.	State Bank of Travancore	32422.58	1154.84
8.	Allahabad Bank	104180.47	12297.44
9.	Andhra Bank	74696.08	13058.67
10.	Bank of Baroda	50518.79	11668.70
11.	Bank of India	63921.85	11705.44
12.	Bank of Maharashtra	21928.06	8200.85
13.	Canara Bank	126016.64	14255.41
14.	Central Bank of India	97854.32	14777.05
15.	Corporation Bank	11413.00	3008.59
16.	Dena Bank	7717.48	4431.81
17.	IDBI Bank	2728.35	763.44
18.	Indian Bank	45900.69	5757.21
19.	Indian Overseas Bank	57734.79	0.00
20.	Oriental Bank of Commerce	37008.09	8281.155
21.	Punjab National Bank	114727.84	18976.90

1	2	3	4
22.	Punjab and Sind Bank	4772.26	1413.47
23.	Syndicate Bank	73686.47	15042.14
24.	Union Bank of India	73878.57	11707.19
25.	United Bank of India	21119.44	27.85
26.	UCO Bank	53633.36	4246.52
27.	Vijaya Bank	14711.56	3555.75
TOTAL:		1770355.79	327235.32

*Consolidated claim for the amount in respect of debt waiver/debt relief  
received from Private Sector Banks*

(Amount Rs. in lakh)

Sl. No.	Name of the bank	Total amount paid	
	Public Sector Banks	Debt waiver	Debt relief
1	2	3	4
1.	Bank of Rajasthan Ltd. (ICICI)	531.20	119.95
2.	Catholic Syrian Bank Ltd.	259.64	19.58
3.	City Union Bank Ltd.	975.53	124.05
4.	Dhanalakshmi Bank Ltd.	435.54	15.09
5.	Federal Bank Ltd.	1570.19	1824.68
6.	HDFC Bank Ltd.	289.60	0.00
7.	ICICI Bank Ltd.	25495.38	2079.51
8.	Karnataka Bank Ltd.	2321.27	913.29
9.	Karur Vysya Bank Ltd.	3474.91	241.87
10.	Kotak Mahindra Bank Ltd.	50.53	8.92
11.	Lakshmi Vilas Bank Ltd.	1758.99	354.69
12.	Nainital Bank Ltd.	262.51	65.75
13.	Ratnakar Bank Ltd.	299.62	103.19

1	2	3	4
14.	South Indian Bank Ltd.	952.48	0.00
15.	Tamilnad Merc Bank Ltd.	686.30	296.02
16.	Axis Bank Ltd.	4718.99	1973.37
17.	ING Vysya Bank Ltd.	3872.01	810.08
18.	Jammu and Kashmir Bank Ltd.	2059.60	136.85
TOTAL :		59014.37	9086.97

Sl. No.	Name of the local area bank	Total final claim	
		Debt waiver	Debt relief
1.	Subhadra Local Area Bank	10.73	3.07
2.	Coastal Local Area Bank Ltd.	17.37	1.90
3.	Krishna Bhima Samruddhi LAB Ltd.	93.30	2.98
4.	Capital Local Area Bank Ltd.	0.00	52.49
TOTAL :		121.40	60.46
	Urban Cooperation Banks	34037.35	1857.49
	Public Sector Bank	1770355.79	327235.32
	Private Sector Bank	59014.37	9086.97
	LABs	121.40	60.46
	UCBs	34037.35	1857.49
TOTAL :		1863528.93	338240.25
GRAND TOTAL :			
	Waiver		1863528.93
	Relief		338240.25
			2201769.18

**Statement-II**

*Statement of Debt Waiver and Debt Relief claims released to RRBs and Co-operative Bank under ADWDRS-2008 — Position as on 30.10.2011\**

(Rs. in lakh)

Sl. No.	Name of the State/ Bank	Debt Waiver		DW GRAM		Debt Relief		DR GRM		Total	
		No. of A/cs	Amount	No. of A/cs	Amount	No. of A/cs	Amount	No. of A/cs	Amount	No. of A/cs	Amount
1	2	3	4	5	6	7	8	9	10	11	12
<b>a. Consolidated Position</b>											
	SCBs	11004893	1557348.69	107268	6307.31	1768968	265107.68	0	0.00	12881129	1828763.68
	SLDBs	1662285	337332.81	24238	5078.22	247657	38991.35	221	27.07	1934401	381429.45
	RRBs	3361799	602636.93	12470	2632.77	500388	91282.50	2340	345.32	3876997	696897.52
	<b>TOTAL:</b>	<b>16028977</b>	<b>2497318.43</b>	<b>143976</b>	<b>14018.3</b>	<b>2617013</b>	<b>395381.53</b>	<b>2561</b>	<b>372.39</b>	<b>18692627</b>	<b>2907090.66</b>
<b>1. Andaman and Nicobar Islands</b>											
	SCB	715	81.33	0	0	0	0.00			715	81.33
	SLDB (No. LDB)	0	0.00	0	0	0	0.00			0	0.00
	RRBs (No. RRB)	0	0.00	0	0	0	0.00			0	0.00
	<b>SUB TOTAL:</b>	<b>715</b>	<b>81.33</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>			<b>716</b>	<b>81.33</b>

1	2	3	4	5	6	7	8	9	10	11	12
<b>2. Andhra Pradesh</b>											
SCB		2485515	346051.30	228	82.62	261611	32073.15			2747354	378207.07
SLDB (No. LDB)		0	0.00	0	0	0	0.00			0	0.00
RRBs		535066	100827.12	51	6.49	107011	19547.25			642128	120380.86
SUB TOTAL:		3020681	446878.42	279	89.11	368622	61620.40			3389482	498687.93
<b>3. Arunachal Pradesh</b>											
SCB		11320	237.05	0	0	29	5.39			11349	242.44
SLDB (No. LDB)		0	0.00	0	0	0	0.00			0	0.00
RRBs		1013	235.12	37	17.27	0	0.00			1050	252.39
SUB TOTAL:		12333	472.17	37	17.27	29	6.39			12399	494.83
<b>4. Assam</b>											
SCB		13576	880.30	0	0	19	5.36			13595	885.66
SLDB		95	48.38	0	0	13	2.68			108	51.06
RRBs		72253	8188.57	0	0	681	66.81			72934	8255.38
SUB TOTAL:		85924	9117.26	0	0	713	74.85			86637	9192.10

**5. Bihar**

SCB	317028	33783.51	4673	624.48	0	0.00	0	0.00	321701	34407.99
SLDB	15583	3458.80	0	0	324	202.13	0	0.00	15907	3660.93
RRBs	449669	77263.74	5	80.61	14701	2344.20	2228	325.30	466603	80013.85
SUB TOTAL:	782280	114506.06	4678	706.09	15026	2546.33	2228	325.30	804211	118082.77

**6. Delhi**

SCB	453	254.55	0	0	100	47.61			553	302.16
SLDB (No. LDB)	0	0.00	0	0	0	0.00			0	0.00
RRBs (No. RRB)	0	0.00	0	0	0	0.00			0	0.00
SUB TOTAL:	453	264.56	0	0	100	47.61			553	302.16

**7. Goa**

SCB	2907	478.32	1	0.14	131	18.25			3039	496.71
SLDB (No. LDB)	0	0.00	0	0	0	0.00			0	0.00
RRBs (No. RRB)	0	0.00	0	0	0	0.00			0	0.00
SUB TOTAL:	2907	478.32	1	0.14	131	18.25			3039	496.71

**8. Gujarat**

SCB	314448	77357.08	0	20.7	128148	29872.08			442596	107249.86
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1	2	3	4	5	6	7	8	9	10	11	12
	SLDB	9941	4680.91	0	0	0	1544.78			9941	6225.69
	RRBs	28709	4772.67	8	7.15	10425	2062.43			39142	6842.25
	SUB TOTAL :	353098	86810.66	8	27.86	138673	33479.29			491679	120317.80

**9. Haryana**

	SCB	261229	82961.49	164	43.63	91582	16180.97			352975	99186.09
	SLDB	49310	19496.26	19	102.69	10094	2054.23			59423	21653.18
	RRBs	18991	6875.07	28	17.05	7423	2402.53			26442	9294.65
	SUB TOTAL :	329530	109332.82	211	163.37	109099	20637.73			438840	130133.92

**10. Himachal Pradesh**

	SCB	113836	16699.30	64	20.64	567	123.98			114467	16843.92
	SLDB	10986	3897.64	0	0	1060	224.76			12046	4122.40
	RRBs	8294	1594.96	1	0.46	133	18.37			8428	1613.79
	SUB TOTAL :	133116	22191.90	66	21.1	1760	367.11			134941	22580.11

**11. Jammu and Kashmir**

	SCB	17929	2742.71	0	0	0	0.00			17929	2742.71
	SLDB	576	443.55	0	0	72	19.68			648	463.23

RRBs	5414	1054.91	0	0	0	0.00	5414	1054.91
SUB TOTAL :	23919	4241.17	0	0	72	19.68	23991	4260.85

#### 12. Jharkhand

SCB	36736	4930.30	0	0	0	0.00	36736	4930.30
SLDB (No. LDB)	0	0.00	0	0	0	0.00	0	0.00
RRBs	168733	14018.35	52	2.26	2680	215.03	171465	14235.64
SUB TOTAL :	205469	18948.66	52	2.26	2680	215.03	208201	19166.94

#### 13. Karnataka

SCB	164964	30715.88	9998	3447.25	20005	2441.31	194967	36604.44
SLDB	77456	9057.36	501	19.52	25780	3000.82	103737	12077.70
RRBs	239423	67485.87	240	82.79	135125	24077.86	374788	91646.52
SUB TOTAL :	481843	107259.11	10739	3549.56	180910	29519.99	673492	140328.66

#### 14. Kerala

SCB	524756	91669.78	73673	441.77	2580	691.38	600909	92802.93
SLDB	126723	18196.36	0	0	3642	594.56	130365	18790.92
RRBs	126669	36135.28	17	10.86	1136	290.46	127822	36436.60
SUB TOTAL :	778148	146001.42	73690	462.63	7368	1676.40	869096	148030.46



1	2	3	4	5	6	7	8	9	10	11	12
<b>15. Madhya Pradesh</b>											
SCB		870103	100567.04	0	0	158037	18160.02			1028140	118727.06
SLDB		115394	33233.21	1103	585.87	43311	6655.71			159808	40474.79
RRBs		77202	16216.19	1517	383.23	41101	7664.99			119820	24264.41
SUB TOTAL :		1062699	150016.44	2620	969.1	242449	32480.72			1307768	183466.26
<b>16. Chhattisgarh</b>											
SCB		270165	18244.97	1463	0	93812	8752.02	0	0.00	365440	26996.99
SLDB		10226	1869.04	582	79.13	4869	924.62	221	27.07	15898	2899.86
RRBs		52147	6844.54	2	0.43	9718	1667.98	2	0.54	61869	8513.49
SUB TOTAL :		332538	26958.55	2047	79.56	108399	11344.62	223	27.61	443207	36410.34
<b>17. Maharashtra</b>											
SCB		2197706	377078.07	1492	398.77	647075	109274.47			2846273	486751.31
SLDB		98687	29189.53	0	0	37834	4370.14			136521	33559.67
RRBs		72044	12031.97	455	78.36	38597	7198.26			111096	19308.59
SUB TOTAL :		2368437	418299.67	1947	477.13	723506	120842.87			3093890	639619.57

**18. Manipur**

SCB	41210	2019.53	0	0	105	50.56	41315	2070.09
SLDB	30	21.20	23	15.17	2	0.58	55	36.95
RRBs	16780	221.80	0	0	32	7.34	16812	229.14
SUB TOTAL:	58020	2262.53	23	16.17	139	58.48	68182	2336.18

**19. Meghalaya**

SCB	4855	500.08	0	0	20	3.61	4875	503.69
SLDB (No. LDB)	0	0.00	0	0	0	0.00	0	0.00
RRBs	5673	843.40	0	0	5	0.16	5678	843.56
SUB TOTAL:	10528	1343.48	0	0	25	3.77	10553	1347.25

**20. Mizoram**

SCB	1550	433.04	0	0	0	0.00	1550	433.04
SLDB (No. LDB)	0	0.00	0	0	0	0.00	0	0.00
RRBs	5510	1358.04	0	0	310	7.98	5820	1366.02
SUB TOTAL:	7060	1791.08	0	0	310	7.98	7370	1799.06

**21. Nagaland**

SCB	10813	1072.94	0	0	0	0.00	10813	1072.94
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1	2	3	4	5	6	7	8	9	10	11	12
	SLDB (No. LDB)	0	0.00	0	0	0	0.00			0	0.00
	RRBs	1091	191.68	0	0	5	1.93			1096	193.61
	SUB TOTAL :	11904	1264.62	0	0	6	1.93			11909	1266.55

#### 22. Pondicherry

	SCB	6713	1344.09	0	0	129	13.13			6842	1357.22
	SLDB	303	172.12	0	0	0	0.00			303	172.12
	RRBs	0	0.00	0	0	0	0.00			0	0.00
	SUB TOTAL :	7016	1516.21	0	0	129	13.13			7145	1529.34

#### 23. Orissa

	SCB	1038201	126393.54	186	40.42	14798	1728.74			1053185	128162.70
	SLDB	92130	13458.13	3583	711.98	1834	229.71			97547	14399.82
	RRBs	325836	40536.30	6544	815.41	14736	2308.37			347116	43660.08
	SUB TOTAL :	1456167	180387.97	10313	1567.81	31368	4266.82			1497848	186222.60

#### 24. Punjab

	SCB	90	24213.58	1	0.56	12472	1943.03			12563	26157.17
	SLDB	27	12468.78	0	0	18181	3246.94			18208	15715.72

RRBs	6	2260.06	5	5.82	2564	728.85			2575	2994.73
SUB TOTAL :	123	38942.42	6	6.38	33217	5918.82			33346	44867.62

#### 25. Rajasthan

SCB	378957	57040.73	1182	205.62	284565	37997.72	0	0.00	664704	95244.07
SLDB	109768	29056.18	1429	434.71	54413	9809.18	0	0.00	165610	39300.07
RRBs	113816	24460.11	109	39.75	39932	7924.67	1	0.20	153858	32424.73
SUB TOTAL :	602541	110557.02	2720	680.08	378910	56731.57	1	0.20	984172	166968.87

#### 26. Tamil Nadu

SCB	90264	12538.42	3	0.79	13442	1806.07			103709	14345.28
SLDB	0	0.00	0	0	0	0.00			0	0.00
RRBs	41991	6345.39	6	0.64	5641	916.11			47638	7262.14
SUB TOTAL :	132255	18883.81	9	1.43	19083	2722.18			151347	21607.42

#### 27. Sikkim

SCB	529	82.69	0	0	7	1.50			536	84.19
SLDB (No. LDB)	0	0.00	0	0	0	0.00			0	0.00
RRBs (No. RRB)	0	0.00	0	0	0	0.00			0	0.00
SUB TOTAL :	529	82.69	0	0	7	1.50			536	84.19

1	2	3	4	5	6	7	8	9	10	11	12
<b>28. Tripura</b>											
SCB		18553	3199.21	0	25.12	0	0.00			18553	3224.33
SLDB		987	250.40	0	0	5	0.58			992	250.98
RRBs		7280	638.66	0	0	24	2.34			7304	641.00
SUB TOTAL:		26820	4088.27	0	25.12	29	2.92			26849	4116.31
<b>29. Uttar Pradesh</b>											
SCB		1067922	79492.97	1793	137.51	37684	3622.92	0	0.00	1107399	83253.40
SLDB		894908	149207.99	16996	3128.48	46079	6090.92	0	0.00	957983	158427.39
RRBs		844366	157494.12	3364	1079.13	67165	11630.34	109	19.28	915004	170222.87
SUB TOTAL:		2807196	386195.08	22153	4345.12	150928	21344.18	109	19.28	2980386	411903.66
<b>30. Uttaranchal</b>											
SCB		72048	6933.81	37	6.22	1661	198.98			73746	7139.01
SLDB (No. LDB)		0	0.00	0	0	0	0.00			0	0.00
RRBs		9790	1273.71	0	0	725	96.93			10515	1370.64
SUB TOTAL:		81838	8207.52	37	6.22	2386	295.91			84261	8509.65

### 31. West Bengal

SCB	669802	57351.08	12410	811.07	389	95.43			682601	58257.58
SLDB	49155	9126.97	2	0.67	144	19.33			49301	9146.97
RRBs	134033	13469.30	29	5.06	518	101.31			134580	13575.67
SUB TOTAL :	852990	79947.35	12441	816.8	1051	216.07			866482	80980.22
GRAND TOTAL	16028977	2497318.43	143976	14018.3	2517013	395381.63	2561	372.39	18692527	2907090.65

\*Provisional Figures. Subject to revision on account of refunds received from Banks and disbursement.

SLB : Scheduled Commercial Bank

SLDB : State Land Development Bank

RRB : Regional Rural Bank

### Impact of rupee depreciation on foreign trade

†2205. SHRI MOHAN SINGH: Will the Minister of FINANCE be pleased to state:

- (a) whether value of Indian Rupee is constantly decreasing in comparison to American Dollar;
- (b) if so, the impact of rupee depreciation on foreign trade;
- (c) whether the Reserve Bank of India (RBI) is going to take steps for strengthening rupee; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) The value of Rupee has declined by 14.6 per cent from the level of ` 43.94 per US\$ on July 27, 2011 to ` 51.46 per US\$ on December 07, 2011.

(b) In the long run, the Rupee fall is expected to benefit exporters through higher export earnings and the economy through lower trade deficit. However, there may be detrimental effect in the short run through making imports more expensive in Rupee terms.

(c) and (d) to augment supply of foreign exchange in India, the recent policy initiatives include *inter alia*, increase in all-in-cost ceiling for trade credits; liberalization of External Commercial Borrowing norms; requirement to bring into the country proceeds of ECBs raised abroad for Rupee expenditure; raising of FII investment limit in corporate and Government securities and raising of interest rates on Non-Resident Indian Deposits.

### Participation of PM in G-20 Summit

†2206. DR. YOGENDRA P. TRIVEDI:

SHRI MOHAN SINGH:

Will the Minister of FINANCE be pleased to state:

- (a) whether Prime Minister participated in the summit of G-20 countries organized in Cannes in France;
- (b) if so, the outcome of discussions held on improving the deteriorating conditions of currencies around the world and relieving economies free from pressure;
- (c) whether concerns were also expressed on rising employment, growing population and decreasing production in these countries; and
- (d) if so, the group decision taken to resolve these problems?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) Yes, Sir.

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†Original notice of the question was received in Hindi.

(b) Agenda of the discussion included; (i) Global economic situation; (ii) Action Plan for Growth and Jobs (Framework); (iii) Reform of the International Monetary System; (iv) Development Trade; (v) Global governance; (vi) Financial Regulation; (vii) Agriculture Energy Climate; (viii) Social dimension — fight against corruption. On currencies and exchange rates, Leaders decided as follows:—

“We have made progress in reforming the international monetary system to make it more representative, stable and resilient. We have agreed on actions and principles that will help reap the benefits from financial integration and increase the resilience against volatile capital flows. This includes coherent conclusions to guide us in the management of capital flows, common principles for cooperation between the IMF and Regional Financial Arrangements, and an action plan for local currency bond markets. We agree that the SDR basket composition should continue to reflect the role of currencies in the global trading and financial system. The SDR composition assessment should be based on existing criteria, and we ask the IMF to further clarify them. To adjust to currencies’ changing role and characteristics over time, the composition of the SDR basket will be reviewed in 2015, or earlier, as currencies meet the existing criteria to enter the basket. We are also committed to further progress towards a more integrated, even-handed and effective IMF surveillance and to better identify and address spill-over effects. While continuing with our efforts to strengthen surveillance, we recognize the need for better integration of bilateral and multilateral surveillance, and we look forward to IMF proposals for a new integrated decision on surveillance early next year, and for increased ownership and traction.

We affirm our commitment to move more rapidly toward more market-determined exchange rate systems and enhance exchange rate flexibility to reflect underlying economic fundamentals, avoid persistent exchange rate misalignments and refrain from competitive devaluation of currencies. We are determined to act on our commitments to exchange rate reform articulated in our Action plan for Growth and Jobs to address short term vulnerabilities and restoring financial stability and strengthen the medium-term foundations for growth. Our actions will help address the challenges created by developments in global liquidity and capital flows volatility, thus facilitating further progress on exchange rate reforms and reducing excessive accumulation of reserves.”

(c) G-20 Leaders expressed concern about raising unemployment at unacceptable levels, tensions in the financial markets due to sovereign risk in Europe and slowing of growth.

(d) G-20 Leaders commit to coordinate actions and policies and agreed on an Action plan for Growth and Jobs to address short term vulnerabilities and strengthened medium term foundations for growth. A copy of the G-20 Leaders Summit final documents (Communiqué,



Declaration and Cannes Action Plan for Growth and Jobs) are available for public access at the G-20 website: [http://www.g20.org/pub\\_communiques.aspx](http://www.g20.org/pub_communiques.aspx).

#### **Opening of SBI branch at Hindol, Odisha**

†2207. SHRI RUDRA NARAYAN PANY: Will the Minister of FINANCE be pleased to state:

(a) whether it has been decided in principal for opening of a branch of State Bank of India (SBI) at Hindol subdivision of Denkanal district of Odisha; and

(b) if so, by when the branch of the bank will become operational for day-do-day functioning?

THE MINISTER OF STATE OF THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA): (a) and (b) As reported by UCO Bank, the convener bank for the State for Odisha, State Bank of India (SBI) had a proposal earlier for opening of branch at Hindol but due to non-availability of suitable premises, their license for opening of the branch has expired. At present there is no proposal of opening a branch of SBI at Hindol, sub-division of Dhenkanal District. However a branch of Canara Bank and a branch of Neelachal Gramya Bank are functioning at Hindol.

#### **Investment by LIC in cigarette companies**

†2208. SHRI RAGHUNANDAN SHARMA:

SHRI PRABHAT JHA:

SHRIMATI HEMA MALINI:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Government owned company the Life Insurance Corporation of India (LIC) has invested in cigarette companies;

(b) if so, the details thereof;

(c) whether Government considers any investment made by a Government company in any cigarette company illegal; and

(d) if so, the action to be taken against LIC?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) Yes, Sir.

(b) The Life Insurance Corporation of India (LIC) has reported that its investment in tobacco companies is as under:—

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†Original notice of the question was received in Hindi.

Name of the company	Instrument	As on 31.10.2011 (Rs. in crore)
ITC Ltd.	Equity	3366.02
VST Ltd.	Equity	0.14
Dharampal Satyapal Ltd.	Non Convertible Debentures	50.00

(c) The investments made in tobacco companies as per the investment regulations inforce at the time of investments, in tune with commercial considerations.

(d) Does not arise.

#### **Amendment in Take Over Code by SEBI**

2209. SHRIMATI GUNDU SUDHARANI:

SHRI JAI PRAKASH NARAYAN SINGH:

Will the Minister of FINANCE be pleased to state:

(a) whether many Industrial Association have expressed that there are some lacunae in the recent amendment to Take Over Code by SEBI in relation to disclosure of encumbered shares;

(b) whether the said modifications have been carried out by SEBI without wide ranging discussions with Industrial Bodies and Associations including SEBI Board;

(c) if so, the details thereof and whether this issue was discussed in detail in SEBI Board;

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

(e) the representations received from various quarters in this regard; and

(f) the action being taken by Government/SEBI to ensure greater transparency while enacting such laws?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) The Ministry of Finance had received a representation from the All India Association of Industries (AIAI), regarding the disclosure of encumbered shares by promoters of listed companies addressed to several officials of the Ministry. This representation was referred to the Securities and Exchange Board of India (SEBI). The representation was, however, received after SEBI notified the Substantial Acquisition of Shares and Takeover Regulations, 2011 (New Takeover Regulations) on September 23, 2011.

(b) to (d) SEBI had constituted the Takeover Regulations Advisory Committee (TRAC) to examine and review the Takeover Regulations of 1997 and to suggest suitable amendments therein.

The Committee submitted its report to SEBI on July 19, 2010.

Wide ranging discussions were held by SEBI before carrying out the modifications and the following was *inter-alia* done in the process:—

The report was uploaded on the SEBI website for public comments.

The Report was also sent to other stakeholders such as major industry associations including FICCI, CII, ASSOCHAM and other regulators for comments.

The public comments received were examined by SEBI in the light of the TRAC Report.

The recommendations in the TRAC report alongwith the feedback received were placed before the SEBI Board on July 28, 2011 for its consideration.

The Board after considering all the relevant inputs placed before it approved the new Takeover code giving due weightage to the recommendations of TRAC and the comments received thereon.

Thereafter, SEBI notified the new Substantial Acquisition of Shares and Takeovers Regulations, 2011 on September 23, 2011 and the new regulations came into effect on October 22, 2011.

(e) Two representations were received in the Ministry of Finance. One was from an Hon'ble Member of Parliament and the other was from AIAI, though the Association had sent copies of the same representation to many officials in the Ministry.

(f) As a general practice, SEBI formulates Rules/Regulations through a consultative process that usually includes discussions with various stake holders like representative bodies. Public comments on the draft Rules/Regulations etc. are also normally invited before submitting proposals to the Board of SEBI for its decision. Through this process, SEBI is able to promote transparency in decision making.

#### **Reversion to old pension scheme**

2210. SHRIMATI KUSUM RAI:

SHRI PRABHAT JHA:

Will the Minister of FINANCE be pleased to state:

(a) whether under New Pension Scheme (NPS) Government will be able to pay comfortable amount as pension at par with the old pension scheme to employees of Central Government;

(b) if so, the details thereof;

(c) if not, the difference in pension under NPS and old pension scheme;

(d) the details of methodology to be adopted to calculate pension under NPS out of 40 per cent of total accumulated amount reinvested after retirement; and

(e) whether Government will revert Central Government employees under NPS to old pension scheme in view of unsatisfactory returns, ranging between 5 to 15 per cent, on fund collected and invested by NSDL?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):  
(a) Yes, Sir.

(b) New Pension System (NPS) is a defined contribution scheme, its pay out depends upon the amount of contribution and the growth on the investment over a period of time for an individual while defined benefit schemes pay out is defined and is based on salary and number of years in service etc. at the time of retirement of an individual.

In old pension scheme Government pays pension after retirement as its liability while in NPS Government co-contributes to employee during his service period to build up a corpus on which annuities will be paid.

(c) Not applicable.

(d) At the time of normal retirement after attaining 60 years, the subscriber can withdraw 60% of the accumulated wealth and will be required to invest remaining 40% of the accumulated wealth to buy a life annuity from insurance company approved by Insurance Regulatory and Development Authority (IRDA). The mandatory provision of annuitisation will be invested to buy life annuities as per various options available to him. The amount of annuity varies depending upon the option selected by him. Registration of ASPs (Annuity Service Providers) is under process and as soon as they get registered, other details will be made available.

(e) No, Sir, does not arise.

#### **Irregularities in foreign exchange derivative trade**

2211. SHRI PRABHAT JHA:  
SHRIMATI KUSUM RAI:

Will the Minister of FINANCE be pleased to state:

(a) whether Government is aware of serious irregularities in foreign exchange derivatives trade going on in the country;

(b) whether Government is also aware that in December, 2007, rupee was at around ₹ 44 for a dollar and the currency derivatives trade pundits floated various reports that rupee will touch ₹ 35 per dollar whereas rupee devalued to ₹ 52 for a dollar;

(c) whether this panic caused companies involved in import/export business to buy forex derivative instruments sold by large PSU/private and foreign banks; and

(d) whether Government will constitute a high level enquiry in forex derivatives trade during these years and if so by when?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):  
(a) The Reserve Bank of India (RBI) had imposed penalties on 19 commercial banks on April 26, 2011, for contravention of various instructions issued by the Reserve Bank of India in respect of derivatives. These penalties were imposed by RBI in exercise of powers vested under the provisions of the Banking Regulation Act, 1949.

(b) and (c) The exchange rate of Indian Rupee is determined on the basis of supply and demand for the foreign currency. Every market player/exporter/importer formulates his own view on rupee movements on the basis of a variety of factors and ultimately takes a call on the hedging strategy.

(d) The banking sector regulator, that is, RBI, has taken action against the banks involved for violation of the instructions of RBI. Further, in the light of experience gained in implementation of the Comprehensive Guidelines on Derivatives over the last four years, guidelines were modified and issued *vide* RBI Circular dated August 2, 2011. The circular is available on the website of the RBI ([www.rbi.org.in](http://www.rbi.org.in)).

**Petroleum products under declared goods category**

†2212. SHRI RAVI SHANKAR PRASAD:  
SHRI RAMCHANDRA PRASAD SINGH:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that main purpose of introducing value added tax system in the country was to levy uniform tax on consumers in the entire country;

(b) if so, the reaction of Government thereon;

(c) whether Government has requested the State Governments to bring petroleum products including CNG under declared goods status so a uniformity on reduction in the tax may be brought about; and

(d) if so, the names of the States whose reactions have been received, so far, in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): (a) and (b) The main purpose of introduction of State level Value Added Tax (VAT) was to rationalise the then prevailing sales tax structure by way of providing set off for the input tax, removing multiplicity of taxes and cascading tax burden so as to make tax structure simple and more transparent. This has improved tax compliance and has also allowed capturing of much larger tax base.

(c) No, Sir.

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

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†Original notice of the question was received in Hindi.

### Depreciation of rupee

†2213. SHRI RAMCHANDRA PRASAD SINGH:

SHRI RAM JETHMALANI:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that inspite of continuous growth of Indian economy, the value of Indian currency had reached to ₹ 52.73 per dollar during last few days *vis-à-vis* American dollar;

(b) if so, the details thereof;

(c) whether it is also a fact that one of the reasons *inter alia* was that Foreign Capital Investors had withdrawn 460.40 million dollars from India in just five days; and

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

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) and (b) The value of rupee was lowest at ₹ 52.66 on November 22, 2011 (average of buying and selling rates of Foreign Exchange Dealers Association of India).

(c) Foreign capital investors have been withdrawing capital from emerging economies in general, to replenish capital abroad and in search of safe haven, which has affected emerging economy currencies. Indian has been no exception.

(d) Efforts has been made to augment supply of foreign exchange in India. The recent policy initiatives include *inter alia*, increase in all-in-cost ceiling for trade credits; liberalization of External Commercial Borrowing norms; requirement to bring into the country proceeds of ECBs raised abroad for Rupee expenditure; raising of FII investment limit in corporate and Government securities and raising of interest rates on Non-Resident Indian Deposits.

### Check on inflation

†2214. SHRI SHIVANAND TIWARI:

SHRI RAM JETHMALANI:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that Government has made a claim that inflation will come down to 6 to 7 per cent by March, 2012 in the country;

(b) if so, the details thereof;

(c) whether there is any basis of this claim;

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†Original notice of the question was received in Hindi.

(d) if so, the details thereof; and

(e) the new measures Government proposes to initiate to check inflation by March, 2012?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (d) With demand side pressures moderating, as a consequence of the calibrated withdrawal of the fiscal stimulus and the tightening of credit by Reserve Bank of India (RBI), along with record foodgrain production this year, overall WPI inflation is likely to decline from December onwards and the current fiscal may end with headline inflation of around 7 per cent.

(e) Measures taken to contain prices of essential commodities include; import prices reduced to zero on pulses, edible oils (crude), ban on export of edible oils (except coconut oil and forest based oil) and pulses (except kabuli chana and organic pulses upto a maximum of 10000 tonnes per year), futures trading suspended in rice, urad and tur by the Forward Market Commission, stock limit orders extended in the case of pulses, paddy and rice upto 30 September, 2011, duty under Tariff Rate Quota (TRQ) for Skimmed Milk Powder (SMP) reduced from 15% to 5% for import upto an aggregate of 10000 metric tonnes in a financial year, import of 30000 tonnes of Milk Powder and 15000 tonnes of Milk Fat at zero duty allowed to National Dairy Development Board (NDDB) during 2010-11 under TRQ, reduction in custom duty on crude oil and import duty on petrol and diesel.

As part of the monetary policy review stance, the RBI has taken suitable steps with 13 consecutive increases in policy rates and related measures to moderate demand to levels consistent with the capacity of the economy to maintain its growth without provoking price rise. As per the most recent announcement of the RBI on 25 October, 2011, the repo rate and reverse repo rate have been revised to 8.5 per cent and 7.5 per cent respectively.

#### **Recovery of tax from Indian account holders in HSBC, Geneva**

2215. SHRI D. RAJA:

SHRI MANGALA KISAN:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Income Tax authorities has collected crores of rupees from the 700 Indian account holders in HSBC, Geneva information on which was provided by French authorities in July last year;

(b) if so, the details of these account holders and the total black money stashed away by them; and

(c) the total amount recoverable from these accounts and the amount has been collected, so far?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): (a) Income Tax Department has received certain information under the

Double Taxation Avoidance Agreement (DTAA) from the French Government regarding accounts of Indians in HSBC Bank. Whenever such information is received, it is investigated and only thereafter the untaxed amounts are assessed and brought to taxation.

(b) Although the tax has not been assessed or raised, some persons have voluntarily paid taxes amounting to about Rs. 135 crore. The information received is covered by the confidentiality clause under the DTAA and cannot be, therefore, divulged or shared.

(c) The total amount recoverable can be ascertained only after completion of assessments and levy of penalties, if any. The stage of assessment has not arrived in these cases.

**Restructuring of loans by PSB's for bailing out  
Kingfisher Airlines**

2216. SHRI D. RAJA:

SHRI M.P. ACHUTHAN:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Public Sector Banks have given huge amount of loans and have invested in the equity of Kingfisher Airlines which is facing serious financial difficulties at present;

(b) if so, the details thereof;

(c) whether the banks are thinking of carrying out a second round of restructuring of loans in order to help the airlines; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) and (b) The Public Sector Banks (PSBs) have exposure of Rs. 5792.66 crore by way of fund based limits and non-fund based limits and Rs. 1109.20 crore through investment in Cumulative Redeemable Preference Shares (CRPS) and Non-convertible Cumulative Redeemable Preference Shares (NCCRPS) in Kingfisher Airline.

(c) and (d) State Bank of India, leader of the Consortium, has stated that at present there is no such plan.

**Direct payment of subsidies**

†2217. SHRI SATYAVRAT CHATURVEDI:

SHRI MOTILAL VORA:

Will the Minister of FINANCE be pleased to state:

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†Original notice of the question was received in Hindi.



- (a) whether Government has decided to pay subsidies on fertilizers, kerosene and LPG directly to the beneficiaries from March, 2012 onwards;
- (b) the criteria adopted by Government to identify the beneficiaries;
- (c) the steps taken by Government to obtain the information of the bank accounts of the farmers and BPL consumers by February, 2012, and
- (d) the State-wise details of the beneficiaries eligible for the payment of the subsidies?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):  
 (a) to (d) The Government set up, in February, 2011, a task force headed by Shri Nandan Nilekani to work out the modalities for proposed system of direct transfer of subsidy for kerosene, LPG and fertilizers. Final report of the Task Force is yet to be received.

Based on the recommendations contained in the Final Report of the Task Force, decision shall be taken by the Government.

#### **Suggestion of IMF on tightening monetary measures**

2218. DR. K.P. RAMALINGAM: Will the Minister of FINANCE be pleased to state:

- (a) whether the inflation rate in the country remains close to double digits despite RBI raising policy rates 12 times by as much as 350 basis points since March, 2011;
- (b) whether the International Monetary Fund (IMF) has also suggested that the RBI should continue monetary tightening measures as inflation and inflationary expectations remain high; and
- (c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):  
 (a) The Reserve Bank of India has raised the Repo and Reverse Repo rates five times by 175 basis points (upto October 25, 2011) since March, 2011 during the current financial year. Headline Wholesale Price Index (WPI) year-on-year inflation was in single digit at 9.73 per cent in October, 2011.

(b) and (c) According to the International Monetary Fund (IMF) report titled "Regional Economic Outlook-Asia and Pacific" released in October, 2011, "In economies where such overheating pressures remain high, inflation remains above target, and inflation expectations have continued to rise, such as in China, India, and Korea, the current pace of monetary tightening remains appropriate".

#### **Computerization of PSB branches**

2219. SHRI O.T. LEPCHA:

SHRI BALWINDER SINGH BHUNDER:

Will the Minister of FINANCE be pleased to state:

- (a) whether all the branches of the Public Sector Banks have been computerized;
- (b) if not, the reasons therefor; and
- (c) by when all these branches will be computerized?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (c) Out of 26 public sector banks (except Punjab and Sind Bank), 100% branches of 25 public sector banks are fully computerized on Core Banking Solution (CBS) platform. Out of 999 branches of Punjab and Sind Bank, 254 branches are fully computerized on CBS platform, 724 branches are partially computerized and 21 branches are computerized but not on CBS platform. Government has been pursuing the Bank to bring its entire branch network on CBS platform.

#### **CIC directive on loan defaulters**

2220. SHRI M.P. ACHUTHAN: Will the Minister of FINANCE be pleased to state:

- (a) whether it is a fact that Central Information Commission (CIC) has directed RBI to reveal names and details of the top 100 industrialists who have defaulted on loans from Public Sector Banks (PSBs);
- (b) if so, the details thereof;
- (c) whether the banks have agreed to reveal the names and details accordingly; and
- (d) if so, the names and details of such defaulters for the year 2010 and 2011?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (d) Yes Sir. The Reserve Bank of India (RBI) has informed that in respect of information sought by an appellant regarding details of default in loans taken from public sector banks by industrialists, including top 100 defaulters, with name of the businessman, address, firm name, principal amount, interest amount, date of default and date of availing loan, the Central Information Commission (CIC), in their decision dated November 15, 2011, have, *inter-alia*, directed the Reserve Bank of India (RBI) to display this information on its website, in fulfilment of its obligations under Section 4 (1) (b) (xvii) of the RTI Act. RBI was given time upto December 10, 2011 to comply with the order of the CIC.

RBI has gone in Appeal against the order of CIC in the High Court of Delhi. The Hon'ble Court has granted a stay on the above directions of CIC.

#### **Filling of vacant posts in nationalized banks**

2221. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of FINANCE be pleased to state:

- (a) whether it is a fact that all nationalized banks including the Reserve Bank of India, IDBI, NABARD, State Bank of India etc. are not filling the vacant posts;

- (b) if so, the total posts lying vacants in the above stated banks;
- (c) whether banks are filling 3 per cent disable persons quota as per the statutes;
- and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA): (a) and (d) The information is being collected and will be laid on the Table of the House

**Co-operation with US for tracking illicit movement of funds**

2222. SHRI BAISHNAB PARIDA: Will the Minister of FINANCE be pleased to state:

- (a) whether it is a fact that India will work together with the United States for tracking international financial crimes and illicit movements of funds;
- (b) if so, the details thereof;
- (c) whether this cooperation would put a check on transactions that have cross border, inter-State or international ramifications, posing a threat to national security; and
- (d) if so, by when results will come in?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): (a) and (b) India and United States are already working together at various levels. Financial Intelligence Unit-India (FIU-IND) has signed a Memorandum of Understanding (MoU) in March, 2011 with its counterpart in USA — Financial Crime Enforcement Network Programme (FinCEN) to share information on Money Laundering and Terrorist Financing. India has a Double Taxation Avoidance Convention (DTAC) with USA. This DTAC contains provision for exchange of information for tax purposes. India and USA are currently exchanging information involving cross borders transactions having tax ramification. The information exchanged can only be used for tax purposes under the DTAC. India-USA Homeland Security Dialogue, which was announced in November, 2010, aims to address expanded cooperation between the two countries to combat international financial crimes, and increasing use by criminals and terrorists of non-traditional methods of moving funds, including Bulk Cash Smuggling (BCS).

(c) and (d) This cooperation would further strengthen India's capability to check on transactions that have cross border, Inter-State or international ramifications, posing a threat to national security. It is a continuous process.

### Opening of SBI branch at Rasol, Odisha

†2223. SHRI RUDRA NARAYAN PANY: Will the Minister of FINANCE be pleased to state:

(a) whether Government will consider to open a branch of State Bank of India (S.B.I.) at Rasol of Dhenkanal district of Odisha, which is a major business Centre;

(b) if so, by when the decision will be taken, in principle, in this regard; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (c) As reported by State Level Bankers Committee for Odisha State, State Bank of India has no proposal of opening a branch at Rasol (Odisha) in Dhenkanal District at present. There is a branch of UCO Bank functioning at Rasol.

### Losses to banks due to cyber frauds

2224. SHRI MAHENDRA MOHAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government is aware that the incidents of cyber frauds are on the rise in the country particularly in net banking/ Debit/Credit card frauds;

(b) if so, the details of such cases reported by Public Sector banks along with losses incurred by banks, as a result thereof; and

(c) the steps taken or proposed to be taken by Government to check fraudulent use of credit/debit cards and enhance cyber security in banks?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) and (b) As per data submitted by Public Sector Banks to Reserve Bank of India (RBI), the incidents involving Debit Cards, Credit Cards, Internet Banking and ATM frauds have increased during the three calendar years 2008-2010 and current year upto September, 2011 as shown below:—

(Rupees in lakhs)			
Sl. No.	Calendar Year	Total cases reported	Amount involved
1.	2008	55	117.24
2.	2009	97	105.81
3.	2010	155	369.81
4.	Till September, 2011	92	573.04

†Original notice of the question was received in Hindi.

(c) RBI as a part of its supervisory responsibilities has taken various measures to prevent bank frauds and in this process has issued, from time to time guidelines on internet banking frauds to all scheduled commercial banks, as summarized below:—

- (i) RBI (DBS) caution circular dated 16.2.2006 on 'phishing attacks' advising banks and customers about the *modus operandi* on such attacks and minimum set of preventive/detective measures to tackle phishing attacks.
- (ii) RBI (DBS) circular dated 22.2.2006 on 'security arrangements for ATMs of banks'.
- (iii) RBI (DBS) circular dated 26.6.2006 on 'preventive measures to combat frauds relating to skimming or duplicating of debit cards'.
- (iv) Master circular dated 2.7.2007-Consolidated guidelines in the operation of credit cards.
- (v) RBI (DPSS) circular dated 18.2.2009 on 'security issues and risk mitigation measures relating to online card transactions using credit/debit cards' effective from 1.8.2009.
- (vi) RBI (DPSS) circular dated 23.4.2010 'regarding extending the system of additional authentication/validation to all cards not present transactions to IVR transactions' also effective from 1.1.2011.
- (vii) RBI (DBOD) circular dated 7.12.2010 on the issue of 'Money Mules':
- (viii) RBI (DPSS) circular dated 29.3.2011 advising banks to put in place a system of online alerts for all type of transactions irrespective of amount involving of usage of cards at various levels latest by 30.6.2011.
- (ix) RBI (DBOD) master circular dated 1st July, 2011 on 'credit card operations of banks' suggesting setting up of internal control systems to combat frauds and to take proactive fraud control and enforcement measures.

RBI has further advised that the report of Working Group constituted to look into the security aspects relating to card present transactions and comments received from the public thereon were examined by RBI and directions have been issued to banks and stake holders *vide* Circular dated September 22, 2011 which include the following directions:—

- (i) Strengthening the existing Payment Infrastructure and Future Proofing the system.
- (ii) Issue of EMV Chip and PIN debt/credit cards to customers who have evidenced even one instance of purchase using debit/credit cards at a foreign location.

- (iii) Commercial readiness of infrastructure to support PIN at PoS terminals by June 30, 2013.
- (iv) Issuers to be ready from technical perspective to issue EMV cards by June 30, 2013.

#### **Revision of Fiscal Deficit target**

2225. SHRI Y.S. CHOWDARY: Will the Minister of FINANCE be pleased to state:

- (a) whether Government is considering to revise the Fiscal Deficit target; and
- (b) if so, the details thereof; and the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) and (b) As per Budgetary procedure, the Revised Estimates for Fiscal Deficit of current year are presented with the Budget estimates of the next financial year.

#### **Gender discrimination in promotion of PNB employees**

2226. SHRI RAJNITI PRASAD: Will the Minister of FINANCE be pleased to state:

- (a) the cadre-wise policy of "Transfer on Promotion" in the Punjab National Bank (PNB);
- (b) whether the policy of "Transfer on Promotion" is different for male and female employees;
- (c) if so, the details thereof;
- (d) whether female employees are not transferred to outstation branches on promotion like their male counterparts;
- (e) if so, the reasons for not transferring female employees to out station branches inspite by the fact that they are getting all the benefits similar to that of male employees;
- (f) whether such a policy puts the female employees at an advantageous position whereas large number of male employees are losing their promotions; and
- (g) if so, the reasons for having such a discriminating policy?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (c) As reported by the Punjab National Bank (PNB) the extant placement guidelines on promotion are given in Statement-I and II (See below).

(d) to (g) As per the extant guidelines, Female employees are considered as a special category and may be retained in their parent Circles subject to availability of vacancy in that Circle.

***Statement-I***

*Guidelines for placement of MMG Scale-II and III promotes*

<p><b>1. Circles of Delhi State including HO Divisions</b></p>	<p><b>Channel-I:</b> Candidates to be allocated in Circle/HO Division, other than their parent Circle/HO Division but within the Circles/Divisions in the State of Delhi to the extent of availability of vacancies. The remaining candidates, if any, to be allocated to Circles in the neighboring/other States.</p> <p><b>Channel-II:</b> Candidates to be allocated in nearby Circles other than the Circles/HO Divisions in Delhi State.</p>	<p><b>Channel-I:</b> Candidates to be allocated in nearby Circles other than the Circles/HO Divisions in Delhi State subject to availability of vacancies.</p> <p><b>Channel-II:</b> After the allocation of Channel-I candidates, the candidates approved under Channel-II to be allocated in nearby Circles other than the Circle/HO Divisions in Delhi State.</p>
<p><b>2. Multi Circle States</b></p>	<p><b>Channel-I:</b> Candidates to be allocated in parent Circles to the extent of availability of vacancies. The remaining candidates, if any, to be allocated to neighboring Circles/other Circles in the same State/other States.</p> <p><b>Channel-II:</b> Candidates to be accommodated in neighboring Circles/other Circles in the same State/other States.</p>	<p><b>Channel-I:</b> Candidates to be accommodated in neighboring Circles/other Circles in the same State/other States.</p> <p><b>Channel-II:</b> After the allocation of Channel-I candidates, the candidates approved under Channel-II to be accommodated in neighboring Circles/other Circles in the same State/other States.</p>

3. <b>Single State Circles</b>	<p><b>Channel-I:</b> Candidates to be allocated in parent circle to the extent of availability of vacancies. The remaining candidates, if any, to be allocated to neighboring Circles/other Circles in the neighboring/other States.</p> <p><b>Channel-II:</b> After the allocation of Channel-I candidates, the candidates approved under Channel-II to be allocated in parent circle to the extent of availability of vacancies. The remaining candidates, if any, to be allocated to neighboring Circles/other Circles in the neighboring/other States.</p>	<p><b>Channel-I:</b> Candidates to be allocated in parent circle to the extent of availability of vacancies. The remaining candidates, if any, to be allocated to neighboring Circles/other Circles in the neighboring/other States.</p> <p><b>Channel-II:</b> After the allocation of Channel-I candidates, the candidates approved under Channel-II to be allocated in parent circle to the extent of availability of vacancies. The remaining candidates, if any, to be allocated to neighboring Circles/other Circles in the neighboring/other States.</p>
4. <b>Technical/Specialised Officers</b>	Normal tenure of Technical/Specialised Officers is for a period of 3 years. Such Officers may be retained on promotion at their place of posting for a period of 2 terms, depending upon the requirement of the Bank.	
5. <b>Posting under I and A Division, HO</b>	(a) Candidates identified to be posted under I and A Division, HO to be allocated directly to the ZAOs. (b) Further, Officers in Audit assignment to be moved out of the current assignment after completion of 3 years.	
6. <b>Exceptions</b>	<p>The following category of candidates may be considered as special category candidates:—</p> <p>(i) Physically Handicapped candidates. (ii) Candidates having mentally retarded children. (iii) Candidates of more than 58 years of age as on the date of allocation. (iv) Female candidates.</p> <p>Such candidates, in order of preference as above may be retained in their parent Circles, subject to availability of vacancies, before effecting inter circle transfers.</p>	
7. <b>General</b>	The above guidelines are to be implemented, subject to availability of vacancy.	



***Statement-II***

*Guidelines for placement of officers in JMG Scale-I (Selectivity Channel) on promotion from Clerical Cadre*

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| <b>1. Single State Circles</b>   | The candidates to be allocated to present Circle to the extent of vacancies identified after posting the special category candidates and after affecting inter circle transfers, in order of merit and surplus candidates to be allocated to the Circles in the neighboring/other States.  |
| <b>2. Multi Circle States</b>  | The candidates to be allocated to neighboring Circles/other Circles in the same State to the extent of vacancies identified after posting the special category candidates and after affecting inter circle transfers, in order of merit and surplus candidates to be allocated to the neighboring/other States.  |
| <b>3. Single Station Circle<br/>(i.e. Circles of Delhi<br/>State including HO<br/>Divisions)</b> | The candidates of North Delhi, South Delhi Circles and HO Divisions are to be considered as having been promoted from one station for the purpose of allocation and therefore to be allocated out of the jurisdiction of North/South Delhi Circles including HO Divisions, to the Circles in the neighboring States/other States. The vacancies of North/South Delhi Circles and HO Divisions to be filled up by allocation of special category candidates, inter circle transfers of Scale-I Officers and allocation of candidates from Circles out of Delhi. |
| <b>4. Exceptions</b>   | <p>The following category of candidates may be considered as special category candidates:—</p> <ul style="list-style-type: none"><li>(i) Physically Handicapped candidates</li><li>(ii) Candidates having mentally retarded children.</li><li>(iii) Candidates of more than 58 years of age as on the date of allocation.</li><li>(iv) Female candidates.</li></ul> <p>Such candidates, in order of preference as above may be retained in their parent Circles, subject to availability of vacancies, before effecting inter circle transfers.</p>            |
| <b>5. General</b>  | In terms of Resolution dated 5.2.1981 of Executive Committee Meeting, SC and ST candidates to the extent of 15% and 7.5% of the total candidates retained in parent Circles are to be allocated to the parent Circles, irrespective of their merit position.   |
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*Supplementary guidelines for placement of officers in JMG Scale-I (Selectivity Channel) on promotion from Clerical Cadre - 2011*

Placement guidelines for Officers in JMG Scale-I on promotion from Clerical Cadre (Selectivity Channel) — 2011 were displayed on HRMS Website on 22.10.2011.

In continuation of the same, it has further been decided that:—

1. The candidates, whose transfer requests in Clerical Cadre are recorded in HRMS and who have been approved for promotion, may be considered for allocation to their requested Circles, subject to availability of vacancies, after allocation of other candidates as per placement guidelines already displayed on 22.10.2011.
2. Where the number of candidates to be allocated to a Circle on the basis of transfer requests recorded are more than the number of vacancies available, the candidates shall be considered for allocation in the Circle in order of date of recording their transfer requests in HRMS.
3. It is clarified that no such allocation will be considered where it violates the placement guidelines already displayed on 22.10.2011.

**Exposure of PSBs to Kingfisher Airlines**

2227. SHRI K.E. ISMAIL: Will the Minister of FINANCE be pleased to state:

- (a) whether it is a fact that the Public Sector Banks (PSUs) have a total exposure of about ` 7000 crore by way of loans and equity in the Kingfisher Airlines;
- (b) if so, the details thereof;
- (c) whether it is also a fact that the Banks had bought the Airlines shares for 260 per cent more than the market prices and there had been overvaluation to accommodate the airline; and
- (d) if so, the details of the equity shares bought by the banks and the present value of these shares?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) and (b) The Public Sector Banks (PSBs) have exposure of Rs. 5792.66 crore by way of fund based limits and non-fund based limits and Rs. 1109.20 crore through investment in Cumulative Redeemable Preference Shares (CRPS) and Non-convertible Cumulative Redeemable Preference Shares (NCCRPS) in Kingfisher Airlines.

(c) and (d) No, Sir. State Bank of India, as leader of consortium of banks, has informed that in terms of the Master Debt Recast Arrangement (MDRA), a portion of the debt was carved out and issued as CRPS, which was subsequently converted into equity shares of Kingfisher Airlines at a price of Rs. 64.48 per share on 31.03.2011 in compliance to the SEBI Guidelines on *Issue of Capital and Disclosure Requirements (ICDR), Guidelines for Preferential Issue (Chapter*

VII) as against the prevailing market price of Rs. 39.90 per share. Public sector banks were allotted 11,63,30,639 equity shares in the company on conversion on 31.03.2011. There was no overvaluation to accommodate the airline. Total investment made by banks in the company's equity shares is Rs. 750.10 crores. The market value of equity shares held by banks in Kingfisher Airlines as on 07.12.2011 is valued at Rs. 298.39 crores.

**Revival package for long term cooperative loan structure**

‡2228. MISS ANUSUIYA UIKEY: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that on recommendation of Vaidyanathan Committee and as per the opinion of the State Government of Madhya Pradesh, the Cabinet had taken a decision on 26 February, 2009 to implement the package for the revival of long-term cooperative loan structure;

(b) if so, the details thereof;

(c) whether even after the decision of the Cabinet and making a provision in the budget, again a task force was constituted to consider it;

(d) if so, the need of this task force;

(e) whether the relief package has been released, after the decision of the Cabinet and the provision in the budget; and

(f) if not, by when it would be released?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (f) Based on the recommendations of the Vaidyanathan Task Force-II, the Government had approved the Revival Package for Long-Term Cooperative Credit Structure (LTCCS) in February, 2009. However, a Task Force was constituted to examine the impact of the Agricultural Debt Waiver and Debt Relief Scheme (ADWDRS), 2008 and the implementation of the revival package for the Short-Term Cooperative Credit Structure (STCCS) in the 25 implementing States on the Revival Package for the LTCCS. The Task Force has submitted its report. The Package is under consideration of the Government.

**Fast rise in NPAs of PSBs**

2229. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the gross Non-Performing Assets (NPAs) of Public Sector Banks (PSBs) increased by 20 per cent between June and September, 2011 the highest in the last several years;

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‡Original notice of the question was received in Hindi.

(b) if so, the details thereof, bank-wise;

(c) whether the phenomenon of Corporate Debt Restructuring (CDR) of private companies by PSBs are the main reasons for this increase in NPAs; and

(d) if so, the details thereof and the steps proposed to be taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) and (b) The Reserve Bank of India (RBI) has reported that the quarterly growth in gross Non-Performing Assets (NPAs) of Public Sector Banks (PSBs) between June and September, 2011 has been the highest since September, 2006. Bank-wise data on gross NPA (amount outstanding and ratio) is given in Statement (*See below*).

(c) RBI has reported that the phenomenon of Corporate Debt Restructuring (CDR) of private companies by PSBs cannot be a reason for the increase in NPAs of PSBs. The objective of the CDR framework is to ensure timely and transparent mechanism for restructuring the corporate debts of viable entities facing problems, outside the purview of Board for Industrial and Financial Reconstruction (BIFR), Debts Recovery Tribunal (DRT) and other legal proceedings, for the benefit of all concerned. In particular, the framework is aimed at preserving viable corporates that are affected by certain internal and external factors and minimize the losses to the creditors and other stakeholders through an orderly and coordinated restructuring programme.

(d) Does not arise.

#### ***Statement***

##### *Gross NPAs — Public Sector Banks*

Bank Name	Gross NPAs		Growth over previous period		Gross NPA Ratio (%)	
	June 2011	September 2011	June 2011	September 2011	June 2011	September 2011
1	2	3	4	5	6	7
Allahabad Bank	1,617	1,685	-1.8	4.2	1.71	1.82
Andhra Bank	1,171	1,980	17.6	69.1	1.55	2.66
Bank of Baroda	3,030	2,917	8.7	-3.7	1.77	1.7
Bank of India	5,258	7,250	20.7	37.9	3.26	4.55
Bank of Maharashtra	1,198	1,077	2.0	-10.1	2.54	2.12

1	2	3	4	5	6	7
Canara Bank	3,563	3,669	19.5	3.0	1.74	1.77
Central Bank of India	2,708	3,840	13.1	41.8	2.15	2.94
Corporation Bank	848	1,080	7.3	27.3	1.07	1.32
Dena Bank	797	830	-5.3	4.2	1.86	1.93
IDBI Bank Limited	3,288	3,889	18.1	18.3	2.15	2.54
Indian Bank	785	1,033	9.1	31.5	0.99	1.26
Indian Overseas Bank	2,990	3,607	7.0	20.7	2.8	3.17
Oriental Bank of Commerce	2,035	3,214	6.0	57.9	2.07	3.04
Punjab and Sind Bank	430	450	1.3	4.8	1	1.06
Punjab National Bank	4,883	4,989	11.5	2.2	1.99	1.98
Syndicate Bank	2,599	2,697	0.4	3.7	2.63	2.63
UCO Bank	3,290	3,480	6.5	5.8	3.71	3.9
Union Bank of India	3,721	5,110	2.7	37.3	2.68	3.65
United Bank of India	1,544	1,908	13.9	23.6	2.91	3.48
Vijaya Bank	1,449	1,381	15.1	-4.7	2.83	2.54
<b>Nationalised Banks</b>	<b>47,204</b>	<b>56,086</b>	<b>10.0</b>	<b>18.8</b>	<b>2.19</b>	<b>2.55</b>
State Bank of Bikaner and Jaipur	1,062	1,652	27.1	55.5	2.53	3.7
State Bank of Hyderabad	1,281	2,095	11.3	63.6	1.93	3.11
State Bank of India	25,485	31,506	10.5	23.6	3.76	4.6
State Bank of Indore						
State Bank of Mysore	967	1,334	11.9	38.0	2.83	3.72
State Bank of Patiala	1,405	1,865	1.7	32.7	2.76	3.46
State Bank of Travancore	1,037	1,378	24.2	32.8	2.18	2.84
<b>SBI Group</b>	<b>31,237</b>	<b>39,830</b>	<b>11.0</b>	<b>27.5</b>	<b>3.4</b>	<b>4.26</b>
<b>Public Sector Banks</b>	<b>78,440</b>	<b>95,916</b>	<b>10.4</b>	<b>22.3</b>	<b>2.55</b>	<b>3.06</b>

Source: (DBS) RBI

#### **Bilateral agreement at G-20 summit**

2230. SHRI N. BALAGANGA: Will the Minister of FINANCE be pleased to state:

(a) whether Government had inked any bilateral agreement with any country in the concluded G-20 meeting in France; and

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

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) No Sir.

(b) Does not arise.

#### **Trade facilitation by electronic data interchange**

2231. SHRI D. BANDYOPADHYAY: Will the Minister of FINANCE be pleased to state:

(a) the details of steps taken by Government in the last three years to speed up trade facilitation through major ports and airports by electronic data interchange;

(b) whether electronic processing of bills of entry and shipping bills have been introduced in the major custom houses and airport complexes;

(c) if so, whether the documentation processes are being synchronised electronically to bring in line with the best practices followed by the OECD countries to ensure fast track movement of import and export of goods; and

(d) if so, the details of the practices adopted to reduce time and cost overrun in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): The Electronic Data Interchange (EDI) has been introduced in Customs to speed up trade facilitation.

(a) The Electronic Data Interchange (EDI) system in Indian Customs comprises three applications viz., **Indian Customs EDI Systems (Indian Customs Electronic Data Interchange System (ICES) version 1.5), Risk Management System (RMS) and Indian Customs EDI Gateway (ICEGATE)** e-commerce portal. In the last three years, the EDI system has been migrated to a robust and secure consolidated IT infrastructure environment. Three National Data Centres have been set up at Delhi and Chennai and a nationwide Wide Area Network (WAN) covering over 500 buildings has also been established. A new, secure Local Area Network (LAN) has been set up at 1200 buildings across the country, involving over 3000 offices. In addition, an Enterprise Data Warehouse has been set up to facilitate informed policy decisions by centralized provision of Customs, Central Excise and Service Tax data from all automated locations. The new upgraded centralized applications cover all major customs locations in the country.

ICES 1.5 and ICEGATE handle the filing of Bills of Entry, Shipping Bills, Import and export General Manifests, amendments queries, replies, messages with custodians, transshipment and

transit procedures, information related to arrival and departure of vessels, goods registration intimation through internet for enabling examination/inspections, document tracking to ascertain the status of clearance etc. The key features of trade facilitation are centralized bond and license management, message exchanges with banks, ports, custodians and Directorate General of Foreign Trade.

(b) Yes, Sir, ICES 1.5 and ICEGATE serve about 6.7 lakh importers/exporters and handle more than 83% of all Customs clearance documents accounting for nearly 98% of all imports and exports in the country. Customs automation now covers 103 Customs locations, covering all the major sea ports, ICDs and air cargo complex locations, in the country.

(c) Automation by Indian Customs adheres to the international best practices as per World Customs Organisation (WCO) and World Trade Organisation (WTO) of which India is a member. The best practices followed by OECD countries are also aligned to the recommendations by WCO and WTO.

(d) The details of some of the significant International best practices followed by Indian Customs, which have facilitated handling of electronic documents, include:—

- (i) Automated clearance of import and export consignments based on the Harmonized System of Nomenclature and GATT valuation procedures.
- (ii) Automated calculation of duty, generation of bank Challan for duty payment and its electronic transmission to Banks.
- (iii) E-payment facilities.
- (iv) Introduction of Risk Management System (RMS) and Accredited Clients Program (ACP) with facility for post clearance audit.
- (v) Facility of electronic cargo tracking.
- (vi) Electronic payment of duty drawback into exporters' bank accounts.
- (vii) Introduction of Authorized Economic Operators program.
- (viii) Introduction of Automated Recordation and targeting System at all major Customs locations to administer and protect the intellectual property rights.

#### **Expenditure on Jammu and Kashmir**

†2232. SHRI SHREEGOPAL VYAS: Will the Minister of FINANCE be pleased to state:

(a) the percentage of entire expenditure of the Jammu and Kashmir State being borne by the State itself as compared to the average of other States; and

(b) the total amount of money spent by the Centre for the State in last three years?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) According to Reserve Bank of India's publication titled "State Finances: A Study of Budgets

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†Original notice of the question was received in Hindi.

of 2010-11", for 2008-09, the net tax and non-tax revenue receipts and share in Central taxes of Jammu and Kashmir are estimated as 31.32% of the State's total expenditure (excluding disbursements from Public Account). The comparable figure for all Special Category States (including Jammu and Kashmir) is 41.35%, while for all States it is 64%.

(b) Estimated grants from the centre to Jammu and Kashmir for the State Budget during the last three years, as per the above mentioned publication, are as below:—

Year	Grants from Centre (in Rs. crore)
2008-09 (Revised Estimates)	9938
2009-10 (Revised Estimates)	13304
2010-11 (Budget Estimates)	14939

#### Kisan Credit Cards

2233. SHRI AVINASH RAI KHANNA: Will the Minister of FINANCE be pleased to state:

(a) the number of Kisan Credit Cards (KCC) have been issued to the farmers in the country, State-wise;

(b) the number of farmers using this facility;

(c) whether the issuing of KCC have been succeeded in getting the farmers out of the money lenders traps;

(d) if so, the number of farmers saved from money lenders traps; and

(e) what steps Government is taking to make KCC popular?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) to (e) The State-wise and Agency-wise progress of KCC as on 30 September, 2011 (cumulative since inception) is given in Statement (*See below*). The steps taken by the Government of India to make KCC popular are as under:—

- Banks have been advised to cover all eligible farmers under KCC scheme.
- KCC holders have been covered under Personal Accident Insurance Scheme (PAIS) against accidental death or permanent disability, upto maximum amount of Rs. 50000/- and Rs. 25000/- respectively. The premium burden will be shared by the card issuing institutions and the borrower in the ratio of 2:1.
- NABARD has issued instructions to Co-operative Banks and RRBs to issue KCC to tenant farmers/share croppers/oral lessee/Joint liability groups.

The details of agriculture credit flow and number of loan accounts financed during the year 2009-10, 2010-11 and 2011-12 (upto 30th September) are as under:—



Year	Agriculture credit flow (Rs. in crore)	Total No. of farm loan a/cs financed (in lakh)
2009-10	3,84,514	482.30
2010-11	4,46,779	549.60
2011-12	2,23,380.18 *	321.00

\*Achievement upto 30 September, 2011.

The Government of India has taken several measures for the availability of credit to farmers through banks These include:

- (i) The Interest Subvention Scheme is being implemented by the Government of India since 2006-07 to make short-term crop loans upto Rs. 3 lakh for a period of one year available to farmers at the interest rate of 7 per cent per annum. The Government of India has since 2009-10 been providing additional interest subvention to prompt payees farmers, *i.e.*, those who repay their loan in time. The additional subvention was 1% in 2009-10 and 2% in 2010-11. This is being increased to 3% in 2011-12.
- (ii) The Agricultural Debt Waiver and Debt Relief Scheme (ADWDRS), 2008 has de-clogged the lines of credit that were clogged due to the debt burden on the farmers.
- (iii) Banks have been advised to dispense with the requirement of "no dues" certificates for small loans upto Rs. 50,000 to small and marginal farmers, share-croppers and the like and instead obtain a self-declaration from the borrower.
- (iv) RBI has advised banks to waive margin/security requirements for agricultural loans upto Rs. 1,00,000.
- (v) To extend the reach of banking facilities to the rural hinterland, banks have identified approximately 73,000 villages with population of more than 2000 to provide banking facilities by March, 2012 As per reports received from State Level Bankers Committee (SLBC) Convener Banks, over 45,000 such villages have been covered upto October, 2011.
- (vi) General permission has been granted to domestic Scheduled Commercial Banks (other than RRBs) to open branches/mobile branches/Administrative Offices/CPCs (Service Branches), (i) in Tier 2 to Tier 6 Centres (with population upto 99,999) and (ii) in rural, semi urban and urban Centres of the North-Eastern States and Sikkim, subject to reporting. RBI has advised banks that while preparing their Annual Branch Expansion Plan (ABEP), the Banks should allocate at least 25 per cent of the total number of branches proposed to be opened during a year in unbanked rural (Tier 5 and Tier 6) Centres.

**Statement**

*KCC progress as on 30 September, 2011 (Cumulative-Agency-wise) (Since inception)*

(Amount : Rs. in lakh)

Sl. No.	State/UT	Cooperative Banks			Regional Rural Banks			Commercial Banks ( )		Total	
		No.*	Cards issued	Amount sanctioned	No.*	Cards issued	Amount sanctioned	Cards issued	Amount sanctioned	Cards issued	Amount sanctioned
1	2	3	4	5	6	7	8	9	10	11	12
1.	Andhra Pradesh	22	4156954	721362	5	2438970	546250	10982214	4043566	17578138	5311178
2.	Assam	1	16458	2128	2	233550	81110	477842	107736	727850	190974
3.	Arunachal Pradesh#	1	980	147	1	3342	458	21372	5164	25694	5769
4.	Bihar	22	850289	103983	4	1499853	621392	2167017	1004626	4517159	1730001
5.	Gujarat	18	1350695	1909503	3	275310	286620	1713671	2446178	3339676	4642301
6.	Goa\$	1	5214	2092				13518	14948	18732	17040
7.	Haryana	19	1283653	798793	2	434622	423247	958990	1119396	2677265	2341435
8.	Himachal Pradesh	3	208715	75381	2	76769	49280	285811	178054	571295	302715
9.	Jammu and Kashmir	4	53948	8028	2	36232	23853	21116	15131	111296	47012
10.	Karnataka	21	2039840	797535	6	1468050	741999	2913151	1955385	6421041	3494919

1	2	3	4	5	6	7	8	9	10	11	12
11. Kerala		14	1650358	505847	2	508194	219889	1690311	724820	3848863	1450556
12. Madhya Pradesh		38	3980287	1963022	8	698323	424297	2052286	1721335	6730896	4108654
13. Maharashtra		31	5696264	3364196	3	376940	139362	3572022	1710599	9645226	5214157
14. Meghalaya#		1	11661	1671	1	22201	4026	50373	14143	84235	19840
15. Mizoram#		1	2134	151	1	9603	5853	18506	4736	30243	10740
16. Manipur#		1	13532	3380	1	2082	284	30631	8655	46245	12319
17. Nagaland#		1	3470	213	1	1841	394	25908	5177	31219	5784
18. Orissa		17	4085553	1139501	5	817889	183783	1433275	456823	6336717	1780107
19. Punjab		20	948076	679958	3	172120	275692	1512478	2163393	2632674	3119043
20. Rajasthan		29	3485607	1110998	6	624523	732146	2072980	2491731	6183110	4334875
21. Sikkim#\$		1	3452	807				9204	4258	12656	5065
22. Tamil Nadu		23	1884516	645550	2	355259	87526	4837538	2036821	7077313	2769897
23. Tripura#		1	13521	1860	1	76282	13719	77704	19447	167507	35026
24. Uttar Pradesh		50	6824612	851497	10	4527917	1799569	7664841	4682221	19017370	7333287
25. West Bengal		17	1655058	617689	3	553884	259144	1730403	568472	3939345	1445305
26. Andaman and Nicobar Island#\$		1	3727	1020				3313	1269	7040	2289

27. Chandigarh\$							7311	4224	7311	4224
28. Daman and Diu#\$							1781	1555	1781	1555
29. New Delhi#\$	1	2273	1028				23513	32216	25786	33244
30. Dadra and Nagar Haveli@\$							3319	3378	3319	3378
31. Lakshadweep @\$							747	320	747	320
32. Puducherry #	1	7671	3576	1	133	38	69187	31837	76991	35451
33. Jharkhand**	8	278892	54433	2	467420	67158	606308	206965	1352620	328556
34. Chhattisgarh	6	1334608	341864	3	388906	109467	358253	205952	2081767	657283
35. Uttarakhand	10	352127	80237	2	57339	28544	351376	345569	760842	454350
36. Other States							47	12	47	12
State-wise breakup not available for CBs (1998-99)									188005	26604
							188005	26604		
TOTAL:	384	42204145	15787450	82	16127554	7125100	47945322	28362715	106278021	51275265

Note: # SCB functions as CFA.

@ No Cooperation Banks in these UTs.

\* No. of Banks implementing the Scheme.

( ) Data pertaining to Comml. banks reed, from RBI upto 31.03.2011.

\$ No RRB in these States/UTs.

\*\* Data under reconciliation.

**Un-accounted Indian money in overseas bank accounts**

2234. SHRI BALWINDER SINGH BHUNDER: Will the Minister of FINANCE be pleased to state:

- (a) whether it is a fact that information has been received from France about 400 crores unaccounted money in 67 overseas accounts belonging to Indians;
- (b) the action taken by Government in this regard;
- (c) whether any recovery of tax or penalty has been imposed by Government on holders of these accounts; and
- (d) whether Government intends to disclose the names of these account holders?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): (a) Income Tax Department has received certain information under the Double Taxation Avoidance Agreement (DTAA) from the French Government regarding accounts of Indians overseas.

(b) Whenever such information is received, it is investigated and only thereafter the untaxed amounts are assessed and brought to taxation.

(c) Although the tax has not been assessed or raised, some persons have voluntarily paid taxes amounting to about Rs. 135 crore. The total amount recoverable can be ascertained only after completion of assessments and levy of penalties, if any. The stage of assessment has not arrived in these cases.

(d) The information received is covered by the confidentiality clause under the DTAA and cannot be, therefore, divulged or shared.

**Taking over as co-chair of Asia Pacific FATF**

2235. SHRI MOHD. ALI KHAN: Will the Minister of FINANCE be pleased to state:

- (a) whether India takes over as co-chair of Asia Pacific Financial Action task Force (FATF);
- (b) if so, the details thereof; and
- (c) the present position thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): (a) Yes, Sir. India has taken over as co-chair of Asia/Pacific Group on Money Laundering for a period of two years from July, 2010 to July, 2012.

(b) The Asia/Pacific Group on Money Laundering (APG) is a FATF styled regional body consisting of 41 members and a number of international and regional observers including United

Nations, International Monetary Fund, Asian Development Bank, World Bank and the Financial Action Task Force (FATF). India has been a member of APG almost since its inception. The primary role of APG is to monitor the implementation of the 49 recommendations of the FATF.

(c) Australia is the permanent co-chair and one Member country assumes the charge of co-chair for two years period on rotating basis. Presently, India is the co-chair till July, 2012.

#### **CAG report on financial irregularities in Bihar**

†2236. SHRI RAM VILAS PASWAN: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Comptroller and Auditor General (CAG) has exposed financial irregularities in Bihar in its recent report;

(b) if so, the details thereof; and

(c) the total amount involved in the irregularities as per the report of the Comptroller and Auditor General?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

(a) The Reports of the Comptroller and Auditor General (CAG) in respect of Government of Bihar for the year ended 31st March, 2010 have been placed in the Legislative Assembly.

(b) and (c) The audit report in respect of 'Revenue Receipts' contains 26 paragraphs including two reviews on 'Levy and Collection of State Excise Revenue' and 'Levy and Collection of Stamp Duty and Registration Fee' relating to non/short levy of tax, interest and penalty etc., involving monetary impact of ` 977.82 crore and in respect of 'Civil', contains 18 audit paragraphs indicating instances of financial irregularities, one information technology audit of General Provident Fund system and an integrated audit report on the Environment and Forest Department. The total amount involved in the transaction audit included in this report was ` 45.10 crore.

#### **Staff crunch at investigative units in CBDT**

2237. DR. PRABHAKAR KORE: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that five investigative units created in the Central Board of Direct Taxes (CBDT) to combat black money generation are facing staff crunch;

(b) whether a proposal to recruit more investigators to man additional assignments in the newly created investigative agencies was submitted and it is waiting sanction by DoPT;

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†Original notice of the question was received in Hindi.

(c) if so, whether the delay on the part of DoPT to accord sanction is hampering investigations by the CBDT units; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): (a) The branches in the Investigation Division of CBDT have been increased from 2 to 5 in view of the increased workload relating to tax evasion and black money generation. A Directorate of Income Tax (Criminal Investigation) has also been notified to tackle tax evasion relating to criminal activities. The new branches/Directorate have commenced work.

(b) No such proposal has been submitted.

(c) and (d) Does not arise in view of reply to part (b) above.

#### **Rebate on interest on the loans re-paid in time**

†2238. SHRIMATI MAYA SINGH: Will the Minister of FINANCE be pleased to state:

(a) the rate of interest on short term and long term loans taken by farmers for farming work in the country at present;

(b) whether farmers are given rebate on interest for timely payment of farming loans; and

(c) if so, the extent of rebate given and if not, whether it would be contemplated to give rebate on interest to the farmers for the payment made on time?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA): (a) to (c) The interest Subvention Scheme is being implemented by the Government of India since 2006-07 to make short-term crop loans upto Rs. 3 lakh for a period of one year available to farmers at the interest rate of 7 per cent per annum. The Government of India has since 2009-10 been providing additional interest subvention to prompt payees farmers, *i.e.* those who repay their loan in time. The additional subvention was 1% in 2009-10 and 2% in 2010-11. This is being increased to 3% in 2011-12.

#### **Indian account holders in HSBC, Geneva**

2239. SHRI PRAKASH JAVADEKAR: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that Indian Government has received details of 700 Indian account holders in HSBC, Geneva;

(b) if so, the details and names of account holders thereof; and

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†Original notice of the question was received in Hindi.

(c) the details of action Government has taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): (a) Income Tax Department has received certain information under the Double Taxation Avoidance Agreement (DTAA) from the French Government regarding accounts of Indians in HSBC Bank.

(b) The information received is covered by the confidentiality clause under the DTAA and cannot be, therefore, divulged or shared.

(c) Whenever such information is received, it is investigated and only thereafter the untaxed amounts are assessed and brought to taxation. Although the tax has not been assessed or raised, some persons have voluntarily paid taxes amounting to about Rs. 135 crore. The stage of assessment has not arrived in these cases.

#### **Outbreak of mysterious disease in Bihar and West Bengal**

2240. SHRI B.S. GNANADESIKAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government had conducted any study about the mysterious disease which has killed some number of children in Bihar and West Bengal; and

(b) if so, the details thereof and the action taken by Government to control such mysterious disease which killed some children recently in Bihar and West Bengal?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) In Muzaffarpure district of Bihar, an outbreak of Acute Encephalitis Syndrome (AES) was reported in June, 2011 and in Gaya district, an outbreak of Acute Encephalitis Syndrome (AES) was reported in August-September, 2011.

West Bengal Government has reported that there is no report of any mysterious disease that has killed children. However five districts of north Bengal have reported cases of Acute Encephalitis Syndrome in July, 2011.

The following steps have been taken to control Acute Encephalitis Syndrome/JE:—

1. Case management of AES cases as per case management guidelines.
2. Strengthening of AES surveillance.
3. Improved Entomological surveillance.
4. Vector control measures.
5. Strengthening of Routine Immunization against JE.



### **Criticism of NTAGI**

2241. SHRI THOMAS SANGMA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government intends to constitute a committee for the selection of qualified members to the National Technical Advisory Group on Immunization (NTAGI) to advise Government on this major public health issue;

(b) if so, the details thereof;

(c) whether Government is aware of the wide spread criticism of NTAGI for its biased and unscientific advice to the important issues of immunization in the country; and

(d) if so, the response of Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) National Technical Advisory Group on Immunization (NTAGI) was constituted in August, 2001 and amended thereafter from time to time. NTAGI is chaired by the Secretary (Health and Family Welfare) and co-chaired by Secretary (Department of Health Research) and consists of qualified eminent members from fields of Public Health, Microbiology, Health Research, Pediatricians, professions bodies like Indian Academy of Pediatrics, National Center for Disease Control (NCDC) and officials from Ministry of Health and Family Welfare.

(c) Decisions made by the NTAGI are collective decisions of the group and based on scientific evidence, published literature and in public health interest.

(d) In view of above, question does not arise.

### **Utilization of funds for family welfare schemes**

2242. SHRI NATUJI HALAJI THAKOR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the amount allocated to Gujarat for family welfare schemes during the last three years;

(b) whether the State Government of Gujarat has submitted the utilization certificate of this amount; and

(c) if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) to (c) A Statement showing the scheme-wise amount of allocation, Release and the Utilization Certificates received under Family Welfare Schemes during the last three Financial Years 2008-09, 2009-10 and 2010-11 in respect of Gujarat State is given in Statement.

**Statement**

*Allocation, Release and Utilization Certificates received under Family Welfare Schemes in respect of GUJARAT State*

(Rs. in lakhs)

Sl. No.	Name of the Programme	2008-09			2009-10			2010-11		
		Allocation	Release	Utilization Certificates received	Allocation	Release	Utilization Certificates received	Allocation	Release	Utilization Certificates received
1.	Mission Flexible Pool	10158.00	10158.00	10158.00	13380.00	18256.00	18256.00	15750.00	16750.00	16242.00
2.	RCH-II	11794.00	7909.00	7909.00	12509.00	12485.00	12485.00	14202.00	16202.00	11165.00
3.	Routine Immunization	80.00	0.00	326.39	950.00	712.50	812.70	795.00	673.83	959.82
4.	Pulse Polio Immunization	1127.00	1127.01	839.93	1219.00	1277.84	898.25	1250.00	1299.29	856.00
5.	Infrastructure Maintenance	13953.00	11498.81	12126.46	13923.00	12095.98	UC not received	16475.00	16475.32	UC not received
TOTAL:		37112.00	30692.82	31359.78	41981.00	44827.32	32451.95	48472.00	51400.44	29222.82

*Note:* In respect of Infrastructure Maintenance scheme, the UCs are received after the audit is conducted by the State Accountant General as funds are released through the Treasury Route.

#### **Common admission test for medical degree courses**

2243. DR. T.N. SEEMA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the common admission test for medical degree courses proposed to be conducted by Medical Council of India will cover the admission to the private, self-financing medical colleges including those run by minority institutions and to the medical colleges run by the deemed universities;

(b) if not, whether Government intends to bring any legislation to bring them also under the common admission test;

(c) whether Government is aware that many of the private, self-financing professional colleges in the country are being run without adequate facilities and qualified faculty and are adopting non transparent admission methods without observing merit; and

(d) the steps proposed to be taken by Government against these institutions?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (b) The Hon'ble Supreme Court, in Simran Jain case, has accepted the proposal of the Medical Council of India (MCI) to conduct common entrance test viz. National Eligibility and Entrance Test (NEET) for admission to Under Graduate (UG) and Post Graduate (PG) medical courses in the country and directed the Council to take such steps as are necessary to implement the NEET. Once implemented, the NEET would be applicable to all medical colleges which come under the ambit of MCI, including private medical colleges.

(c) and (d) MCI carries out inspection of medical colleges under various provisions of Indian Medical Council Act for establishment of new medical colleges, recognition of medical qualifications as well as for continuation of recognition. In case, during the inspection, it is found that a medical college is deficient on any count as required under provisions of the Act, the MCI recommends withdrawal of recognition in respect of that medical college to the Central Government. Recently, MCI has not recommended withdrawal of recognition of any medical college.

#### **BHELs concerns over availability of cheaper Chinese funds**

2244. SHRI TARIQ ANWAR: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

(a) whether it is a fact that the Bharat Heavy Electricals Ltd. (BHEL) has raised concerns over the availability of cheaper Chinese funds for power projects;

(b) if so, what will be its impact on the State-run company's business; and

(c) the steps Government will take to safeguard the interests of Indian manufacturers?

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI PRAFUL PATEL): (a) Yes, Sir.

(b) Chinese power plant manufacturers would enjoy unfair distinct advantage in the event of cheaper finance made available to the Indian power developers by the manufacturers or the Chinese banks and other Chinese financial institutions. This would certainly make their equipments comparatively cheaper by the differential cost of interest as applicable to the normal finance available and that to the cheaper Chinese finance. In such a scenario, the equipment of the domestic power plant manufacturers would cost the domestic power developers more. This situation would shift business from domestic manufacturers to the Chinese manufacturers. Ultimately the domestic power equipment manufacturers would stand to lose orders in the already dried up market.

(c) The Government constituted a Committee headed by Member (Industry), Planning Commission to suggest options and modalities to take care of the disadvantages suffered by the domestic industry relating to power sector. The Committee suggested some measures including imposition of duty on import of power equipments.

Ministry of Power has recently circulated, for inter-ministerial consultation, a draft Note for Cabinet on altering the duty structure on imported power plant equipment.

Further, Government has recently announced National Manufacturing Policy with an objective to promote and give strength to the domestic capital goods industry including Heavy Electrical Equipments Industry.

#### **Lack of primary health centres in Bihar**

†2245. SHRI RAM VILAS PASWAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Planning Commission had constituted a Committee and according to the Report submitted by the Committee, only 533 primary health centres are working out of 1641 primary health centres in Bihar;

(b) if so, whether it is a fact that the State lacks primary health centres;

(c) whether it is also a fact that instead of increasing the number of primary health centres in Bihar their number has decreased during the last three years; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) The Planning Commission did not constitute any committee on Primary Health Centres (PHCs). However, as per the information provided by

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†Original notice of the question was received in Hindi.

the Government of Bihar, there are 533 Primary Health Centres (PHCs) in the State at Block level, with are elsewhere called Community Health Centres and all these PHCs are functional. Simultaneously 1544 Additional Primary Health Centres, elsewhere called PHCs are also functional in the State.

(c) and (d) The Government of Bihar have informed that the number of Primary Health Centres has not decreased in the last three years.

#### **Conducting of CAT by MCI**

2246. DR. T.N. SEEMA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government has approved the proposal of Medical Council of India (MCI) for conducting common admission test for all medical degree courses in the country;

(b) if not, whether Government intends to approve the proposal;

(c) whether the MCI has power to conduct the common admission test without Government approvals;

(d) whether the States have been consulted about this test; and

(e) if so, whether any State has opposed the proposal?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (b) The Central Government has, in principle, approved the proposal of Medical Council of India (MCI) for conducting the National Eligibility cum Entrance Test (NEET) for admission to medical courses across the country.

(c) No.

(d) Yes.

(e) A few State Governments have expressed apprehension about the proposed NEET which pertained to the syllabus, medium of test, reservation, etc.

#### **Rise in cancer, TB and diabetes cases**

2247. SHRI NATUJI HALAJI THAKOR:

DR. T.N. SEEMA:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that number of cancer, TB and diabetes patients has increased in the country;

(b) if so, the number of deaths occurred from these diseases, disease-wise, during the last three years, State/UT-wise;

(c) the action Government proposes to start national awareness campaign to educate the people about the preventive measures to check these diseases;

(d) if so, the details thereof; and

(e) the steps being taken to bring down the number of such patients in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) As per National Cancer Registry Programme of Indian Council of Medical Research (ICMR), the number of cancer cases is gradually increasing in the country.

The exact data regarding number of people suffering from diabetes in the country is not known. The international Diabetes Federation (IDF) estimates the total number of people in India with Diabetes to be around 50.8 million in 2010 which is likely to rise to 87.0 million by 2030.

So far as Tuberculosis (TB) is concerned the prevalence of TB cases in the country is showing a declining trend. As per the WHO Global TB report 2009, the estimated prevalence of all TB cases per lakh population in India has come down from 586 in 1990 to 185 in 2008.

(b) The estimated number of cancer deaths, State/UT-wise for the years 2009, 2010 and 2011 is given in Statement-I (See below).

The State/UT-wise Number of TB Patients and deaths registered is given in Statement-II (See below).

The exact number of deaths due to diabetes is not known.

(c) and (d) The Central Government is supplementing the efforts of the State Governments by focusing on early detection of Cancer, TB and Diabetes, health education and creating awareness through print and electronic media.

(e) The Government of India has launched a comprehensive National Programme for Prevention and Control of Cancer, Diabetes, Cardiovascular Diseases and Stroke (NPCDCS) in 2010. The new programme envisages implementation in 100 districts across 21 States during 2010-12. Under NPCDCS, the district hospitals are strengthened for diagnostic services, basic cancer surgery and chemotherapy facilities. Financial assistance is available for chemotherapy drugs required for cancer patients to treat 100 patients per district @ Rs. 1.00 lakh per patient. The revised programme also envisages to strengthen Government Medical Colleges hospitals including erstwhile Regional Cancer Centres across the country as Tertiary Cancer Centre (TCC) for providing comprehensive cancer care services.

Under NPCDCS, the community based strategies include prevention and control of Diabetes at various levels viz. CHC, District etc. in the health care delivery system. Government

of India is providing glucometer, strips and lancets and training to ANM and other field workers to screen all persons of the age of 30 years and above and all pregnant women for blood sugar and hypertension.

So far as Revised National TB Control Programme (RNTCP) is concerned, diagnosis and treatment facilities including anti TB drugs are provided free of cost to all TB patients. For quality diagnosis, designated microscopy centers have been established for every one lac population in the general areas and for every 50,000 population in the tribal, hilly and difficult areas. More than 13000 microscopy centers have been established in the country. Directly Observed Treatment centers (DOT Centers) have been established near to residence of patients to the extent possible. All Government hospitals, Community Health Centers (CHC), Primary Health Centers (PHCs), Sub-Centers are DOT Centers, In addition, NGOs, Private Practitioners (PPs) involved under the RNTCP, Community Volunteers, Anganwadi workers, Women Self Groups etc. also function as DOT Providers/DOT Centers. Drugs are provided under direct observation and the patients are monitored so that they complete their treatment.

***Statement-1***

*Estimated number of cancer deaths by different States of India (2009-2011)*

Sl. No.	States	Mortality cases		
		2009	2010	2011
1	2	3	4	5
1.	Jammu and Kashmir	4952	5042	5134
2.	Himachal Pradesh	2947	2996	3045
3.	Punjab	12090	12330	12575
4.	Chandigarh	505	523	540
5.	Uttaranchal	4257	4345	4435
6.	Haryana	11104	11401	11708
7.	Delhi	7649	7962	8289
8.	Rajasthan	29463	30209	30976
9.	Uttar Pradesh	85202	87189	89224
10.	Bihar	41735	42787	43864
11.	Sikkim	204	209	216

1	2	3	4	5
12.	Arunachal Pradesh	592	611	632
13.	Nagaland	1277	1341	1410
14.	Manipur	667	679	690
15.	Mizoram	595	610	626
16.	Tripura	1536	1560	1583
17.	Meghalaya	1228	1260	1295
18.	Assam	12379	12598	12822
19.	West Bengal	38903	39545	40199
20.	Jharkhand	13902	14237	14579
21.	Orissa	17696	17970	18249
22.	Chhattisgarh	10341	10541	10745
23.	Madhya Pradesh	26088	26645	27214
24.	Gujarat	25497	26037	26588
25.	Daman and Diu	102	109	114
26.	Dadra and Nagar Haveli	164	179	195
27.	Maharashtra	48859	49911	50989
28.	Andhra Pradesh	36145	36641	37144
29.	Karnataka	24688	25105	25531
30.	Goa	658	499	493
31.	Lakshadweep	30	32	32
32.	Kerala	14540	14672	14805
33.	Tamil Nadu	37806	38452	39127
34.	Pondicherry	483	492	502
35.	Andaman and Nicobar Islands	186	192	197
TOTAL :		514470	524911	535767



**Statement-II**

*Revised National Tuberculosis Control Programme total number of TB patients and deaths registered under the programme State-wise and year-wise*

State	2008		2009		2010		2011**
	Patients registered	Deaths	Patients registered	Deaths	Patients registered	Deaths*	Patients registered
1	2	3	4	5	6	7	8
Andaman and Nicobar Islands	748	30	803	27	804	20	451
Andhra Pradesh	114624	5844	114074	6077	114414	3055	56415
Arunachal Pradesh	2450	84	2432	71	2360	30	1201
Assam	38454	1458	39910	1718	39788	803	19083
Bihar	84404	2378	82401	2208	78510	1061	39472
Chandigarh	2492	66	2572	50	2764	41	1313
Chhattisgarh	27280	979	27463	953	28042	502	13908
Dadra and Nagar Haveli	443	20	386	15	397	9	209
Daman and Diu	224	5	326	16	293	8	155
Delhi	49505	1240	50693	1420	50476	745	28253
Goa	1996	113	1897	78	2156	49	1017
Gujarat	79365	4266	80575	4174	77839	2027	37493
Haryana	35348	1622	38241	1751	36589	839	19554
Himachal Pradesh	13618	544	13743	564	14179	293	7372
Jammu and Kashmir	12521	464	13164	410	13482	204	7224
Jharkhand	38395	1453	39569	1297	39467	639	19633
Karnataka	66159	4708	67744	4881	68673	2589	35281
Kerala	24935	1164	27019	1155	26255	603	13189
Lakshadweep	11	0	24	0	13	0	5
Madhya Pradesh	80929	3052	83276	3114	87823	1578	44176

1	2	3	4	5	6	7	8
Maharashtra	139641	7966	137705	7794	136133	4016	67469
Manipur	4293	147	4239	139	3652	62	1544
Meghalaya	4639	203	4591	278	4947	113	2440
Mizoram	2558	83	2538	90	2300	41	1192
Nagaland	2984	86	3614	94	3904	36	1880
Orissa	51031	2787	52145	2524	49869	1327	25395
Puducherry	1333	67	1385	80	1437	44	806
Punjab	37076	1584	38641	1642	40637	1002	21335
Rajasthan	112192	4087	111501	4281	112987	2195	58206
Sikkim	1641	61	1720	87	1646	37	841
Tamil Nadu	84610	4189	82634	3973	82457	2068	41251
Tripura	2846	130	2851	149	2850	65	1438
Uttar Pradesh	278044	9639	283317	9384	277334	4338	146349
Uttarakhand	13331	417	14300	489	14755	273	7791
West Bengal	107213	5268	105816	5258	102396	2644	52307
<b>TOTAL:</b>	<b>1517333</b>	<b>66204</b>	<b>1533309</b>	<b>66241</b>	<b>1521628</b>	<b>33356</b>	<b>775648</b>

\*Outcome of patients are available after 13-15 months of registration.

\*\*For 1st quarter (January to March) and 2nd quarter (April to June).

#### Deaths of children in Delhi hospitals

†2248. SHRI MOTILAL VORA:

SHRI SATYAVRAT CHATURVEDI:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of deaths of children during October, 2011 in Kalawati Saran Children's Hospital, Delhi;

(b) the reasons for the deaths of the children;

(c) whether Government is also aware of the fact that the machines in biochemistry lab of the hospital are out of order and the Microbiology Laboratory and Clinical Pathological Laboratories are also non-functioning;

†Original notice of the question was received in Hindi.

(d) if so, the details of the faulty machines in the hospital; and

(e) the steps taken by Government to replace the said faulty machines and provide medical assistance immediately to the patients?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) The total number of deaths of children in Kalawati Saran Childrens' Hospital in the month of October, 2011 are as under:—

Sl. No.	Units	Number of deaths of children	Total patients admitted
1.	Casualty	85	6188
2.	Medical and Surgical Wards	147	3100

(b) The major causes of deaths among neonates were Septicemia, Prematurity, Respiratory distress syndrome, Birth asphyxia, Meningitis, Severe neonatal hyperbilirubinemia with encephalopathy, etc.

Amongst Infants and Children Septicemia, Meningitis/Meningoencephalitis, Sever Pneumonia, Complicated Malaria, Dengue Hemorrhagic fever, Hepatic encephalopathy were the major causes of death.

(c) and (d) The Biochemistry laboratory, the Clinical Hematology (Pathology) and Microbiology Laboratory of Kalawati Saran Childrens' Hospital are fully functional. All machines in the Biochemistry laboratory are fully functional.

There are two faulty machines which are fore condemnation, namely; Colorimeter for Hb. Estimation in the Clinical Hematology department and Oxygen Concentrator Plant in the hospital.

(e) All patients attending Kalawati Saran Childrens' Hospital are provided immediate medical assistance. The Clinical Hematology department has one non-functional machine (Colorimeter for Hb Estimation). However, the department has already procured automated cell counter which has facility for doing the above test in addition to other functions. In place of Oxygen Concentrator Plant which is non-functional, better and more cost effective liquid oxygen plant has already been installed and made fully functional. The upgradation and procurement of new machinery and equipments in the hospital is a continuous process and is done as per requirement and availability of financial resources.

#### **Sale of tobacco products near educational institutions**

2249. SHRI K.E. ISMAIL:

SHRI M.P. ACHUTHAN:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the rules banning sale of tobacco products within 100 yards of educational institutions is not being implemented in many parts of the country;

(b) whether Government's attention has been drawn to a recent survey conducted by an NGO which has found that 48 per cent of educational institutions had tobacco products being sold within 100 yards across five States of the country as reported in the Hindu, Delhi edition, dated 21 November, 2011; and

(c) if so, the details thereof and the stringent action being proposed to implement the rules strictly in the country?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) Implementation of the rules relating to banning sale of tobacco products within 100 yards of educational institutions vests mainly with State/UT Governments. However, the Ministry has not received any reports of violation.

(b) and (c) No such study/survey has come to the notice of MoHFW. However, the Central Government has issued necessary Instructions/guidelines to implement the ban on sale of cigarette or other tobacco products near educational institution and also notified a list of authorized officers to take cognizance of such violations. The Government has also issued Public Notice in the national and regional newspaper in this regard.

#### **Prescription of medicines outside CGHS formulary**

2250. SHRI A.A. JINNAH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the Ministry has issued any OM/circular in supersession of its OM No. S-11013/2/94-CGHS(P), dated 30 August, 1994 regarding reimbursement of claims relating to medicines prescribed outside the CGHS formulary procedure from chemists;

(b) if so, the details thereof;

(c) whether the CMO-Incharge of a CGHS Wellness Centre can overrule and refuse the supply of non-formulary medicines and medical tests prescribed by the medical specialists of Government Hospitals; and

(d) if so, the recourse available to a CGHS beneficiaries in such a situation?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (d) No such OM/Circular has been issued.

(c) and (d) As a matter of policy, on prescription of specialists, Central Government Health Scheme (CGHS) dispensaries are required to supply to beneficiaries the prescribed medicines or the medicines of the same formulation and therapeutic value available with them. If such medicines are not available in the stock, then these are indented for procurement from the Authorised Local Chemists or through the Medical Stores Depot.

So far as the medical tests prescribed by the medical specialists of Government Hospitals are concerned, the CMO-in-charge gives permission only for the listed tests. In case of unlisted tests, pensioners get permission from Additional Director of respective zones or higher officers of CGHS while the serving employees obtain it from their Heads of Department.

#### **Decrease in Infant Mortality Rate**

2251. SHRI HUSAIN DALWAI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government is in possession of data indicating Infant Mortality Rate (IMR) in India in the years 2009-10 and 2010-11;

(b) whether any progress has been made over the last decade in reducing children's mortality within five years of their birth;

(c) the programmes and schemes that are being run by the Ministry for reducing the IMR in India; and

(d) the total amount of expenditure incurred by Government under each of these schemes during the period 2009-10 to 2010-11, State-wise and year-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) Registrar General of India provides annual estimates on Infant Mortality Rate based on Sample Registration System (SRS). The latest report was published in 2011 which pertains to estimate of 2009.

The details are given in Statement-I (*See below*).

(b) Yes, Under Five Mortality Rate (U5MR) at national level has declined steadily during the last decade. It has come down from 95 per thousand (NFHS-II — 1998-99) to 64 per thousand live births in 2009 (SRS-2009). Infant mortality rate has also declined from 66 in 1999 to 50 per thousand live births in 2009 (SRS 2009).

(c) Under the National Rural Health Mission the following interventions are implemented to bring down the mortality rate of children in the country:—

- (i) **Promotion of Institutional Delivery through Janani Suraksha Yojana (JSY):** Promoting Institutional delivery by skilled birth attendant is key to reducing both maternal and neo-natal mortality. There has been a phenomenal increase in number of institutional deliveries since the launch of JSY and number of beneficiaries has increased from 7.39 lacs in 2005 to 113.38 lacs in 2010-11. Besides this infrastructure of health facilities is also being strengthened for providing comprehensive obstetric care services under NRHM.
- (ii) **Emphasis on facility based newborn care at different levels to reduce Child Mortality:** Setting up of facilities for care of Sick Newborn such as Special New Born Care Units

(SNCUs), New Born Stabilization Units (NBSUs) and New Born Baby Corners (NBCCs) at different levels is a thrust area under NRHM. At present 293 SNCUs, 1134 NBSUs and 8582 NBCCs are functional.

- (iii) **Capacity building of health care providers:** Various trainings are being conducted under NRHM to train doctors, nurses and ANM for early diagnosis and case management of common ailments of children and care of mother during pregnancy and delivery. These trainings are IMNCI, NSSK, SBA, LSAS, EMOC, BMOC etc.
- (iv) **Management of Malnutrition:** As malnutrition reduces resistance of children to infections thus increasing mortality and morbidity among children, emphasis is being laid under NRHM for management of malnutrition and provision of micronutrients. 480 Nutritional Rehabilitation Centres have been established for management of severe acute malnutrition. As breastfeeding reduces neo-natal mortality, exclusive breastfeeding for first six months and appropriate infant and young child feeding practices are being promoted in convergence with Ministry of Woman and Child Development. Village Health and Nutrition Days (VHNDs) are organized for imparting nutritional counselling to mother and to improve child care practices.
- (v) **Universal Immunization Programme:** Vaccination protects children against many life threatening diseases such as Tuberculosis, Diphtheria, Pertussis, Polio, Tetanus, Hepatitis B and Measles. Infants are thus immunized against seven vaccine preventable diseases every year. The Government of India supports the vaccine programme by supply of vaccines and syringes, Cold chain equipments, provision of operational costs.
- (vi) **New initiatives in last two years:**
  - **Janani Shishu Suraksha Karyakram (JSSK)** was launched on 1st June, 2011 and has provision for free transport, food and drugs and diagnostics to all pregnant women and sick new born. The initiative would further promote institutional delivery; eliminate out of pocket expenses which act as a barrier to seeking institutional care for mothers and sick new born.
  - **Home based new born care (HBNC):** As 52 per cent of child deaths take place in the first 28 days of birth, home based newborn care through ASHA has been initiated by providing incentive of Rs. 250. The purpose of Home Based New Born Care is to improve new born practices at the community level and early detection and referral of sick new born babies.

- **Mother and Child Tracking System:** A name based Mother and Child Tracking System has been put in place which is web based to ensure registration and tracking of all pregnant women and new born babies so that provision of regular and complete services to them can be ensured. One crore and eighteen lakh mothers and 60 lakh children registered till 23rd October, 2011.

(d) The details are given in Statement-II.

***Statement-I***

*Status of IMR based on SRS published report in 2009*

States/UTs	Infant Mortality Rate (per 1000 live birth), SRS 2009
1	2
<b>India</b>	<b>50</b>
Andaman and Nicobar Islands	27
Andhra Pradesh	49
Arunachal Pradesh	32
Assam	61
Bihar	52
Chandigarh	25
Chhattisgarh	54
Dadra and Nagar Haveli	37
Daman and Diu	24
Delhi	33
Goa	11
Gujarat	48
Haryana	51
Himachal Pradesh	45
Jammu and Kashmir	45
Jharkhand	44
Karnataka	41

1	2
Kerala	12
Lakshadweep	25
Madhya Pradesh	67
Maharashtra	31
Manipur	16
Meghalaya	59
Mizoram	36
Nagaland	26
Orissa	65
Pondicherry	22
Punjab	38
Rajasthan	59
Sikkim	34
Tamil Nadu	28
Tripura	31
Uttar Pradesh	63
Uttaranchal	41
West Bengal	33

**Statement-II**

*State-wise and year-wise expenditure on Child Health programmes*

(Rs. in lakhs)

Sl. No.	States/UTs	2009-10		2010-11	
		SPIP	Expenditure	SPIP	Expenditure
1	2	3	4	5	6
<b>A. High Focus States</b>					
1.	Bihar	1610.85	618.17	2165.52	715.45



1	2	3	4	5	6
2.	Chhattisgarh	595.35	49.78	1006.92	255.29
3.	Himachal Pradesh	260.54	106.46	452.35	237.92
4.	Jammu and Kashmir	65.87	29.88	65.00	45.67
5.	Jharkhand	152.08	13.99	525.82	295.43
6.	Madhya Pradesh	1218.85	2912.27	1763.38	2364.28
7.	Orissa	829.18	667.00	1083.98	775.47
8.	Rajasthan	205.22	171.60	956.10	275.97
9.	Uttar Pradesh	843.88	647.23	1157.54	973.25
10.	Uttarakhand	177.16	113.11	537.59	266.21
SUB TOTAL :		5958.98	5329.49	9714.20	6204.94

#### **B. NE States**

11.	Arunachal Pradesh	10.08	14.86	61.40	21.20
12.	Assam	0.00	9.73	6.20	35.20
13.	Manipur	40.00	17.23	31.50	32.38
14.	Meghalaya	52.36	14.32	53.89	18.16
15.	Mizoram	11.94	7.93	6.80	6.03
16.	Nagaland	42.40	20.21	35.40	0.08
17.	Sikkim	39.94	3.68	12.79	18.94
18.	Tripura	81.42	98.00	112.80	36.95
SUB TOTAL :		278.14	185.95	320.78	168.94

#### **C. Non-High Focus States**

19.	Andhra Pradesh	200.00	0.00	1783.85	29.29
20.	Goa	4.50	1.86	32.40	21.31
21.	Gujarat	1116.11	1790.52	2023.72	1595.30
22.	Haryana	177.36	64.04	352.39	136.89
23.	Karnataka	696.30	15.69	427.50	282.69

1	2	3	4	5	6
24.	Kerala	500.09	319.02	482.44	349.03
25.	Maharashtra	598.81	462.33	6017.99	4887.22
26.	Punjab	25.30	13.98	122.44	104.62
27.	Tamil Nadu	0.00	0.00	0.00	0.00
28.	West Bengal	1608.01	1512.67	5074.20	857.17
SUB TOTAL :		4926.48	4180.10	16316.93	8263.52
<b>D. Small States/UTs</b>					
29.	Andaman and Nicobar Islands	10.50	5.90	4.00	3.49
30.	Chandigarh	10.60	10.72	1.00	0.89
31.	Dadra and Nagar Haveli	1.50	0.00	0.75	0.00
32.	Daman	2.25	1.80	3.25	0.60
33.	Delhi	87.15	0.00	30.00	9.69
34.	Lakshadweep	36.86	0.00	20.00	2.54
35.	Puducherry	10.38	5.64	9.70	11.18
SUB TOTAL :		159.24	24.07	68.70	28.39
GRAND TOTAL :		11322.84	9719.61	26420.61	14665.79

#### States' objection against CET

‡2252. SHRI NARESH CHANDRA AGRAWAL: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Ministry has decided that admissions in all the medical colleges under public as well as private sectors of the country would be made through a Common Entrance Test (CET);

(b) whether it is a fact that all the States have protested against it in view of the reservation policy; and

(c) if so, whether the Minister would reconsider this decision in view of the interests of the States?

‡Original notice of the question was received in Hindi.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) The Hon'ble Supreme Court, in Simran Jain case, has accepted the proposal of the Medical Council of India (MCI) to conduct common entrance test viz. National Eligibility and Entrance Test (NEET) for admission to Under Graduate (UG) and Post Graduate (PG) medical courses in the country and directed the Council to take such steps as are necessary to implement the NEET. Accordingly, the Central Government has constituted a Committee to finalize the modalities for implementation of NEET. Once implemented, the NEET would be applicable to all medical colleges which come under the ambit of MCI.

(b) and (c) A few State Governments have expressed apprehension about the proposed NEET which pertained to the syllabus, medium of test, reservation, etc. The Central Board of Secondary Education, which is the agency for conducting NEET for UG, has constituted an Advisory Committee consisting of Members from all States to address the issues of admission processes prevalent in various States like reservation, medium of test, etc.

#### **TB patients in the country**

2253. SHRI T.M. SELVAGANAPATHI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that 70 per cent TB patients in India are under 50 years of age;

(b) whether it is also a fact that around 40 per cent of India's population is infected with the bacteria that causes tuberculosis (TB);

(c) whether it is also a fact that majority of bacterias are dormant TB carriers; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) to (d) Yes. Approximately 40% of India's population is infected with TB bacilli. The bacteria remains in a dormant stage and majority of them remain free from the disease. All those who get infected do not necessarily develop TB disease. The life time risk of developing disease amongst those infected is only 10-15%.

#### **Supplying of medicines on credit basis**

2254. SHRIMATI VASANTHI STANLEY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government has supplied medicines on a credit basis;

(b) if so, the details thereof;

- (c) whether this has resulted in outstanding dues;
- (d) if so, the reasons therefor; and
- (e) the measures Government has adopted to resolve the issue?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (b) Yes, Since 2009, Medical Stores Organisation (MSO), a subordinate office of the Ministry of Health and Family Welfare (MoHFW), has been supplying medicines on credit basis to those Government of India (GoI) organizations, which are registered with MSO. The registered GoI organisations are CGHS (except Delhi), Para Military Forces (CRPF, BSF, SSB, ITBP and CISF), and all Government Hospitals under MoHFW. MSO also supplies medicines to various organisations of the States/Union Territories and Local Bodies.

(c) Yes.

(d) Currently, all indenters are Government Organisations registered with Medical Store Organisation. MSO supplies medicines to these organisations on credit basis. Indenters clear their outstanding dues within the financial year but few indenters have not cleared their outstanding dues in time for various reasons like inadequate budget provision.

MSO procures and supplies life saving drugs to various organisations during emergencies arising out of natural calamities on the instructions of Director, Emergency Medical Relief. These organisations take time to clear their dues. As a result, outstanding dues are pending.

(e) As a remedial action, since the year 2009, MSO is not entertaining the indent of those indenters who have outstanding dues against them and are not under MoHFW.

Senior officers of MoHFW have been asked to pursue with States/UTs for early payment of outstanding dues

The pendency of dues has been brought down from Rs. 88.34 crores in 2009 to Rs. 64.30 crores by way of recovery from indenters.

#### **Draft National Vaccine Policy**

2255. SHRI THOMAS SANGMA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the draft National Vaccine Policy recommends Government to enter into advance marketing commitments with vaccine manufacturers and binds the present as well as future Governments to honour mandatorily those commitments;

(b) if so, the details thereof;

(c) whether this policy has been publicized for public response and consultations; and

(d) if so, the details of the public consultations held and its recommendations thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) The National Vaccine Policy outlines the advance marketing commitment in the context of products related to Public Health Emergencies and is mentioned under the chapter on '*Product development for public health emergency*'. Further, the policy document lays down broad guiding principles. A copy of the extract of the section is given in Statement (*See below*).

(c) and (d) The draft policy document was circulated to all the members of National Technical Advisory Group on Immunization (NTAGI) and was revised in the light of overall comments. Currently, the National Vaccine Policy is available at Ministry of Health and Family Welfare website ([www.mohfw.nic.in](http://www.mohfw.nic.in)) in public domain.

#### ***Statement***

##### ***Product development for public health emergency***

There is a need to develop mechanisms, where speedy regulatory clearances are possible including flexibilities in the import of biological materials needed for such development. The mechanisms need to be involved where the risk of the manufacturers is cushioned by appropriate assistance from the Government. It should be mandatory for the Government to support such developments with Advance Market Commitments and honour the commitments.

#### **Research conducted in AIIMS**

2256. SHRI SANJAY RAUT:  
SHRI GOVINDRAO ADIK:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the budgetary allocation made to AIIMS during the last three years and in the current year;
- (b) the allocation for research and development in AIIMS out of the total budget during this period;
- (c) the number of patents filed so far;
- (d) the number of patents which have been transferred to the industry for product manufacturing; and
- (e) what action the Ministry is taking to make the AIIMS a research-oriented, education-oriented and service-oriented institute?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) Budgetary allocation made to AIIMS under both Plan and Non Plan during last three years and current year is as under:—

Year	Amount allocated (Rs. crore)
2008-09	653.42
2009-10	886.51
2010-11	985.00
2011-12	1022.35

(b) Institute is provided consolidated grants every year under Plan and Non-Plan from the Ministry for patient care, teaching and research including staff and establishment etc. The institute has been internally earmarking Rs. 50.00 lakh as intramural research fund. From the year 2011-12, the intramural research fund is being enhanced to Rs. 3.00 crore. Patient care services and research activities are inter-related and normal grant to the institute cater to both research and patient care activities simultaneously. However, most of the research in the institute is funded through extramural grants received from other research agencies like Indian Council of Medical Research and Department of Biotechnology.

(c) and (d) A total of 46 applications for patent were filed out of which 12 have been granted and 4 patents have been commercialized.

(e) Since inception, AIIMS is providing high quality research, medical education and patient care. All efforts are made to further improve the standards in the relevant fields.

#### **Rise in sex determination tests**

2257. SHRI SHADI LAL BATRA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the cases of violation of sex determination tests in the country are on the rise;

(b) if so, the details thereof;

(c) the number of such cases which come to notice of Government during the last three years, State-wise, particularly in Haryana and Punjab;

(d) the action taken against the doctors and clinics who are involved therein; and

(e) the other corrective measures taken or proposed to be taken to prevent female foeticide?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) As per Census, 2011, the Child Sex Ratio has declined from 927 to 914. Sex selection leading to female foeticide therefore is a grave challenge.

As per reports received from the States details of cases filed against violations under the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 are given in Statement-I (*See below*).

(c) Details of State-wise cases files during the last three years are given in Statement-II (*See below*).

(d) Details of action taken against doctors and clinics are given in Statement-III (*See below*).

(e) The recent initiatives undertaken by Government of India to strengthen effective implementation of the Act include the following:—

- ☐ Rule 11(2) of the PC&PNDT Rules, 1996 has been amended to provide for confiscation of unregistered machines and further punishment of organizations which fail to register themselves under the Act.
- ☐ The National Inspection and monitoring Committee has been reconstituted and apart from inspections, further empowered to oversee follow-up action by Appropriate Authorities against organizations found guilty of violations under the Act during inspections.
- ☐ Operational guidelines for PNDT-NGO Grant in Aid Scheme have been revised to ensure targeted use of resources for awareness generation.
- ☐ States have been asked to take advantage of funding available under NRHM for strengthening infrastructure and augmentation of human resources required for effective implementation of the PC&PNDT Act.

***Statement-1***

*Details of cases filed against violators of the PC&PNDT Act/Rules (upto September, 2011)*

Sl. No.	State/UT	Non-registration	Non-maintenance of records	Communication of sex of foetus	Advt. about sex selection	Other violations	Ongoing cases	Convictions	Machines sealed/seized
1	2	3	4	5	6	7	8	9	10
1.	Andhra Pradesh	8	5	0	0	3	16	0	3
2.	Arunachal Pradesh	—	—	—	—	—	0	0	—
3.	Assam	—	—	—	—	—	0	0	—
4.	Bihar	6	—	3	—	1	10	0	1
5.	Chhattisgarh	5	—	—	—	—	5	0	5
6.	Goa*	3	—	—	—	—	3	0	—
7.	Gujarat	10	67	0	5	0	82	4	—
8.	Haryana	11	18	27	6	0	62	29	—
9.	Himachal Pradesh	—	0	—	0	7	7	0	—
10.	Jammu and Kashmir	—	—	1	—	—	1	0	1
11.	Jharkhand	—	—	0	—	—	0	0	0
12.	Karnataka	8		1	—	4	13	0	—



1	2	3	4	5	6	7	8	9	10
13.	Kerala	—	—	—	—	—	0	0	—
14.	Madhya Pradesh	2	9	6	1	4	22	0	0
15.	Maharashtra	40	80	29	9	0	158	18	183
16.	Manipur	—	—	—	—	—	0	0	0
17.	Meghalaya	—	—	—	—	—	0	0	—
18.	Mizoram	—	—	—	—	—	0	0	—
19.	Nagaland	—	—	—	—	—	0	0	0
20.	Orissa	—	—	—	—	—	19	0	0
21.	Punjab	18	44	30	7	16	115	23	0
22.	Rajasthan	—	—	—	—	—	192	4	298
23.	Sikkim	—	—	—	—	—	0	0	0
24.	Tamil Nadu	67	3	1	1	5	77	0	72
25.	Tripura	—	0	—	—	—	0	0	—
26.	Uttarakhand	1	5	2	1	—	9	0	1
27.	Uttar Pradesh	14	1	2	5	34	56	0	49
28.	West Bengal	—	—	—	—	—	7	0	0

29. Andaman and Nicobar Island	—	—	—	—	—	0	0	—
30. Chandigarh	1	—	—	1	—	2	1	—
31. Dadra and Nagar Haveli	—	—	—	—	—	0	0	—
32. Daman and Diu	—	—	—	—	—	0	0	0
33. Delhi	40	5	2	9	6	62	4	3
34. Lakshadweep	—	—	—	—	—	0	0	—
35. Puducherry	—	—	—	—	—	0	0	—
TOTAL:	234	237	104	45	80	918	83	616

**Statement-I**

*Cases registered under PC&PNDT Act in States/UTs in last three years and  
current year (Upto September, 2011)*

Sl. No.	State	2008-09	2009-2010	2010-2011	2011-2012
1	2	3	4	5	6
1.	Jammu and Kashmir	0	0	0	0
2.	Himachal Pradesh	0	0	0	0
3.	Punjab	5	1	7	1
4.	Chandigarh	0	0	1	0
5.	Uttaranchal	0	0	0	0
6.	Haryana	6	5	6	7
7.	Delhi	1	2	2	1
8.	Rajasthan	3	12	106	71
9.	Uttar Pradesh	12	0	2	0
10.	Bihar	0	0	0	0
11.	Sikkim	0	0	0	0
12.	Arunachal Pradesh	0	0	0	0
13.	Nagaland	0	0	0	0
14.	Manipur	0	0	0	0
15.	Mizoram	0	0	0	0
16.	Tripura	0	0	0	0
17.	Meghalaya	0	0	0	0
18.	Assam	0	0	0	0
19.	West Bengal	0	0	0	0
20.	Jharkhand	0	0	0	0
21.	Orissa	10	0	0	3
22.	Chhattisgarh	0	0	0	4
23.	Madhya Pradesh	2	7	1	2

1	2	3	4	5	6
24.	Gujarat	0	0	0	0
25.	Daman and Diu	0	0	0	0
26.	Dadra and Nagar Haveli	0	0	0	0
27.	Maharashtra	0	9	20	41
28.	Andhra Pradesh	0	0	0	0
29.	Karnataka	0	0	2	0
30.	Goa	0	0	0	0
31.	Lakshadweep	0	0	0	0
32.	Kerala	0	0	0	0
33.	Tamil Nadu	0	0	0	0
34.	Pondicherry	0	0	0	0
35.	Andaman and Nicobar Islands	0	0	0	0
TOTAL :		39	36	147	130

***Statement III***

*State-wise details of prosecutions action taken (2008-2010)*

Sl. No.	Clinic name	Doctors involved	Action taken
1	2	3	4
<b>Gujarat</b>			
1.	Manthan Imaging House, Ahmedabad.	Dr. Kaushik B. Shah	USG sealed.
2.	Sharma's Hospital, Ahmedabad.	Dr. A.K. Sharma	USG sealed.
3.	Medilink Hospital Satellite, Ahmedabad.	Dr. Manish Agrawal	Under trial in the court.
4.	Poojan Maternity and Infertility Clinic. Ahmedabad.	Dr. Rakesh Patel and Dr. Jayesh Amin	Under trial in the court.
5.	Jariwala Women Hospital, Camp.	Dr. Mahesh Jariwala,	Under trial in the court.
6.	Dev Trust Hospital, Ahmedabad.	Dr. Jamsmina D. Devada	Under trial in the court.
<b>Haryana</b>			
7.	Dalal Nursing Home, Bhiwani.	Dr. Pooja Dalal	Under trial in the Court.
8.	Beula Nursing Home, Pataudi.	Dr. A.K. Singh	Imprisonment from 14.06.2007 till 03.05.2008 and fine Rs. 1000/-.
9.	Sood Clinic and Ultrasound Centre, Panchkula.	Dr. D.P. Sood,	Case Decided to De-seal the machine on dated 10.04.2009.

10.	City Diagnostic and Ultrasound Centre, Sirsa.	Dr. Sanjeev Kaushal	Case dismissed.
11.	Mukhi Hospital and Nursing Home, Sonapat.	Dr. Pardeep Mukhi	Case closed.
12.	Col. Sodhi Hospital, Mewat.	Dr. J.S. Sodhi	Convicted for two years with fine of Rs. 5000/-.
13.	Kamboj Ultrasound and Diagnostic, Hisar.	Dr. M.P. Kamboj and Dr. Renu Kamboj	Imprisonment for a period of 3 years and fine of Rs. 10000/- each. Registration cancelled for 5 years.
14.	Jan Seva Hospital, Narnaul.	Dr. (Mrs) Reshma Yadav Shrimati Sunita (Patient) Anil Kumar (Husband)	3 years imprisonment and fine of Rs. 3000/- to Dr. Rashmi Yadav. For patient Sunita and husband Anil fine of Rs. 5000/- and 3 years imprisonment.
15.	Taneya Nursing Home, Dabua Colony, Faridabad.	Dr. R.D. Negi	Under trial in the High Court.
16.	Dr. Sudha Samir Nursing Faridabad.	Dr. Sudha Samir	Under trial in the High Court.
17.	Ahuja Nursing Home, Faridabad.	Dr. (Mrs.) Mahinder Ahuja and Dr. P.S. Ahuja	Under trial in the High Court.
18.	Dr. Jignesh Dhankar Clinic.	Dr. Jignesh Dhankar	Charges framed now on evidence.
19.	Karnal Ultrasound Centre, Karnal.	Dr. Brij Sharma	Pending in the Court.
20.	Anand Medi Scan Research Centre, Yamuna Nagar.	Dr. Pardeep Mahindru	The charges have been framed.
21.	Bansal General and Ladies Hospital, Fatehabad.	Dr. Rajesh Bansal and Dr. Vandana Bansal	Pending in the Court.

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1	2	3	4
22.	Garg Diagnostic Centre, Sirsa.	NA	For Evidence.
23.	Dr. Subhash Sethi Hospital, Rewari.	Dr. Subhash Sethi	FIR cancelled by Addl. Chief Judicial Magistrate.
24.	Marender Hospital and Ultrasound, Karnal.	Dr. Jitender Kalia	Charges have been framed.
25.	Saraswati Hospital, Faridabad.	Dr. Rajesh Kumar Singh and Dr. Rajbir Kumar Singh (Ultrasonologist)	Pending at the court.
26.	Hakim Mool Chand Pahwa, Ambala.	Hakim Mool Chand Pahwa	FIR registered.
27.	R.K. Memorial Ultrasound Centre, Yamuna Nagar.	Dr. Deepak Gupta	The case has been admitted in the Court of CJM.
28.	Alfa C.T. Scan Centre, KKR.	Dr. Arun Kumar	
29.	Yadav Surgical Hospital, Mohindergarh.	Dr. Narender Yadav and Dr. Rekha Yadav	FIR lodged.
30.			
31.	Dr. B.L. Goel Nursing Home, Rewari.	Dr. B.L. Goel	Pending at the court.
32.	Dr. Brij Sharma Urban Estate, Karnal.	Dr. Brij Sharma Neelam (Patient) Amit (Husband)	FIR lodged and case is pending.
<b>Karnataka</b>			
33.	Chiranjivee Clinic, Bangalore.	Dr. Mangala	New case is at summons stage.

34.	Ranthana Scanning and Diagnostic Centre, Bangalore.	Dr. Suresh Kumar	New case is at summons stage.
35.	Dr. Vishwanath Tanvshi Clinic, Belgaum.	Dr. Vishwanath Tanvshi	Now Case at High Court circuit Bench Dharwad.
36.	Meena Nursing Home, Belgaum.	Dr. Anil S. Sanagar	Pending at the court.
37.	Kalpana X-ray clinic, Belgaum.	Dr. P.C. Mehta	Pending at the court.
38.	Devarushi Hospital, Belgaum.	Dr. Sunita Ravindra Devarushi	Pending at the court.
<b>Madhya Pradesh</b>			
39.	Chhabra Diagnostic Centre, Indore.	Dr. Harish Chhabra	
40.	Gill Lithotripsy and Diagnostic Centre, Indore.	Dr. M.S. Gill	
41.	Mittal Sonography, Indore.	Dr. N.K. Mittal	
42.	Gauradevi Nursing Home, Indore.	Dr. Premlata Bansal	
43.	Trivedi Nursing Home, Gwalior.	Dr. Sushma Trivedi	
44.	Suresh Memorial Clinic, Gwalior.	Dr. S.K. Shrivastava	
45.	Sandhya Nursing Home, Gwalior.	Dr. Sandhya Tiwari	
46.	Taperwari complex, Gwalior.	Dr. Pradeep Saxena	
47.	Kalpna X-ray and Ultrasound Centre, Shivpuri.	Dr. Bhagwat Bansal	
48.	Verma Nursing Home, Shivpuri.	Dr. Anita Verma	
49.	Dr. Pradeep Tiwari Sonography Centre, Anuppur.	Dr. Pradeep Kumar Tiwari	

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1	2	3	4
<b>Maharashtra</b>			
50.	Shree Hospital, Mumbai.	Dr. Chaya Tated and Dr. Shubhangi Adkar	Rigorous Imprisonment for the term 'Three years' and fine of Rs. 3000/-.
51.	Shreejee Hospital, Jalgaon.	Dr. Prashant Gujrathi	Rigorous Imprisonment for the term 'One year' and fine of Rs. 5000/-.
52.	Jeevanjyoti Hospital, Satara.	Dr. P.K. Pawar	Rigorous Imprisonment for the term 'Three years' and fine of Rs. 90000/-.
53.	Anand Hospital, Karjat.	Dr. Bhandari Prakash Mansuklal	Under trial in the court.
54.	Suvidha Hospital, Karjat.	Dr. Gore Pandurang Vitthal	Under trial in the court.
55.	Samarth Hospital, Karjat.	Dr. Chavan Vijaykumar	Under trial in the court.
56.	Shirsat Hospital and Son. Center, Nevasa.	Dr. Rajni Babasaheb Shirsat	Under trial in the court.
57.	Nidan Sonography Center, Kolhapur.	Dr. Shivaji Sadashiv Mane	Under trial in the court.
58.	Deenanath Mangeshkar Hospital.	Dr. Abhay Apaté	Under trial in the court.
59.	Poona Hospital, Pune.	Dr. J. Ravindranath and Dr. Patil	Under trial in the court.
60.	Bamb Nursing Home Pune.	Dr. Sagar G. Bamb	Under trial in the court.
61.	Makeshwar Sonography Center, Pune.	Dr. Sandhya Makeshwar	Under trial in the court.
62.	Samarth Diagnostic Center, Ramwadi, Pune.	Dr. Neeta S. Narawade	Under trial in the court.
63.	Maternity Hospital and Nursing Home, Itclakaranji.	Dr. Katkar, B.H.	Under trial in the court.

64.		Dr. S.C. Chaugule	Under trial in the court.
65.		Dr. Gajanan Daulat Koli	Under trial in the court.
66.	G.T. and Others, Super Sonography Clinic, Kolhapur.	Dr. Mane	Under trial in the court.
67.		Dr. Suhasini Karanjkar	Under trial in the court.
68.	Shriram Hospital, Ahemdnagar.	Dr. Kalyan Ramanheb Kolhe	Under trial in the court.
69.	Gajanan Hospital, Nannaj, Ahemdnagar.	Dr. Suprabha Babasaheb Kumtkar	Under trial in the court.
70.		Dr. Satya Trilok Kesari	Under trial in the court.
71.	Munde Hospital, Beed.	Dr. Sudam Munde, Dr. Saraswati Munde and Dr. A.T. Gite	Under trial in the court.
72.	Aarbat Hospital and Sonography Center, Khamgaon.	Dr. Rajesh Aarbat	Under trial in the court.
73.	Shinde Hospital and Sonography Center, Beed.	Dr. Sou Alkananda	Under trial in the court.
74.	Shinde Hospital and Sonography Center, Beed.	Dr. Dashrat Shinde	Under trial in the court.
75.	Sanjivan Hospital, Nanded.	Dr. Shivaji Madhavrao Eklare	Under trial in the court.
76.		Dr. Uttam Laxman Jadhav	Under trial in the court.
77.		Dr. Pramod Rajaram Zanzare	Under trial in the court.
78.		Dr. Gayatri Shivaji Wadekar.	Under trial in the court.

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1	2	3	4
79.		Dr. Minal Anand Patil and Dr. Chitra Rangarao Patil	Under trial in the court.
80.		Dr. Uma Avinash Dev	Under trial in the court.
81.	Anusya Hospital, Sangali.	Dr. Mohan Hari Pharne	Under trial in the court.
82.	Krushna Hospital, Solapur.	Dr. Kavita Ramchandra Londhe	Under trial in the court.
<b>Orissa</b>			
83.		Dr. Bijay Kumar Bhanja	Under trial in the court.
84.		Dr. Sanjay Kumar Ray	Under trial in the court.
85.		Dr. Arabinda Mohapatra	Under trial in the court.
86.		Dr. Surendra Kumar Sarangi	Under trial in the court.
87.		Prasanta Kumar Sahoo	Under trial in the court.
88.		Baikunthanath Naik	Under trial in the court.
89.		Dr. Ritanjali Mishra	Under trial in the court.
90.		Dr. Somanatha Mishra	Under trial in the court.
91.		Dr. Rashmibala Devi	Under trial in the court.
92.		Gosabarisha Sahoo	Under trial in the court.
93.		Dr. Samir Kumar Nanda	Under trial in the court.

94.	Dr. Bhubaneswar Shukla	Under trial in the court.
95.	Dr. Laxminarayan Bisoi	Under trial in the court.
96.	Dr. Nabakishore Sahoo	Under trial in the court.
97.	Dr. P.K. Jain	Under trial in the court.
98.	Dr. S.D. Sharma	Under trial in the court.
99.	Dr. S. Mahanta	Under trial in the court.
100.	Dr. S. C. Mohanty	Under trial in the court.
101.	Dr. P.C. Pradhan	Under trial in the court.
102.	Dr. N. Samal	Under trial in the court.
103.	Owner and Doctor of Central Hospital, Jharsuguda.	Under trial in the court.
104.	Owner and Doctor of St. Memory Hospital, Jharsuguda.	Under trial in the court.
105.	Owner and Doctor of Kalyani Diagnostic, Angul.	Under trial in the court.
106.	Owner and Doctor of Gayatri Nursing Home, Baragarh.	Under trial in the court.
107.	Owner and Doctor of Abhay Clinic, Rayagada.	Under trial in the court.
<b>Punjab</b>		
108.	Bawa Nursing Home, Fatehgarh Sahib.	Pending in the court.

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109.	Public Hospital/Scan Centre, Batala.		Pending in the court.
110.	Batala Hospital/Scan Centre, Batala.		Pending in the court.
111.	Batala Hospital/Scan Centre, Batala (Under different section).		Pending in the court.
112.	Vardaan Medical Centre, JLD.	Shree Varish Kumar	Accused is acquitted from the charges in the lower court. Appeal in session court.
113.	Naresh Hospital, Shahkot.	Naresh Kumar	Acquitted.
114.	Jatinder Ghambhir Hospital. Ludhiana.		FIR Launched.
115.	Gawri Nursing Home, Muktsar	Dr. S.K. Gawri	Acquitted.
116.	Madho Hospital, Muktsar.	Dr. Vasudha Singh and Dr. Balwinder Singh	Acquitted.
117.	Dashmesh Dignostic Centre, Aanandpur Sahib.		FIR launched, Notice issued for cancellation of registration.
118.	Jindal Scan Centre, Malerkotla.	Dr. Suman Indu	Pending in the court.
119.	Mehta Hospital, Khanauri.	Dr. Sweta Mehta and Dr. S.K. Mehta	Pending in the court.
120.	Reshi Dignotic Centre, Bhikhiwind.		Pending in the court.
<b>Rajasthan</b>			
121.	Arawali Hospital, Karauli.	Dr. Vijat Singh Jadaun	Arrested by the Police.

122.	Shweta Diagnostic Centre, Alwar.	Dr. Amit Singhal	Under trial in the court.
123.	MPS Hospital, Pratapgarh.	Dr. M.P. Singh	Under trial in the court.
124.	Surabhi Hospital, Kherthal.	Dr. Surabhi Khatidiya	Under trial in the court.
125.	Dr. Chauhan Diagnostic Centre, Bhiwari.	Dr. Sandip Chauhan	Under trial in the court.
126.	Khatri Hospital.	Dr. Mool Chand Khatri	Warrant issued.
127.	Khatri Hospital.	Dr. Snehal Khatudiya	Warrant issued.
128.	Diagnostic Centre and Infertility Centre.	Dr. Anamika Bhardwaj	
129.	—	Dr. Rajesh Dhakad	Summon issued.
130.	—	Dr. R.S. Khandelwal	Summon issued.
131.	—	Dr. Aarami Lal Dhakad	Summon issued.
132.	—	Dr. Anil Soni	Summon issued.
133.	Anmol Imaging and Diagnostic Centre, Dausa.	Dr. Maya Khandelwal	Under trial in the court.
134.	Anmol Imaging and Diagnostic Centre, Dausa.	Dr. Satya Narayan Khandelwal	Under trial in the court.
135.	Gogana Nursing Home, Dausa.	Dr. Pankaj Gogna	Under trial in the court.
136.	Meera Hospital, Bani Park, Jaipur.	Dr. Meera Patodiya	Under trial in the court.
137.	Janana Hospital, Jaipur.	Dr. Rajeshwari Gupta	Under trial in the court.
138.	Bhawana Hospital, Ramsheen, Jalore.	Dr. Satish Kumar	Warrant issued.
139.	—	Dr. Rachana Budhanian (Sonologist)	Warrant issued.

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140.	—	Shri Kailash	Warrant issued.
143.	Jeevan Jyoti Hospital, Jhunjhunu.	Shrimati Suman	Warrant issued.
142.	—	Dr. Sumer Singh (Sonologist)	Warrant issued.
143.	Chaudhary Nursing Home, Udaipur.	Dr. Dinesh Chaudhary	Warrant issued.
144.	—	Shrimati Sumitra Zangid (Prop.)	Warrant issued.
145.	Vinayak Hospital.	Dr. Anju Sharma	Warrant issued.
146.	Vinayak Hospital.	Shrimati Sushila	Warrant issued.
147.	—	Dr. Barjendra Chaudhary (Sonologist and Prop.)	Warrant issued.
148.	ANM, B.M. Hospital.	Shrimati Seema	Warrant issued.
149.	—	Lalit Aacharya	Warrant issued.
150.	S.D. X-Ray Lab and Sonography.	Firoz Ahmed Kazi	Warrant issued.
151.	Sanjiwan Hospital.	Dr. Arun Parihar	Warrant issued.
152.	Varun Rog Nidan Sewa.	Hukamichand Khatri	Under trial in the court.
153.	Gupta Nursing Home, Hindaun City.	Dr. M.L Gupta	Under trial in the court.
154.	Vineeta Nursing Home. Hindaun.	Dr. Vinita Makkan	Under trial in the court.
155.	Aman Hospital and Research Center, Hindaun.	Dr. Dharmendra S. Jadon	Under trial in the court.

156. Girish Hospital, Hindaun City.	Dr. Raj	Under trial in the court.
157. Tirupati Hospital, Hindaun City.	Dr. Nawab S. Beniwal	Under trial in the court.
158. Pali Diagnostic Center, Pali.	Indrajit Singh Rajpurohit	Warrant issued.
159. Kulshreshtha, Pali.	Dr. Pramod Kumar	Warrant issued.
160. Bhumika Hospital, Sikar.	Dr. Sarita Chaudhary	Summon issued
161. Kheechad Hospital, Sikar.	Dr. Anita Chaudhary	Summon issued
162. Nihit Hospital, Sikar.	Dr. Rakesh Khandelwal	Summon issued
163. Khatoor Shyam Ji.	Dr. Mukesh Dikshit	Under trial in the court.
164. Rastogi Ultrasound Centre.	Dr. K.K. Rastogi	Under trial in the court.
165. Sihaag Hospital.	Dr. P.S. Kurana	Under trial in the court.
166. Paras Diagnostic Centre.	Rajendra Jain	Under trial in the court.
167. Bedi Ultrasound.	Pramod Bedi	Under trial in the court.
168. Pratham Diagnostic Centre.	Praveen Garg	Under trial in the court.
169. Bhal Diagnostic Centre.	Dr. Vijay Bhal	Under trial in the court.
170. Garg Diagnostic Centre.	Dr. Pradeep Garg	Under trial in the court.
171. Paras Diagnostic Centre.	Rajendra Jain	Under trial in the court.
172. Sihaag Hospital.	Dr. P.S. Kurana	Under trial in the court.
173. Sahil Ultrasound.	Dr. Manjula Gupta	Under trial in the court.

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174.	Gangaram Bansal Neurosurgical and City Scan Heart Centre.	Dr. Rakesh Bansal	Under trial in the court.
175.	Chaudhary Ultrasound Center.	Dr. Vasudev Chaudhary	Under trial in the court.
176.	Rastogi Ultrasound Center.	Dr. K.K. Rastogi	Under trial in the court.
177.	Sri Ganganagar City Scan and Heart Centre.	Dr. Shyam Sunder Tantiya	Under trial in the court.
178.	Patanjali Ultrasound Clinic.	Dr. P.R. Bhadu	Under trial in the court.
179.	Bansal Ultrasound Centre, Sri Karanpur.	Dr. S. S. Bansal	Under trial in the court.
180.	Sarada Nursing home, Anupgarh.	Dr. P.R. Chhipa	Warrant issued.
181.	Baniwal Nursing home, Suratgarh.	Dr. Vijay Prakash Baniwal	Warrant issued.
182.	Arora Care home, Suratgarh.	Dr. Vijay Arora	Warrant issued.
183.	Bansal nursing Home.	Dr. K.L. Bansal	Warrant issued.
184.	Gangaram Hospital, Sadulsar.	Dr. Kailash Chandra Soangia	Warrant issued.
185.	Shanti Nursing Home, Ghadsana.	Dr. Rajesh Gaur	Under trial in the court.
186.	Bhadu Hospital, Ghadsana.	Dr. Rani Bhadu	Under trial in the court.
187.	City Hospital.	Dr. Shankarlal	Warrant issued.
188.	Bansal Diagnostic Centre, Rai Singh Nagar.	Dr. Anil Bansal	Warrant issued.
189.	Makkan Nursing Home, Ramsinghpur.	Dr. Vijay Makkan	Under trial in the court.

190. Tonk.	Dr. Shanti Bansiwai	Warrant issued.
191. Life Care Hospital, Tonk.	Dr. Javed Salam Ansari	Under trial in the court.
192. M Cure Hospital, Tonk.	Dr. Babita Gupta	Summon Issued.
193. Shri Kalyan Hospital and Research Centre, Niwai.	Dr. Chanchal Sharma	Under trial in the court.
194. Vijay Laboratories, Niwai.	Mahesh Kumar	Under trial in the court.
195. Vijay Laboratories, Niwai.	Mahesh Kumar	Under trial in the court.
196. Namokar Hospital, Dewali, Tonk.	Dr. Rajesh Jain	Under trial in the court.
197. Wipro G.E. Health Care.		Under trial in the court.
198. Wipro G.E. Medical System.	Shri Pratosh Mathur Manager	Under trial in the court.
199. Jain Health Care, Udaipur.		Under trial in the court.
200. Care Medical System, Jaipur.		Under trial in the court.
201. Pioneer Medical System, Jaipur.		Under trial in the court.
202. Partner, Pioneer Medical System, Jaipur.	Shrimati Usha Thakur	Under trial in the court.
203. Meditech, Jaipur.	Shri Naveen Jain and Surendra	Under trial in the court.
204. GM (Sales), Erbis Engineering Company.	Shri Sunil Verman, Shri Sunil Chawla, and Shri K. Vasudewan	Under trial in the court.
205. GM, Quality and Regularity Health Care Centre, Philips Electronic India Limited.	Shri Sudhakar Marpadi and Shri Sanjay Bapana	Under trial in the court.

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206.	Gate well Polyclinic and Hospital, JLN Marg, Jaipur.	Shri Rajan Kabra	Under trial in the court.
207.	Gaur Hospital, Hospital Road, Shri Ganganagar.	Dr. Prahalad Gaur	Under trial in the court.
208.	—	Girish Bhai Rath	Under trial in the court.
209.	Arigya Mandir, Bara.	Shyam Sunder Goyal	Under trial in the court.
210.	Sales and Service, Khansaz Building, Rajaji Road, Kalikut.	Shri Niranjana Kumar, (KRM)	Under trial in the court.
211.	Metros Mediline System Limited, 603 Bangalore.	Shri Mukund Thambakar, (Project Manager)	Under trial in the court.
212.	Metros Mediline System Limited, Jaipur.	Shri Suresh Yadav SR, Sales Executive	Under trial in the court.
213.	Beam X Medical Service Pvt. Ltd.	Shri Jitendra Kaushik, Director	Under trial in the court.
214.	Vinatech Medical Syatem Pvt. Ltd.		Under trial in the court.
215.	Medicine System India limited.		Under trial in the court.
216.	Shri Kishan Hospital, Jaipur.		Under trial in the court.
217.	Treavtron Health Care, New Delhi.		Under trial in the court.
218.	Garg Maternirt and General Hospital, Jaipur.	Dr. Namita Garg	Under trial in the court.
219.	Hariom Diagnostic Centre, Bassi, Jaipur.	Shri Satyanarayan Sharma	Under trial in the court.
220.	Dr. Aruna Gupta Sonography Centre, Jaipur.	Dr. Aruna Gupta	Under trial in the court.

221.	Life Line Diagnostic Centre, Jaipur.		Warrant issued.
222.	Superior Diagnostic and Research Centre, Jaipur.	Dr. Navin Sharma	Warrant issued.
223.	Madhav Janana and General Hospital, Jaipur.	Dr. Hemant	Warrant issued.
224.	Upasana Jevan Raksha Hospital, Dungarpur, Rajasthan.	Dr. Kashinath	Warrant issued.
225.	Prop. Life Line, Milap Nagar, Tonk Road, Jaipur.	Dr. Vijay Gupta	Warrant issued.
226.	Madhur Clinic and Nursing Home, Jaipur.	Dr. Madhurani Jain MD	Warrant issued.
227.		Dr. R.N. Meena	Warrant issued.
228.	Dr. Neena, Shanti Path, Jaipur.	Dr. Neena, Shanti	Warrant issued.
229.		Kanta W/o Rajesh	Warrant issued.
230.	Pardya Memorial Hospital, Sanganor.		Warrant issued.
231.	Pardya Memorial Hospital, Malpura Road, Sanganor.	Dr. Prakash Chhablani, Ex. Director	Warrant issued.
232.	Dr. Madhu Singh, Sanganor, Jaipur.		Warrant issued.
233.	—	Shri Dharmendra Kumar	Warrant issued.
234.	—	Dr. Rakhi Jain	Warrant issued.
235.	R.P. Memorial Hospital, Jawahar Nagar, Jaipur.	Dr. Maya Sharma, Prop	Warrant issued.
236.	Siddhartha Diagnostic and Research Society, Jaipur.	Shrimati Usha Jain, Director	Warrant issued.

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237.	—	Dr. Satish Kumar Jain	Warrant issued.
238.	Surendra Electrotech, Jaipur.	Surendra Rathod, Prop.	Warrant issued.
239.	—		Warrant issued.
240.	Gupta Hospital and Sonography Research Centre, Jaipur.	Dr. Pradeep Kumar Gupta	Warrant issued.
<b>Uttar Pradesh</b>			
241.	Adarsh Diagnostic Sandila.		Under trial at the court.
242.	—	Dr. Beena Tewari	Case disposed of.
243.	—	Shrimati Shashi Saxena	Seal has been opened in compliance of Hon'ble Court Orders.
244.	D.J. Dental College.		Under trial in the court.
245.	Meyo Hospital.		Under trial in the court.
246.	Shekhar Hospital.		Under trial in the court.
247.	Maa Chandrika Devi Hospital.		Under trial in the court.
248.	Adarsh Diagnostic Centre.		Under trial in the court.
249.	Nizi Clinic.		Under trial in the court.
250.	—	Dr. Archan Mittal	Under trial in the court.
251.	Aditya Diagnostic Center.		Under trial in the court.

252. Sharma X-Ray.		Under trial in the court.
253. Kiran Hospital and Maternity Center.		Under trial in the court.
<b>Chandigarh</b>		
254. Kapoors' Kidney and Uro-Stone Centre Pvt. Ltd.	Dr. Anshuman V. Kapoor	Case Decided, Fine Rs. 1000.
255. Sant Hospital.	Dr. V.K. Sehdev	Both accused were sent to Custody and out on Bail. Appropriate Authority sealed the centre, suspended PNDT registration and the matter is pending in the Court.
256. Nanak Hospital.	Dr. H.K. Singh	
257. Abhilasha Maternity and Medical Clinic.	Dr. Abhilasha Garg	Appropriate Authority sealed the Centre, suspended PNDT registration and the matter is pending in the Court.
258. Raja Nursing Home.	Dr. H.K. Grewal	Appropriate Authority sealed the Centre and machine, suspended PNDT registration and the matter is pending in the Court.
259. Fertility and IVF Centre.	Dr. Mangla Telang	
260. —	Dr. Sudha Sharma	Matter is pending at the Court.
261. —	Dr. Sunil Fakay	Appropriate Authority Sealed the Centre and Suspended the PNDT registration and the matter is put up before PNDT Advisory Committee

### Shortage of pharmacists in the country

2258. SHRI R.C. SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the details of requirement of pharmacists in the country, State-wise;
- (b) the details of pharmacy colleges in the country, State-wise;
- (c) whether it is a fact that there is a shortage of pharmacists in the country;
- (d) if so, whether it is also a fact that the Pharmacy Council of India has recommended not to give approval for opening of new colleges; and
- (e) if so, the reasons therefor?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) No specific survey regarding the requirement of pharmacists in the country has been made by the Pharmacy Council of India.

(b) State-wise number of pharmacy diploma/degree/post degree colleges with their intake capacity approved under Pharmacy Act, 1948 is given in Statement-I, II and III respectively (*See below*).

(c) As per the information furnished by the Pharmacy Council of India, the number of pharmacists passing out every year is adequate to meet the present manpower requirement of the profession in the country. Nonetheless, a number of steps have been taken to augment the training capacity of pharmacists as well as to raise the quality of pharmacy education in the country which *inter alia* include introduction of continuing education programmes, providing financial assistance to State Pharmacy institutions/councils under the Strengthening and upgradation of pharmacy institution.

(d) and (e) Pharmacy Council of India has urged all the State Governments to plan out the need of total number of pharmacists required in the State while considering the proposal of new diploma/degree pharmacy institutions.

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

*State-wise No. of Institutions approved under the Pharmacy Act, 1948  
for D. Pharm course (Diploma) for the purpose of  
registration as a pharmacist*

Sl. No.	States	Institutions	Admissions
1	2	3	4
1.	Andhra Pradesh	62	3518

1	2	3	4
2.	Assam	3	200
3.	Bihar	2	120
4.	Chandigarh	2	100
5.	Chhattisgarh	12	697
6.	Delhi	8	480
7.	Goa	1	60
8.	Gujarat	17	1135
9.	Haryana	18	1090
10.	Himachal Pradesh	3	130
11.	Jharkhand	3	180
12.	Karnataka	95	6140
13.	Kerala	23	1430
14.	Madhya Pradesh	33	2535
15.	Maharashtra	174	9487
16.	Manipur	1	30
17.	Mizoram	1	33
18.	Orissa	34	2042
19.	Punjab	39	2050
20.	Rajasthan	29	1740
21.	Sikkim	1	60
22.	Tamil Nadu	42	2900
23.	Tripura	1	60
24.	Uttar Pradesh	28	1600
25.	Uttarakhand	16	740
26.	West Bengal	11	550
27.	Jammu and Kashmir (u/s 14)	1	40
TOTAL :		660	39,147



***Statement-II***

*State-wide No. of institutions approved under Pharmacy Act, 1948 for B. Pharm course  
(Degree) for the purpose of registration as a pharmacist*

Sl. No.	States	Institutions	Admissions
1	2	3	4
1.	Andhra Pradesh	119	7025
2.	Assam	2	100
3.	Bihar	1	30
4.	Chandigarh	1	55
5.	Chhattisgarh	9	460
6.	Delhi	4	240
7.	Goa	2	120
8.	Gujarat	37	2170
9.	Haryana	16	960
10.	Himachal Pradesh	4	360
11.	Jharkhand	1	60
12.	Karnataka	68	4100
13.	Kerala	25	1440
14.	Madhya Pradesh	39	2400
15.	Maharashtra	92	4990
16.	Mizoram	1	38
17.	Orissa	15	900
18.	Pondicherry	1	60
19.	Punjab	26	1380
20.	Rajasthan	26	1540
21.	Sikkim	1	60
22.	Tamil Nadu	41	2650
23.	Tripura	1	30

1	2	3	4
24.	Uttar Pradesh	62	3550
25.	Uttarakhand	8	850
26.	West Bengal	11	670
TOTAL :		837	36,238

***Statement-III***

*State-wise No. of institutions approved under the Pharmacy Act, 1948 for  
Pharm. D (Post Baccalaureate) course for the purpose of  
registration as a pharmacist.*

Sl. No.	States	Institutions	Admissions
1.	Karnataka	2	20
2.	Tamil Nadu	5	50
TOTAL :		7	70

**Reward scheme for female foeticide whistle-blowers**

2259. SHRI RAJKUMAR DHOOT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government proposes to announce a scheme to reward female foeticide whistle-blowers on the lines of Jammu and Kashmir;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) No such scheme has been proposed by Government of India.

(b) Does not arise.

(c) The implementation of PC&PNDT Act lies within the domain of the State Governments. Government of India is supporting the States with funding under the National Rural Health Mission (NRHM) for State specific measures and innovations to curb sex determination through effective implementation of the Act *ibid*.

#### **Establishment of NCHER for health sector**

2260. SHRI S. THANGAVELU: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government had earlier proposed to set up National Commission for Higher Education and Research (NCHER) in Health for health sector to replace the existing Medical, Dental, Nursing and Pharma Councils of India; and

(b) if so, the status of the proposal and steps taken by Government for better performance of health sector under NCHER?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) The Central Government had proposed to set up National Commission for Higher Education and Research (NCHER) under the Ministry of Human Resource Development for higher education and the National Commission for Human Resources for Health (NCHRH) under the Ministry of Health and Family Welfare as an overarching regulatory body for medical education and allied health sciences with a dual purpose of reforming the current regulatory framework and enhancing the supply of skilled manpower in the health sector. The proposed Commission would subsume the existing councils viz., Medical Council of India, Dental Council of India, Nursing Council of India and Pharmacy Council of India.

(b) After consultations with the stakeholders, a draft Cabinet Note and Bill are being finalized for further necessary action. The proposed NCHRH would also constitute a National Board for Health Education (NBHE) and a National Evaluation and Assessment Committee (NEAC) with a mandate to prescribe minimum standards for health education and developing and maintaining system of accreditation of health educational institutes respectively. Apart from this, National Councils have also been proposed to be set up under NCHRH to *inter-alia* ensure ethical standards among medical professionals.

#### **Healthcare services in remote rural areas**

2261. SHRI PARIMAL NATHWANI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the manner in which Government proposes to meet the challenges of providing quality health services in remote rural areas as well as tribal and hilly areas in the country; and

(b) the current status for provision of quality health services in the tribal areas of Jharkhand?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) National Rural Health Mission was launched in the year 2005 with an aim to provide accessible, affordable and quality healthcare to the rural population of the country including remote rural areas as well as tribal and hilly areas. The

Government has taken several steps to meet the challenges in providing quality healthcare across the country including the State of Jharkhand which include the following:—

1. Financial Assistance has been provided to the States for augmentation of health human resources through contractual appointments of doctors, specialists nurses, paramedics etc. In the State of Jharkhand, 528 doctors including AYUSH doctors, 31 specialists, 862 Staff Nurses, 4098 ANMs and 576 paramedics have been engaged under NRHM to provide healthcare services.
2. For improving the skills of Doctors and paramedics and to enable improved skilled care at birth, States are encouraged to conduct various training programmes such as Skilled Birth Attendant (SBA), Life Saving Anesthesia Skills (LSAS), Basic Emergency and Obstetrics Care (BeMOC), Emergency Obstetrics Care (EmOC), etc.
3. Funds have been provided to the States including to the State of Jharkhand for infrastructure upgradation/renovation of health care facilities as per standards. So far, under NRHM, new construction works of 182 health facilities (PHCs, CHCs, Sub-Centre) and renovation/upgradation of 3 District Hospitals have been undertaken in Jharkhand.
4. States are encouraged to setup Sick New Born Care Units (SNCU) at District Hospitals.
5. To ensure quality in sterilization services, a nine member Quality Assurance Committee have been setup under the direction of Supreme Court of India at all districts of the country. Its ambit has also been increased to look after quality issues in service delivery in all aspect of Reproductive and Child Health (RCH) programme.
6. 264 backward districts including tribal districts have been identified on the basis of SC/ST population, left wing extremism and low health profile etc. for focused monitoring.
7. As per Rural Health Statistics 2010, there are 26643 Sub Centres, 3742 PHCs and 802 CHCs operational in the country covering the tribal population. There are 1190 Sub-Centres, 100 PHCs and 5 CHCs operational in the State of Jharkhand to provide healthcare delivery services in tribal areas.
8. States are provided with Mobile Medical Units and Emergency Referral Transport System to improve the accessibility. 24 districts in the State of Jharkhand are equipped with Mobile Medical Units with 103 vehicles. 166 ambulances are also operational in the State to provide emergency referral services.

9. A new initiative, Janani Shishu Suraksha Karyakram (JSSK) recently launched under the National Rural Health Mission (NRHM) entitles all pregnant women accessing public health institutions, completely free and cashless deliveries including free medicine with zero out of pocket expenses.
10. Promotion of institutional delivery through Janani Suraksha Yojana (JSY) by providing cash assistance to pregnant women especially those who belong to Scheduled Tribes, Scheduled Castes and BPL category. As a result there has been substantial increase in the number of institutional deliveries in the country. The institutional delivery in the State of Jharkhand has increased from 52293 in 2005-06 to 3.45 lakhs in 2010-11.

#### **Janani Shishu Suraksha Karyakram**

2262. SHRI T.K. RANGARAJAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether it is a fact that the facilities available under Janani Shishu Suraksha Karyakram are not being meted out to the patients enrolling themselves under this scheme;
- (b) if so, the number of cases registered under this scheme in last three years, State-wise; and
- (c) the latest *status-quo* position of the cases?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) No. As per the reports received from the States, 32 out of the 35 States UTs in the country have launched the scheme which provides for free entitlements to pregnant women and sick neonates.

(b) Government of India has launched Janani Shishu Suraksha Karyakram (JSSK) on 1st June, 2011. No registration is required as the scheme entitles all pregnant women accessing Government health facilities for availing absolutely free and no expense delivery, including caesarean section, drugs, to and fro transport, diagnostics, diet and blood. Similar entitlements are there for all sick newborns accessing public health institutions for treatment till 30 days after birth.

(c) No such data is maintained either centrally or at State level as all cases approaching Government health facilities are eligible to receive free and cashless services as stipulated under the scheme.

#### **Revamping of Nutrition Delivery Programme**

2263. SHRI KHEKIHO ZHIMOMI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether Government proposes to revamp the Nutrition Delivery Programme to check malnutrition;

(b) whether any special consideration has been given to the North Eastern States particularly Nagaland; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) As per information, there is no Programme entitled 'Nutrition Delivery Programme to check malnutrition'.

(b) and (c) Do not arise.

#### **Task Force on fake drugs**

2264. SHRI RAM KRIPAL YADAV: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government has set up a 12 member committee Task Force headed by the Director General (DG) of the Indian Council of Medical Research (ICMR) to tackle the problems of spurious and fake drugs openly available and being sold in medical stores;

(b) if so, whether the committee has submitted any initial/final report to Government;

(c) if so, the recommendations thereof and, if not, when it is expected;

(d) whether it is a fact that approximately 5.6 per cent of drugs in the country do not adhere to standard quality; and

(e) if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) to (c) A 16 Member Task Force has been set up by the Government under the Chairmanship of the Director General, ICMR and co-Chairmanship of Director General, Directorate General Health Services for formulating a long term policy and strategy for strengthening of drug sector in the country. The Task Force has constituted sub-groups to go into various aspects including the specific issue of spurious and adulterated drugs. The Task Force has been asked to expedite its report.

(a) and (e) As per a countrywide survey conducted by the Government in 2009 to assess the extent of spurious drugs in the country, out of 24,136 samples collected for analysis, only 0.046% samples were found spurious.

#### **High caffeine content in carbonated beverages sold in the country**

†2265. SHRI SATYAVRAT CHATURVEDI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

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†Original notice of the question was received in Hindi.

(a) whether it is a fact that Government has fixed the parameter of 145 ppm for caffeine in carbonated beverages;

(b) whether Government is aware that most of the energy drink manufacturers in the country are maintaining the level of 320 ppm, causing diseases like heart attack, stroke and paralysis;

(c) if so, the steps being taken by Government to prescribe and control amount of caffeine in energy drinks; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) to (d) Yes. Under the Food Safety and Standards Regulations, 2011, use of caffeine not exceeding 145 mg/litre is permitted in carbonated water. However, at present, there is no limit prescribed for energy drinks. The Food Safety and Standards Authority of India (FSSAI) has initiated necessary action to fix the level of caffeine in energy drinks.

#### **AYUSH dispensaries in Gujarat**

2266. SHRI DILIPBHAI PANDYA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether proposal of the State Government of Gujarat for the construction of the AYUSH dispensaries, grants for the purchase of medicines and contingency expenditure in these dispensaries, is lying pending with Government;

(b) if so, the details thereof; and

(c) the time by which the said proposal is likely to be approved and the amount to be released?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI S. GANDHISELVAN): (a) and (b) Yes, Government of India has received proposals from Government of Gujarat for financial assistance for upgradation of AYUSH dispensaries, purchase of medicines and contingency expenditure in AYUSH dispensaries under Centrally Sponsored Scheme for Development of AYUSH Hospitals and Dispensaries. The details of the proposals received and grants sanctioned during 2008-09 to 2011-12 till date are given in Statement (See below).

(c) Government of Gujarat has not submitted the Utilization Certificates of the grant in aid as released to them upto financial year 2009-10 and therefore in view of the direction of Ministry of Finance, the proposals of the state has not been considered for approval.

**Statement**

*Details of proposals of upgradation of AYUSH dispensaries, supply of essential drugs and contingency expenditure received from the State Government of Gujarat and funds released under Centrally Sponsored Scheme for Development of AYUSH hospitals and dispensaries*

Sl. No.	Year	Proposals received from State Government	Funds (Rs. in lakhs)	Remarks
1.	2008-09	Supply of essential drugs to 720 AYUSH dispensaries amounting to Rs. 180.00 lakhs	180	—
2.	2009-10	Supply of essential drugs to 720 AYUSH dispensaries amounting to Rs. 180.00 lakhs	Nil	Screening Committee approved the proposal but funds could not be released due to pending UCs.
3.	2010-11	Supply of essential drugs to 732 AYUSH dispensaries amounting to Rs. 306 lakhs	Nil	Funds could not be released due to shortcomings in the proposal and pending UCs.
		Upgradation of 739 AYUSH dispensaries amounting to Rs. 5433.90 lakhs.	815.58	Both Non-recurring and recurring grant has been released for 95 units. Remaining funds could not be released due to paucity of funds.
4.	2011-12	Supply Essential drugs to 739 AYUSH (523-Ayurveda, 216-Homoepathy) dispensaries amounting to Rs. 464.00 lakhs	Nil	Funds could not be released during year 2011-12 so far due to pending utilisation certificates in respect of grants released upto the year 2009-10

**Malnutrition deaths in the country**

2267. SHRI PRAKASH JAVADEKAR: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the number of deaths taken place in the country due to malnutrition since 2004, year-wise and State-wise;

(b) whether Government has found any difference in number of such deaths as presented by Government reports and the data published by reports of international agencies and NGOs;



- (c) if so, the findings thereof; and
- (d) the steps Government plans to initiate for bringing down the number of deaths due to malnutrition?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) to (c) Malnutrition is a multifaceted, multidimensional and multi-sectoral problem. It is not a direct cause of death but it can increase morbidity and mortality by reducing the resistance to infections. Data on the number of deaths due to malnutrition in the country is not maintained centrally.

(d) Government has taken various measures to improve the health and nutritional status of vulnerable population of the country as follows:—

1. Prime Minister's National Council on India's Nutrition Challenges set up in October, 2008 for policy direction, review and effective coordination between Ministries which all will have a sectoral responsibility for the challenge of Nutrition.
2. A National Nutrition Policy has been adopted in 1993 and a National Plan of Action for Nutrition (1995) is being implemented through various Departments of Government. The National Nutrition Mission has been set up.
3. Reproductive Child Health Programme under National Rural Health Mission (NRHM) includes:—
  - Emphasis on appropriate Infant and Young Child Feeding
  - Janani Suraksha Yojana (JSY) to promote maternal health and nutrition and institutional deliveries for better birth-outcomes
  - Focus on Maternal Health by promoting institutional deliveries, improved coverage and quality of ANC, skilled care to .Pregnant women and Post-partum care at community level.
  - Janani Shishu Suraksha Karyakram (JSSK).
  - Immunization of children to prevent them from both morbidity and mortality.
  - Promotion of ORS with zinc supplementation for a period of two weeks during the diarrhea management.
  - Integrated Management of Neonatal and Childhood Illnesses and malnutrition.
  - Treatment of severe acute malnutrition through Nutrition Rehabilitation Centers (NRCs) set up at public health facilities.

- Specific Programme to prevent and combat micronutrient deficiencies of Vitamin A, Iron and Folic Acid. Vitamin A supplementation for children till the age of 5 years. Iron and Folic Acid syrup to children from the age of 6 months to 5 years. Iron and Folic Acid supplementation to pregnant and lactating women also.
4. National Iodine Deficiency Disorders Control Programme (NIDDCP) for promotion of consumption of iodated salt at household level.
  5. Nutrition Education to increase the awareness and bring about desired changes in the dietary practices including the promotion of breast feeding and dietary diversification is being encouraged under both Integrated Child development Services Scheme (ICDS) and National Rural Health Mission (NRHM).
  6. Other schemes targeting improvement of nutritional status are as under:—
    - Integrated Child Development Services Schemes (ICDS).
    - Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG) — (SABLA).
    - Indira Gandhi Matritva Sahyog Yojana (IGMSY).
    - National Programme of Nutritional Support to Primary Education (Mid-Day-Meal Programme).
    - Improving the purchasing power of the people through various income generating schemes including Mahatma Gandhi National Rural Employment Guarantee Scheme.
    - Availability of essential food items at subsidized cost through Targeted Public Distribution System.
    - National Rural Drinking Water Supply.
    - Total Sanitation Campaign.

#### **Fudging of health services data by States**

2268. SHRI MOHAMMED ADEEB: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether it is a fact that some States are fudging data regarding health services provided to children and pregnant women;
- (b) if so, the details thereof; and
- (c) the steps being taken in the matter?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) to (c) According to the Constitution of India, health is a State subject and States/UTs have evolved systems to monitor the services provided to children and pregnant women and to improve the quality of services.

In order to improve the health information system, Ministry of Health and Family Welfare has also recently launched a name based Mother and Child Tracking System (MCTS) in association with States/UTs in which the pregnant women and children are tracked in terms of the health services provided. The services provided to pregnant women and children are also being verified on random basis through phone calls. As per available information, about 122.89 lakh pregnant women and 64.48 lakh children have been registered under MCTS by 1st December, 2011.

#### **Review of NRHM in Rajasthan**

2269. DR. GYAN PRAKASH PILANIA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the status of Centrally sponsored health schemes/programmes presently in operation in Rajasthan;

(b) whether Government has reviewed the progress of National Rural Health Mission (NRHM) in Rajasthan;

(c) if so, the outcome thereof and the shortcomings which have been noticed with details thereof; and

(d) the remedial measures Government has taken or proposes to take to plug these shortcomings?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) A large number of Centrally sponsored health schemes programmes are presently in operation in Rajasthan. These include:—

- Reproductive and Child Health (RCH-II), Pulse Polio Immunization, Routine Immunization, National Vector Borne Disease Control Programme, Revised National TB Control Programme, National Programme for Control of Blindness, Integrated Diseases Surveillance Programme and National Iodine Deficiency Disorder Control Programme under the National Rural Health Mission (NRHM).
- The other major Centrally Sponsored Health Schemes/Programmes include National Cancer Control Programme, National Mental Health Programme, National AIDS Control Programme and National Programme for Control of Diabetes. Cardio Vascular Disease and Stroke.

(b) Yes.

(c) The Infant Mortality Rate (IMR) for the State of Rajasthan has decreased from 68 in 2005 to 59 in 2009. The Maternal Mortality Ratio (MMR) has reduced from 338 in 2004-06 to 318 in 2007-09. Further, Total Fertility Rate (TFR) has also reduced from 3.7 in 2005 to 3.0 in 2009. The Outcome of the fourth Common Review Mission of NRHM held from 15th to 23rd December, 2010, *inter-alia* include increase in case load, formation of Hospital Management

Committees at facilities, improvement in quality of care, expansion of nursing staff and operationalization of new born corners. The shortcomings noted by the Review Mission include certain gaps in human resources and low utilization of services.

(d) The Government has taken various steps to provide adequate services under NRHM which *inter-alia* include:—

- Launching of Janani Shishu Suraksha Karyakram (JSSK), a new initiative under the National Rural Health Mission (NRHM) which entitles all pregnant women, accessing public health institutions, completely free and cashless deliveries including free medicine with zero 'out of pocket' expenses.
- Multi skilling of the available doctors through trainings such as Life Saving Anesthetic Skills (LSAS). Basic Emergency Obstetrics and Neonatal Care (BeMONC), Comprehensive Emergency Obstetric and Neonatal Care (CeMONC) to overcome shortage of specialists.
- Allowing contractual appointment under NRHM to immediately fill gaps so as to meet the requirement of manpower.
- Engaging over 50158 Accredited Social Health Activists (ASHAs) to bridge the gap between community and health facilities.
- Improvement in infrastructure of Government health care facilities and providing Mobile Medical Units and Referral Transport facilities.
- Supporting States to take up Information, Education and Communication (IEC) activities to change the health seeking behavior of people.
- A scheme has been launched from 2nd October to provide free generic medicines in OPDs and inpatient facilities across the State.

#### **Absence of basic healthcare facilities in Jammu and Kashmir**

2270. SHRI G.N. RATANPURI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether rural medical colleges are proposed to be established in Jammu and Kashmir (J&K) under NRHM;

(b) if so, the locations thereof;

(c) whether any survey has been conducted to assess the quality and reach of healthcare facilities in Jammu and Kashmir;

(d) whether it is a fact that certain areas in Jammu and Kashmir are deprived of the basic healthcare facilities; and

(e) if so, the steps being taken to cover such areas under NRHM?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (b) The medical colleges in the country are established as per the provision of Indian Medical Council Act, 1956 and regulation made thereunder. For the academic year 2012-13, the Medical Council of India has received a proposal for establishment of new medical college at Srinagar by the Imman Hussain (A.S.) Foundation.

(c) to (e) Jammu and Kashmir is one of the 18 high focus States and health care services in Jammu and Kashmir are provided through a network of 83 Community Health Centres, 398 Primary Health Centres, 238 Allopathic Dispensaries, 1907 Sub-Centres and 346 Medical Aid Centre. Further, the Central Government provides monetary and non-monetary incentives under NRHM budget to the State of Jammu and Kashmir for supporting basic healthcare facilities.

#### **Drug abuse in the North Eastern Region**

2271. SHRI BHUBANESWAR KALITA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the North Eastern Region has a record of high drug abuse especially among young people;

(b) the list of banned drugs and other medicines used as substance abuse in the North Eastern Region; and

(c) the action taken thereon?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) The Ministry of Social Justice and Empowerment, which is the nodal Ministry as per the Government of India (Allocation of Business) Rules, 1961 for all matters relating of "Alcoholism and substance (drug) abuse and rehabilitation of addicts/families", has informed that there is not authentic data to clearly indicate that North-Eastern Region has a record of high drug abuse, especially among young people.

(b) Various compounds which are illicit drugs as per WHO are:—

1. Opioids (Opium, Heroin, Cap. Propoxyphene, Tab/Injection Buprenorphine, Injection Pentazocine and cough syrup containing Codeine).
2. Cannabis products (Ganja, Charas, etc.)
3. Stimulants (Amphetamine, etc.)
4. Hallucinogens

(c) Supply reduction of these abused substances is done by the Narcotics Control Bureau and the States' law enforcement agencies working in Coordination with each other.

### **Setting up of hospitals under NRHM**

2272. SHRI KISHORE KUMAR MOHANTY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government proposes to constitute the National Rural Health Mission (NRHM) to overcome the deficiency of health professionals especially in rural areas in Odisha;

(b) whether there is a any proposal with Government to set up fully equipped hospitals under this scheme in all rural areas;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) Government of India has already launched National Rural Health Mission (NRHM) in the 2005, to address the challenges in delivery of Public Health care services including overcoming the deficiency of health professionals in entire country which includes rural areas in Odisha.

(b) to (d) Under NRHM, all State/UT Governments project their felt needs and incorporate their requirements of funds including setting up and augmenting the PHCs, CHCs and District Hospitals in the annual Programme Implementation Plans (PIPs). The proposals are approved by the Government of India based on the recommendations of NPCC and funds are released to the State/UT Governments for taking up of these activities.

### **Shortage of doctors due to brain drain**

2273. SHRI V. HANUMANTHA RAO: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that India is facing acute shortage of doctors due to brain drain of doctors;

(b) if so, the reasons for shortage and for brain drain of doctors;

(c) whether there is any need of policy intervention to ensure stay of India's physicians at home; and

(d) the steps Government is taking to produce more number of doctors in India and the incentives Government is providing to doctors working in rural areas of the country?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) and (b) The Government is aware of the shortage of doctors in the country which has been caused by various factors including brain drain.

(c) In order to check brain drain in respect of doctors working under Government Sector, the following steps have been taken by the Central Government:—

- (i) Pay and allowances of doctors have been enhanced considerably after implementation of the 6th Central Pay Commission.
  - (ii) The age of superannuation of faculty of medical institutions has been enhanced to 65 years.
  - (iii) Assured Promotion Scheme for faculty of Central Government Institutions has been revised.
  - (iv) Various allowances available to faculty like Non Practicing Allowance, Conveyance Allowance, Learning Resource Allowance, etc. have been enhanced considerably.
- (d) The Central Government has amended various regulations to provide for relaxed requirement of land, reduced teacher-student ratio, relaxed bed-strength, etc. to enhance the availability of medical professionals by facilitating setting up of more medical colleges and increasing their training capacity.

Further, the Central Government, in consultation with Medical Council of India, made the following amendments to its Post Graduate Medical Education Regulations to encourage doctors to serve in the rural areas:—

- (i) 50% reservation in Post Graduate Diploma Courses for Medical Officers in the Government service who have served for at least three years in remote and difficult areas; and
- (ii) Incentive at the rate of 10% of the marks obtained for each year in service in remote or difficult areas upto the maximum of 30% of the marks obtained in the entrance test for admissions in Post Graduate Medical Courses.

#### **Establishment of homoeopathic colleges in NE States**

2274. SHRIMATI NAZNIN FARUQUE: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the number of homoeopathic colleges which were given recognition during the last three years; and
- (b) the number of homoeopathic colleges decided to be opened in North Eastern (NE) States, and by when these colleges would be opened?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI S. GANDHISELVAN): (a) Government had given permission for setting up of three New Homoeopathic Colleges during the last three years. The list of college is given in Statement (See below).

- (b) Government of India has set up North Eastern Institute of Ayurveda and Homoeopathy at Shillong, Meghalaya for conducting UG level Course in Ayurveda and Homoeopathy. These Courses are likely to commence from the year 2013-14.

### ***Statement***

*The list of New Homoeopathic Colleges to which permission was granted to start BHMS Course from 2009, onwards till date*

Sl.No.	Year	Name and Address of College
1.	2009-10	Shri Bhagwan Mahavir (Minority) Educational Society's Naiminath Homoeopathic Medical College, Agra (U.P.)
2.	2009-10	Devki Mahaveer Homoeopathic Medical College and Research Hospital at Garhwa, Jharkhand by Vananchal Educational and Welfare Trust, Hajipur, Bihar
3.	2009-10	Homoeopathic Medical College at Devanagar (AP) By (Devs Medicals and Education Society)

### **Opening of homoeopathic colleges**

†2275. SHRI RAGHUNANDAN SHARMA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the rules pertaining to the rights of the Homoeopathic Council, its tenure, constitution, selection and suspension of its officers;

(b) the month-wise details regarding application received for opening homoeopathic colleges from various institutions since 2009; and

(c) the investigation agency appointed for this purpose and the institutions that were granted permission to open such colleges?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) The constitution of Homoeopathy Central Council, terms of office of the members, officers and other employees of Central Council and the responsibilities of the council are provided in the Homeopathy Central Council Act, 1973. The Act was amended in 2002 and the amended act became effective *w.e.f.* from 28.01.2003.

(b) The month-wise details of application, received since 2009 are given in Statement-I (*See below*).

(c) There is no separate investigating agency to examine the proposals received for establishment of New Homoeopathic Colleges. However, the Homoeopathy Central Council Act, 1973 provides for inspection/visitation of any Medical College, Hospital or other institution. As per the provision of Section 12A of HCC (Amendment) Act, 2002, on the basis of recommendation of Central Council of Homoeopathy, the Central Government is required to issue approval or disapproval of the scheme of such applicant. The list of New Homoeopathic Colleges granted permission by the Government from 2009 onwards till date is given in Statement-II.

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†Original notice of the question was received in Hindi.



***Statement-I***

*Month-wise details of applications received in the Department or AYUSH for opening of  
New Homoeopathic Colleges from 2009 onwards*

Sl. No.	Month	Name and Address of College	Action Taken
1	2	3	4
1.	April 2009	Shri Bhagwan Mahavir (Minority) Educational Society's Naiminath Homoeopathic Medical College, Agra (U.P.)	CCH inspected the College on 09.07.2009. The Inspectors were: Dr. Shoukath Ali P.K., Dr. Anand Chaturvedi and Dr. Ravinder Kumar. Permission granted from academic session 2010-11.
2.	April 2009	H.M.C. (new) at Allahabad by Faculty of Homoeopathy, Allahabad Agricultural Institute (Deemed University), Allahabad (U.P.)	CCH inspected the college on 10.07.2009. The Inspectors were: Dr. Shoukath Ali P.K., Dr. P. Vijayan and Dr. Ajay Singh Parihar. Permission not granted, scheme rejected and order issued on 18.01.2010.
3.	April 2009	Shri Lal Chand Memorial Homoeopathic Medical College and Hospital, Rohtak, Haryana	Application was incomplete. Application returned since, the NOC of the State Government, consent of affiliation of University and requisite inspection fee were not submitted.

4. September 2009	Sarvana College of Homoeopathy and Sciences, Cuddalore, Chennai	Application was incomplete. Application returned since, the NOC of the State Government, consent, of affiliation of University and requisite inspection fee were not submitted.
5. April 2009	Devki Mahaveer Homoeopathic Medical College and Research Hospital at Garhwa, Jharkhand by Vananchal Educational and Welfare Trust, Hajipur, Bihar	CCH inspected the college on 27.11.2009. The Inspectors were: Dr. S.P. Singh, Dr. A.K. Mishra and Dr. Anand Chaturvedi Permission granted from academic session 2010-11.
6. April 2009	Homoeopathic Medical College at Devanagar (AP) by (Devs Medicals and Education Society)	CCH inspected the college on 22.07.2009. The inspectors were: Dr. L.K. Nanda, Dr. L.M. Khan and Dr. Tanuj Rajvanshi. Permission granted from the academic session 2010-11.
7. April 2010	GSL Education Society, Rajamundry, A.P.	CCH inspected the college on 13.12.2010. The Inspectors were: Dr. Berndra Sharma and Dr. Srinath Rao. Permission not granted, scheme rejected, order was issued on 7th July, 2011.
8. December 2010	S.L.R. College of Homoeopathy and Research, Bhiwani, Haryana	Application was incomplete; college was advised to apply afresh as per the norms of HCC Act and CCH Regulation.

9. March 2010	Government Homoeopathic Medical College and Hospital, Silchar, Assam	Application was incomplete; college was advised to apply afresh as per the norms of HCC Act and CCH Regulation.
10. April 2010	Nav Adhikar Samajik Sanstha, Dehradun, Uttarakhand for new HMC at Khan Road, Dehradun	Application was incomplete; college was advised to apply afresh as per the norms of HCC Act and CCH Regulation.
11. April 2010	Yog Mani Homoeopathic Medical College, Jabalpur, Madhya Pradesh	Application was incomplete; college was advised to apply afresh as per the norms of HCC Act and CCH Regulation.
12. May 2010	DISM, Gujarat State for establishing new Government HMC at Patan, Gujarat	Permission not granted. Scheme rejected, order was issued on 2nd August, 2011.
13. April 2010	Om Charitable Chikitsa Samiti for K.S. Homoeopathic Medical College, Gwalior (Madhya Pradesh)	CCH inspected the college on 19.07.2010. The Inspectors were: Dr. S.K. Chalotra and Dr. R.Y. Nadaf Permission not granted.
14. April 2010	Shri Gyanjyot Education Trusts Shree B.G. Garaiya HMC, Rajkot, Gujarat	CCH inspected the college on 05.03.2011. The inspectors were: Dr. V.C. Acharya, Dr. S.N. Singh and Dr. Anwarul Hasan. Permission not granted.
15. March 2011	Devi Ahilaya Homoeopathic Medical College, Hospital and Research Centre, Indore, Madhya Pradesh	Permission not granted, scheme rejected, order was issued on 22nd September, 2011.
16. April 2011	S.V.S. Medical College of Homoeopathy and Research	CCH inspected the college on 23.07.2011.

	Institute, Kallakunchi, Tamil Nadu by SVS Educational and Social Trust	The Inspectors were: Dr. U.K. Verma, Dr. Shubhmoy Ghosh and Dr. Pyarelal. Inspection report submitted by CCH to Department of AYUSH. Final decision not taken.
17. April 2011	Nav Adhskar Samajik Sanstha, Dehradun Uttarakhand for new HMC at Khan Road, Dehradun	CCH inspected the college on 18.07.2011. The Inspectors were: Dr. Ashok Kumar Singh, Dr. Rajiv Kumar Singh and Dr. Rajat Chatterjee. Permission not granted, scheme rejected and order issued on 14.11.2011.
18. March 2011	Swami Vivekanand Homoeopathic Medical College, Hospital and Research Institute, Kolkata, West Bengal	College has not submitted the NOC from the State Government Application not complete and therefore returned.
19. May 2011	Bhagawant College of homoeopathy, Sikar Road, Ajmer, Rajasthan	College has not submitted the NOC from the State Government Application not complete and therefore returned.
20. May 2011	University Women Homoeopathic Medical College, Jaipur	College has not submitted the NOC from the State Government Application returned.
21. October 2011	Tripura Sundari College of Homoeopathy and Research Institute, West Tripura	Application was incomplete; college was advised to apply afresh as per the norms of HCC Act and CCH Regulation.
22. May 2011	Director, North Eastern Institute of Ayurveda and Homoeopathy, Mawdiangdiang, Shillong and Meghalaya	On request of the college, the application was returned. Permission not granted.

***Statement-II***

*The list of New Homoeopathic Colleges to which permission was granted  
to start BHMS Course from 2009, onwards till date*

Sl.No.	Year	Name and Address of College
1.	2009-10	Shri Bhagwan Mahavir (Minority) Educational Society's Naiminath Homoeopathic Medical College, Agra (U.P.)
2.	2009-10	Devki Mahaveer Homoeopathic Medical College and Research Hospital at Garhwa, Jharkhand by Vananchal Educational and Welfare Trust, Hajipur, Bihar
3.	2009-10	Homoeopathic Medical College at Devanagar (AP) By (Devs Medicals and Education Society)

**Under-five mortality rate in the country**

2276. SHRI ISHWAR SINGH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government is aware that India alone accounts for 21 per cent of the under-five mortality of the world;

(b) if so, whether nearly one-third of the total number of under-five deaths worldwide are reported in India;

(c) whether the mortality rate of children in the country is higher in comparison to other under-developed countries; and

(d) if so, the details thereof and the steps taken by Government to bring down the mortality rate of children in the country?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) Yes.

(b) No, about one-fifth of the total number of under-five deaths worldwide are reported in India.

(c) and (d) Details of mortality rate in India in comparison to other under developed countries are given in Statement (*See below*). Under the National Rural Health Mission the following interventions are being implemented to bring down the mortality rate of children in the country:—

- (1) **Promotion of Institutional Delivery through Janani Suraksha Yojana (JSY):** Promoting Institutional delivery by skilled birth attendant is key to reducing both maternal and neo-natal mortality. There has been a phenomenal increase in number of institutional

deliveries since the launch of JSY and number of beneficiaries has increased from 7.39 lacs in 2005 to 113.38 lacs in 2010-11. Besides this infrastructure of health facilities is also being strengthened for providing comprehensive obstetric care services under NRHM.

- (2) **Emphasis on facility based newborn care at different levels to reduce Child Mortality:** Setting up of facilities for care of Sick Newborn such as Special New Born Care Units (SNCUs), New Born Stabilization Units (NBSUs) and New Born Baby Corners (NBCCs) at different levels is a thrust area under NRHM. At present 293 SNCUs, 1134 NBSU and 8582 NBCCs are functional.
- (3) **Capacity building of health care providers:** Various trainings are being conducted under NRHM to train doctors, nurses and ANM for early diagnosis and case management of common ailments of children and care of mother during pregnancy and delivery. These trainings are IMNCI, NSSK, SBA, LSAS, EMOC, BMOC etc.
- (4) **Management of Malnutrition:** As malnutrition reduces resistance of children to infections thus increasing mortality and morbidity among children, emphasis is being laid under NRHM for management of malnutrition and provision of micronutrients. 480 Nutritional Rehabilitation Centres have been established for management of severe acute malnutrition. As breastfeeding reduces neo-natal mortality, exclusive breastfeeding for first six months and appropriate infant and young child feeding practices are being promoted in convergence with Ministry of Woman and Child Development. Village Health and Nutrition Days (VHNDs) are organized for imparting nutritional counselling to mother and to improve child care practices.
- (5) **Universal Immunization Programme:** Vaccination protects children against many life threatening diseases such as Tuberculosis, Diphtheria, Pertussis, Polio, Tetanus, Hepatitis B and Measles. Infants are thus immunized against seven vaccine preventable diseases every year. The Government of India supports the vaccine programme by supply of vaccines and syringes, cold chain equipments, provision of operational costs.
- (6) **New initiatives in last two years:**
  - (a) **Janani Shishu Suraksha Karyakram (JSSK)** was launched on 1st June, 2011 and has provision for free transport, food and drugs and diagnostics to all pregnant women and sick new born. The initiative would further promote institutional delivery; eliminate out of pocket expenses which act as a barrier to seeking institutional care for mothers and sick new born.
  - (b) **Home based new born care (HBNC):** As 52 per cent of child deaths take place in the first 28 days of birth, home based newborn care through ASHA has been initiated by providing incentive of Rs. 250. The purpose of Home Based New

Born Care is to improve new born practices at the community level and early detection and referral of sick new born babies.

- (c) **Mother and Child Tracking System:** A name based Mother and Child Tracking System has been put in place which is web based to ensure registration and tracking of all pregnant women and new born babies so that provision of regular and complete services to them can be ensured. One crore and eighteen lakh mothers and 60 lakh children registered till 23rd October, 2011.

***Statement***

*Comparison of Under 5 mortality rate with selected under developed countries*

Country Name	U5 Mortality (per 1000 live births), 2009
1	2
Chad	209
Afghanistan	199
Democratic Republic of the Congo	199
Sierra Leone	192
Ethiopia	104
Zimbabwe	90
Pakistan	87
Bhutan	79
Myanmar	71
India	64
South Africa	62
Bangladesh	52
Nepal	48
Iraq	44
Trinidad and Tobago	35
Philippines	33
Iran	31

1	2
Kazakhstan	29
Jordan	25
Egypt	21
Saudi Arabia	21
China	19
Mexico	17
Sri Lanka	15
Thailand	14
Bahrain	12
Russia	12
Qatar	11
Kuwait	10
United Arab Emirates	7
Croatia	5
Cyprus	4

**Outbreak of encephalitis and infant deaths in hospitals**

2277. SHRI S.S. AHLUWALIA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether there has been an out-break of the Japanese Encephalitis, particularly in the eastern part of Uttar Pradesh and part of Bihar since the monsoon this year;

(b) the reasons for the spread of the disease indicating details of medical treatment facilities available, particularly in the affected districts and number of death occurred to the affected children till 15 November, 2011 indicating reasons therefor;

(c) whether death occurred also to a large number of new born infants again in the month of October, 2011 in Government Hospitals in Kolkata;

(d) if so, the reasons therefor; and

(e) the steps taken to prevent recurrence thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) No outbreak due to Japanese Encephalitis (JE) has been reported from Eastern Uttar Pradesh. However, since the onset of monsoon, JE outbreak was reported from Gaya district of Bihar.



(b) JE is a complex zoonotic outbreak prone viral disease. The involvement of multiple hosts like water birds and pigs adds to disease complexity as the virus is maintained in its natural cycle in these hosts.

There is no specific treatment for JE. The treatment is based on the presentation of symptoms by the patients at the time of admission. The patients were admitted in Gaya Medical College, BRD Medical College, Gorakhpur and other district hospitals for treatment. During current year (upto 15th November, 2011), 27 and 18 deaths due to JE have been reported from Uttar Pradesh and Bihar respectively.

(c) No deaths due to JE among neo-nates from Government hospitals in Kolkata have been reported.

(d) Does not arise.

(e) Government of India has implemented an integrated National Vector-Borne Disease Control Programme (NVBDCP) for prevention and control of vector-borne diseases including JE under the overarching umbrella of National Rural Health Mission (NRHM). The various measures undertaken for prevention and control of Japanese Encephalitis are integrated vector control, vaccination, early case detection, appropriate treatment, disease and vector surveillance, Behavior Change Communication (BCC) activities and capacity building.

#### **Superbug in Delhi water**

2278. PROF. ANIL KUMAR SAHANI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether a superbug immune to almost all known antibiotics has been found in Delhi's water;

(b) whether Government of NCT Delhi collected 50 tap water samples and 171 water samples from pits etc. and in how many samples were superbug found;

(c) the steps taken by Government to make potable water free from superbug available to the residents of Delhi;

(d) whether an international science magazine has claimed that 12 kilometres of Yamuna river behind the Red Fort is infested with superbug; and

(e) if so, the reaction of Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) As per an article published in the Lancet Infectious Disease (May, 2011), bacteria with bla (NDM-1) a gene known to cause drug resistance to almost all common antibiotics were grown from 12/171 seepage samples and 2/50 water samples collected within a 12 kilometer of radius of central New Delhi. All seepage and water samples grew bacteria that were resistant to cefotaxime but 9 seepage samples (out of 171 samples) and 36 water samples (out of 50 samples) were sensitive to meropenem.

(c) Delhi Jal Board is taking measures like chlorination to provide safe and potable water to residents of Delhi.

(d) No such article has come to the notice of the Department of Health Research.

(e) Does not arise.

#### **Funds earmarked for NRHM**

2279. SHRI Y.S. CHOWDARY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the details of funds earmarked for National Rural Health Mission (NRHM) scheme, State-wise, during the Eleventh Five Year Plan;

(b) the details of funds spent/unspent by each State during the last three years;

(c) whether Government has noticed any irregularities in the said scheme;

(d) if so, the details thereof; and

(e) the action taken or being taken by Government against the erring officials?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) A Statement showing the Allocation, Release, Expenditure and Unspent balance under National Rural Health Mission State-wise during the Eleventh Five Year Plan is given in Statement (*See below*).

(c) and (d) Central teams are sent from time to time to review the utilization of funds in the States. A Central team reviewed the funds management under the Mission in Uttar Pradesh during May, 2011 and the major findings are outlined below:—

(i) Irregularity in award of contract for procurement of Emergency Medical Transport Services and Mobile Medical Units, Management of Hospital cleaning and gardening, procurement of safe drinking water and R.O. systems etc.

(ii) Supply of poor quality of IEC/BCC material and poor quality of drugs and consumables etc.

(iii) In respect of civil construction works, there was mere transfer of funds to various State Government agencies without any formal agreement and without any system.

(iv) Poor monitoring of progress of the civil construction as well as quality of construction, and no action on the defects in constructions pointed out by JEs/CMOs.

(v) Non-operationalisation of emergency transport services even after procurement of 779 ambulances.

(e) The report and the observations of the Central team have been conveyed to the State Government for remedial action. The matter is also being investigated by CBI.

**Statement**

*State-wise Opening balance, Allocation, Release, Expenditure and Unspent Balance  
under NRHM for F.Ys. 2007-08 to 2011-12*

Sl. No.	State	Opening balance	2007-08			2008-09		
		as on 01.04.2007	Allocation	Release	Exp.	Allocation	Release	Exp.
1	2	3	4	5	6	7	8	9
1.	Andaman and Nicobar Islands	5.42	5.60	13.01	9.01	10.71	12.56	12.76
2.	Andhra Pradesh	64.46	628.43	608.94	505.18	663.37	638.73	700.13
3.	Arunachal Pradesh	30.39	47.99	44.50	47.62	43.95	36.51	57.69
4.	Assam	187.62	637.84	602.15	547.47	638.94	606.89	698.32
5.	Bihar	195.08	590.66	350.24	423.25	777.70	821.18	783.19
6.	Chandigarh	2.15	6.48	6.45	4.11	8.04	5.31	6.47
7.	Chhattisgarh	-51.83	222.60	190.85	197.77	259.35	249.72	162.12
8.	Dadra and Nagar Haveli	1.67	3.08	2.36	2.85	3.45	3.28	3.86
9.	Daman and Diu	2.22	2.79	1.98	2.43	3.07	2.60	2.41
10.	Delhi	5.10	77.73	55.31	51.06	100.37	99.62	55.68
11.	Goa	1.81	11.71	5.07	6.92	13.52	14.09	8.89
12.	Gujarat	112.58	369.20	394.93	306.81	414.07	342.81	495.43
13.	Haryana	66.40	137.25	115.79	98.57	166.20	165.02	187.73
14.	Himachal Pradesh	33.06	67.32	52.41	56.55	77.74	64.21	94.84
15.	Jammu and Kashmir	49.57	87.02	160.45	75.27	102.24	76.48	111.94
16.	Jharkhand	60.40	266.54	159.15	124.99	294.00	247.27	299.30
17.	Karnataka	103.40	393.94	297.32	275.29	461.83	437.84	428.94
18.	Kerala	119.37	236.40	293.86	144.03	253.61	222.88	331.20

**Statement**

*State-wise Opening balance, Allocation, Release, Expenditure and Unspent Balance  
under NRHM for F.Ys. 2007-08 to 2011-12*

2009-10			2010-11			2011-12			Unspent balance as on 15.12.11
Allocation	Release	Exp.	Allocation	Release	Exp.	Allocation	Release	Exp.	
10	11	12	13	14	15	16	17	18	19
16.82	8.23	20.11	20.28	15.84	18.65	22.64	4.33	4.60	-5.75
717.30	708.32	764.91	816.11	810.23	673.31	931.81	392.74	172.46	407.44
51.14	57.32	66.16	66.67	73.76	80.79	56.02	33.93	21.14	3.02
906.72	813.93	763.71	894.01	736.45	945.55	851.35	357.87	268.73	81.13
860.29	649.71	826.20	977.40	1035.18	1434.84	1122.10	522.65	296.96	-190.41
9.86	7.59	8.25	11.20	6.91	9.68	11.72	0.94	3.63	-2.80
292.01	261.65	240.41	345.76	327.24	307.92	392.54	166.99	122.32	114.08
4.27	3.27	4.62	4.77	6.30	5.76	5.92	2.67	2.37	0.09\
3.51	2.33	3.46	3.92	3.06	3.97	4.98	0.60	1.86	-1.34
121.25	83.03	75.89	136.74	108.48	90.04	145.27	11.88	30.77	59.99
12.90	12.43	18.59	16.68	17.21	19.08	20.47	11.68	11.57	-2.75
464.90	500.55	634.27	528.69	556.79	757.88	600.61	518.40	193.59	38.09
179.72	206.17	336.78	203.94	219.69	274.62	233.52	196.43	100.79	-28.99
97.07	115.41	167.81	110.68	113.22	164.79	123.89	73.92	51.52	-83.30
134.94	130.34	155.59	153.87	173.80	209.69	175.54	173.48	78.75	132.87
349.39	179.34	195.45	398.78	356.90	348.50	458.88	220.21	121.41	133.61
505.17	436.86	680.64	551.80	586.38	752.31	612.69	518.42	208.53	34.51
284.34	237.62	385.19	308.59	253.41	420.48	345.37	340.36	119.41	67.18

1	2	3	4	5	6	7	8	9
19. Lakshadweep		1.73	1.79	1.08	0.62	2.13	1.22	2.18
20. Madhya Pradesh		132.84	689.95	617.09	645.70	609.02	707.88	686.97
21. Maharashtra		174.26	603.58	672.52	550.76	779.15	587.43	873.15
22. Manipur		31.86	65.91	49.27	40.99	66.34	56.58	62.06
23. Meghalaya		26.21	61.26	43.04	32.70	65.48	44.76	51.27
24. Mizoram		29.69	37.46	32.67	56.22	40.24	37.44	54.26
25. Nagaland		18.15	55.20	44.75	43.45	57.96	56.23	57.65
26. Orissa		92.03	383.52	387.16	295.07	392.88	388.05	334.05
27. Puducherry		-2.69	9.41	4.71	7.14	11.31	5.12	7.29
28. Punjab		77.57	161.69	107.84	111.64	185.89	183.03	190.08
29. Rajasthan		199.13	571.89	660.90	537.65	596.53	798.15	909.16
30. Sikkim		15.55	17.49	34.27	13.39	21.44	19.88	50.62
31. Tamil Nadu		56.20	430.31	546.56	392.74	515.70	501.60	534.42
32. Tripura		17.30	85.62	79.04	38.28	88.32	77.58	68.73
33. Uttar Pradesh		411.47	1325.09	1258.77	956.47	1727.59	1474.91	1546.06
34. Uttarakhand		6.98	91.33	89.20	72.74	100.16	98.44	132.48
35. West Bengal		208.04	544.73	525.23	335.33	639.93	539.79	563.75
GRAND TOTAL :		2539.71	8928.85	8508.87	7010.07	10192.23	9625.09	10565.10

*Note :* Expenditure for the FYs 2009-10, 2010-11 and 2011-12 (upto 30.09.2011) are provisional.

Release for F.Y. 2011-12 upto 15.11.2011.

The above Releases relate to Central Government grants and do not include State share contribution.

Only positive Balances have been taken into consideration to calculate Opening Balance and Unspent Balance.

#### **Bringing down of MMR**

2280. SHRI MAHENDRA MOHAN: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that India still tops the global list as far as the maternal mortality rate (MMR) is concerned;

10	11	12	13	14	15	16	17	18	19
2.09	1.09	2.86	2.28	2.54	3.53	399	0.55	1.50	-2.49
705.88	604.79	741.78	766.66	784.40	956.56	870.83	404.53	361.12	-140.08
860.39	959.72	1044.71	981.28	903.36	1229.62	1078.51	939.93	372.63	166.35
90.09	81.45	64.11	98.67	67.98	73.76	88.49	17.78	27.19	36.83
85.75	79.78	75.13	88.95	52.50	86.34	94.25	20.38	27.51	-6.27
50.72	49.87	58.66	62.15	70.49	74.07	63.46	32.29	18.57	-9.35
78.30	73.87	64.26	82.47	66.40	81.84	83.31	63.08	37.64	37.63
457.57	470.18	646.74	494.09	549.44	662.39	568.53	448.66	208.85	188.41
11.32	12.04	13.34	13.94	16.32	17.36	15.17	10.94	6.78	-5.48
209.58	359.53	241.41	246.77	252.81	335.95	276.56	252.14	114.78	239.07
633.19	748.96	1001.74	743.41	863.97	1164.51	824.17	452.69	430.57	-319.83
26.73	25.80	35.73	35.54	32.94	33.37	34.01	24.12	10.41	9.04
568.68	639.10	691.93	659.92	702.09	828.36	765.42	529.15	448.46	78.80
125.20	111.98	81.10	116.91	85.47	106.12	117.46	12.82	37.25	52.72
1867.65	1965.82	2230.74	2079.73	2191.36	2693.30	2224.00	875.71	840.84	-89.39
117.75	130.85	144.00	129.18	147.39	203.21	169.95	140.11	88.15	-27.63
678.81	741.25	730.24	771.41	680.79	950.75	870.31	445.23	295.04	265.23
<del>1181.30</del>	<del>1140.18</del>	<del>1326.05</del>	<del>1223.25</del>	<del>1237.11</del>	<del>1608.91</del>	<del>1426.72</del>	<del>827.60</del>	<del>513.68</del>	<del>216.07</del>

(b) if so, whether the annual rate of decline in MMR is still much less than what is needed to achieve the target of the Millennium Development Goals;

(c) the reasons why the country has failed to bring down the high MMR; and

(d) the steps that are being taken to address the issue of maternal health in rural areas?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) No. It is not a fact that India tops the global list as far as Maternal Mortality Ratio (MMR) is concerned.

(b) and (c) According to the estimates developed by WHO, UNICEF, UNFPA and the World Bank in their report, "Trends in Maternal Mortality: 1990 to 2008" the Maternal Mortality

Ratio (MMR) in India is 230 per lakh live births and India ranks 117 among 172 countries when arranged in ascending order of MMR. The report also says that the MMR in India has come down from 570 in 1990 to 230 in 2008.

Assuming the same rate of decline *i.e.* (18.88 points every year) occurs in the next 7 years from 2008, India is hopeful of achieving its MDG goals and reach an MMR of 98.

(d) The National Rural Health Mission (NRHM) and under its umbrella, the Reproductive and Child Health Programme Phase-II, seeks to improve the availability of and access to quality health care including Maternal and Child Health services particularly to rural population throughout the country, with a special focus on 18 States with weak public health indicators and weak infrastructure. Under this programme, the steps taken by the Government to reduce maternal mortality are:—

- Promotion of institutional deliveries through Janani Suraksha Yojana.
- Capacity building of health care providers in basic and comprehensive obstetric care.
- Operationalisation of sub-centres, Primary Health Centres, Community Health Centres and District Hospitals for providing 24x7 basic and comprehensive obstetric care services.
- Name Based Tracking of Pregnant Women to ensure antenatal, intranatal and postnatal care.
- Mother and Child Protection Card in collaboration with the Ministry of Women and Child Development to monitor service delivery for mothers and children.
- Antenatal, Intranatal and Postnatal care including Iron and Folic Acid supplementation to pregnant and lactating women for prevention and treatment of anemia.
- Engagement of more than 800,000 Accredited Social Health Activists (ASHAs) to generate demand and facilitate accessing of health care services by the community.
- Village Health and Nutrition Days in rural areas as an outreach activity, for provision of maternal and child health services.
- Health and nutrition education to promote dietary diversification, inclusion of iron and folate rich food as well as food items that promote iron absorption.
- A new initiative namely Janani Shishu Suraksha Karyakaram (JSSK) has been launched on 1st June, 2011, which entitles all pregnant women delivering in public health institutions to absolutely free and no expense delivery including Caesarean section. The initiative stipulates free drugs, diagnostics, blood and diet, besides free

transport from home to institution, between facilities in case of a referral and drop back home. Similar entitlements are there for all sick newborns accessing public health institutions for treatment till 30 days after birth.

#### **Falling sex ratio in the country**

2281. SHRI RAJKUMAR DHOOT: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the latest Census has again revealed continuing falling sex ratio in the country;
- (b) if so, the details thereof;
- (c) whether it is due to weak laws on preventing abortion of female foetus, sex determination and apathy of authorities to implement legal provisions to prevent such actions; and
- (d) if so, the remedial measures Government proposes to take in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) As per the Census, 2011, the sex ratio has increased from 933 in 2001 to 940 in 2011. However the child sex ratio (0-6 years) has declined from 927 in 2001 to 914 in 2011. Details are given in Statement-I and II (*See below*).

(c) No. The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 is a comprehensive legislation enacted by the Government. The Act prohibits sex selection before or after conception, regulation of Pre-natal Diagnostic Techniques and prevention of their misuse for sex determination leading to female foeticide.

(d) The recent initiatives undertaken by Government of India to strengthen effective implementation of the Act include the following:—

- Rule 11 (2) of the PC and PNDT Rules, 1996 has been amended to provide for confiscation of unregistered machines and further punishment of organizations which fail to register themselves under the Act.
- The National Inspection and monitoring Committee has been reconstituted and apart from inspections, further empowered to oversee follow-up action by Appropriate Authorities against organizations found guilty of violations under the Act during inspections.
- Operational guidelines for PNDT-NGO Grant in Aid Scheme have been revised to ensure targeted use of resources for effective implementation of the Act.



- States have been asked during appraisal of the annual Programme Implementation Plan (PIP) to take advantage of funding available under NRHM for strengthening infrastructure and augmentation of human resources required for effective implementation of the PC&PNDT Act.

***Statement-I***

*State-wise details of sex ratio as per Census (2001-2011)*

Sl. No.	India/State/UTs	2001	2011 (Prov.)
1	2	3	4
	<b>India</b>	<b>933</b>	<b>940</b>
1.	Jammu and Kashmir	892	883
2.	Himachal Pradesh	968	974
3.	Punjab	876	893
4.	Chandigarh	777	818
5.	Uttarakhand	962	963
6.	Haryana	861	877
7.	Delhi	821	866
8.	Rajasthan	921	926
9.	Uttar Pradesh	898	908
10.	Bihar	919	916
11.	Sikkim	875	889
12.	Arunachal Pradesh	893	920
13.	Nagaland	900	931
14.	Manipur	978	987
15.	Mizoram	935	975
16.	Tripura	948	961
17.	Meghalaya	972	986
18.	Assam	935	954
19.	West Bengal	934	947

1	2	3	4
20.	Jharkhand	941	947
21.	Orissa	972	978
22.	Chhattisgarh	989	991
23.	Madhya Pradesh	919	930
24.	Gujarat	920	918
25.	Daman and Diu	710	618
26.	Dadra and Nagar Haveli	812	775
27.	Maharashtra	922	925
28.	Andhra Pradesh	978	992
29.	Karnataka	965	968
30.	Goa	961	968
31.	Lakshadweep	948	946
32.	Kerala	1058	1084
33.	Tamil Nadu	987	995
34.	Puducherry	1001	1038
35.	Andaman and Nicobar Islands	846	878

Census of India 2011

Provisional Population Totals

***Statement-II***

*State-wise details of child sex ratio as per Census (2001-2011)*

Sl. No.	State/UTs	2001	2011
1	2	3	4
	<b>India</b>	<b>927</b>	<b>914</b>
1.	Jammu and Kashmir	941	859
2.	Himachal Pradesh	896	906

1	2	3	4
3.	Punjab	798	846
4.	Chandigarh	845	867
5.	Uttaranchal	908	886
6.	Haryana	819	830
7.	Delhi	868	866
8.	Rajasthan	909	883
9.	Uttar Pradesh	916	899
10.	Bihar	942	933
11.	Sikkim	963	944
12.	Arunachal Pradesh	964	960
13.	Nagaland	964	944
14.	Manipur	957	934
15.	Mizoram	964	971
16.	Tripura	966	953
17.	Meghalaya	973	970
18.	Assam	965	957
19.	West Bengal	960	950
20.	Jharkhand	965	943
21.	Orissa	953	934
22.	Chhattisgarh	975	964
23.	Madhya Pradesh	932	912
24.	Gujarat	883	886
25.	Daman and Diu	926	909
26.	Dadra and Nagar Haveli	979	924
27.	Maharashtra	913	883
28.	Andhra Pradesh	961	943
29.	Karnataka	946	943

1	2	3	4
30.	Goa	938	920
31.	Lakshadweep	959	908
32.	Kerala	960	959
33.	Tamil Nadu	942	946
34.	Pondicherry	967	965
35.	Andaman and Nicobar Islands	957	966

**Poor healthcare facilities in rural areas**

2282. SHRI SHADI LAL BATRA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government is aware of poor healthcare facilities in the country, especially in rural areas;

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

(c) whether Government proposes to apply state-of-the-art technology in the field of medical sciences; and

(d) if so, the action taken or likely to be taken by Government so far?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY): (a) and (b) Government has launched the National Rural Health Mission (NRHM) in 2005 to provide accessible, affordable and quality health care service delivery to the rural population especially the vulnerable sections of the society. The main components of NRHM *inter-alia* includes, up-gradation of infrastructure, augmentation of skilled manpower, availability of required equipments, full Immunization, Community participation, Janani Suraksha Yojana (JSY), Janani Shisu Suraksha Karikram (JSSK), Mobile Medical Units (MMU), Capacity Building, Mainstreaming of AYUSH, Inter-sectoral convergence etc.

(c) Under NRHM funds are provided to the States for procurement of latest State of art equipment to the health facilities including equipments for setting up of Neonatal ICUs, New Born Stabilization Units, Operation Theaters, Diagnostic Equipment, Mobile Medical Units equipped with X-ray machines, ECG etc. NRHM also provide flexibility to the States to plan as per their requirements and felt needs and also promotes innovation.

**Financial assistance to Himachal Pradesh  
for AYUSH facilities**

2283. SHRIMATI BIMLA KASHYAP SOOD: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the State Government of Himachal Pradesh has sent proposal/ demand for financial assistance amounting to ` 5163.26 lakh to establish AYUSH Centres under NRHM (AYUSH PIP 2010-11) specially in allopathic institutions in Himachal Pradesh for the year 2010-11;

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

(c) if not, the reasons for not providing the aforesaid financial assistance so far?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI S. GANDHISELVAN): (a) to (c) Yes. Government of India had received the proposal seeking financial assistance of Rs. 5163.24 lakh during the year 2010-11 from Government of Himachal Pradesh under Centrally Sponsored Scheme for Development of AYUSH Hospitals and Dispensaries. Rs. 3540.00 lakhs has been sought for co-location of AYUSH units at Primary Health Centers, Community Health Centers and District Hospitals under NRHM, Rs. 559.50 lakhs for supply of essential drugs and Rs. 1013.76 lakhs for upgradation of AYUSH hospitals.

Government of India has provided financial assistance of Rs. 861.69 lakh for upgradation of 16 Ayurveda Hospitals during the year 2010-11. These grants were released, since these were for new component introduced in the scheme. Other proposals of collocation and supply of essential drugs could not be considered due to pending Utilization Certificates. The release of fresh grants during 2011-12 would depend on clearance of Utilization Certificates in respect of releases upto 2009-10.

**Retention of prescription slip by chemists**

†2284. MISS ANUSUIYA UIKEY: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is mandatory for the chemists to keep one copy of the original prescription given by the doctors for the sale of anti-biotic medicines which fall under Schedule HX;

(b) if so, the details thereof and whether this rule is being followed strictly;

(c) whether doctors give two copies of their prescription while prescribing antibiotic medicines to the patients;

(d) whether Government believes that the observance of this rules is feasible for doctors and chemists; and

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†Original notice of the question was received in Hindi.

(e) the objective for keeping the prescription slip of patient by chemist?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): (a) No, currently, there is no Schedule HX in the Drugs and Cosmetics Rules, 1945.

(b) to (e) Do not arise.

#### **Development of power plants by BHEL in Africa**

2285. SHRI A. ELAVARASAN: Will the Minister of HEAVY INDUSTRIES AND PUBLIC ENTERPRISES be pleased to state:

(a) whether the State-owned Bharat Heavy Electricals Limited (BHEL) has decided to develop power plants in Uganda and Nigeria as part of India's plan to broaden economic engagement with African countries to secure access to oil and gas blocks in the African continent; and

(b) if so, the details thereof?

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI PRAFUL PATEL): (a) No, Sir, Bharat Heavy Electricals Limited (BHEL) is presently not pursuing any business opportunity in Uganda and Nigeria as part of India's plan to broaden economic engagement with African countries to secure access to oil and gas blocks in the African continent.

(b) Not applicable in view of (a) above.

#### **Paying of provident fund arrears by ONGC**

2286. SHRI PRAVEEN RASHTRAPAL: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether the Ministry is aware about Order dated 28 October, 2011 under section 7-A of the EPF and MP Act, 1952 in the matter of M/s ONGC Mehsana wherein the ONGC as a principal employer was directed to pay Provident Fund amount within 15 days from the date of receipt of the same order;

(b) if so, the details thereof in the interest of poor workers; and

(c) whether the Ministry is aware that the amount thus demanded is ₹ 11,10,56,657/- the amount due to the workers is not small amount and hence the matter requires urgent actions at the highest level?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) to (c) An Order dated 28.10.2011 has been issued by Regional Provident Fund Commissioner (RPFC) to Oil and Natural Gas Corporation Limited (ONGC) regarding benefits to the contractual employees working in ONGC's Mehsana Asset between 1983 to 2011. Aggrieved with the Order, ONGC has filed a Review Petition for a fresh

determination of the Provident Fund amount, which has been admitted by RPFC. Currently the matter is *sub-judice*.

#### **Impact of rise in CNG prices**

2287. SHRI RAMDAS AGARWAL: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether sharp increase in petrol prices has revived demand for Compressed Natural Gas (CNG), which works out to be 70 per cent cheaper;

(b) if so, the steps taken by Government to provide better CNG infrastructure (CNG stations) soon to meet the demand of customers, particularly in Delhi; and

(c) whether Environment Protection Control Agency (EPCA) has also asked Indraprastha Gas Ltd. (IGL) not to revise CNG prices frequently as rise in prices may blunt CNG green edge?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) Indraprastha Gas Ltd. (IGL) has reported an increase in the sale of CNG in Delhi, Noida, Greater Noida and Ghaziabad cost from 17.55 lakh kg./day to 19.97 lakh kg./day between April' 11 and November' 11.

(b) IGL has presently set up and commissioned 274 stations in Delhi and NCR towns of Noida, Greater Noida, and Ghaziabad. Out of this, a total of 228 CNG stations are operational in Delhi, Noida, Greater Noida and Ghaziabad and remaining CNG stations are under mandatory clearances.

Further, in order to meet the demand for CNG, IGL has plans to setup 32 more CNG stations by the end of the current financial year, taking the number of commissioned stations in Delhi and NCR to 306. The total number of CNG stations in NCT of Delhi is expected to reach 259 by the end of March, 2012. Thereafter, IGL plans to add around 30-35 stations every year.

(c) Yes, Sir. The Environment Pollution (Prevention and Control) Authority for NCR (EPCA) had invited IGL in October, 2011 to discuss the CNG price rise in Delhi. IGL officials had apprised EPCA of the pressing reasons of substantial increase in input cost of gas due to diminishing availability of domestic gas, appreciation of US Dollar against Rupee, hike in electricity cost and investment in infrastructure.

#### **Diversification of country's sources of LNG supply**

2288. SHRI GOVINDRAO ADIK:

SHRI SANJAY RAUT:

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether on the sidelines of the East Asia Summit of Energy Ministers' in Brunei, the Minister has held discussions with Energy Ministers of Brunei, Indonesia, Australia and Malaysia

in order to seek diversification of India's sources of supply of Liquefied Natural Gas (LNG) to double the LNG re-gasification capacity by 2016; and

(b) if so, the reaction of the respective countries to the request of India?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) Yes, Sir. On the sidelines of the East Asia Summit of Energy Ministers in Brunei, discussions were held with Energy Ministers of Brunei, Indonesia, Australia and Malaysia, among others. GAIL has informed that Brunei LNG's Board has not yet agreed to supply LNG. GAIL is in preliminary discussions with upstream suppliers from various proposed and upcoming LNG liquefaction plants in Indonesia, for sourcing LNG on long-term basis.

#### Import of crude oil

2289. SHRI NARESH GUJRAL: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) the details of crude oil imports for the financial years 2008-09, 2009-10 and 2010-11;

(b) the total import of crude oil from Iran for the above period;

(c) whether there is any problem with regard to payment for crude oil to Iranian companies;

(d) if so, whether Government considers this as a reason for the change in import quantity; and

(e) whether India has stopped using Asian Clearing Union (ACU), if so, the details thereof in case of debt accumulation?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) The details of crude oil imports and import of the same from Iran for the financial year 2008-09, 2009-10 and 2010-11 is given as under:—

(In Million Metric Tonne)		
Year	Total crude oil import	Import from Iran
2008-09	132.8	21.8
2009-10	159.3	21.2
2010-11	163.6	18.5

(c) to (e) The Asian Clearing Union (ACU) was withdrawn by the RBI in December, 2010. Oil companies in India have examined different alternatives to clear payments



due to National Iranian Oil Company (NIOC). There was no interruption in crude oil imports from Iran.

**Settlement of GSPA without Government intervention**

2290. SHRI JAI PRAKASH NARAYAN SINGH:

SHRI A. ELAVARASAN:

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to refer to answer to Unstarred Question No. 134 given in the Rajya Sabha on 22 November, 2011 and State:

(a) whether marketing margin as a result of Gas Sale and Purchase Agreement (GSPA) in case of Krishna Godavari (KG) D6 Gas entered between seller and buyer is mutually settled between the parties without Government intervention;

(b) whether this set of rule is being followed in the case of KG-D6 and have the consent of Government continuously for the past many years;

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

(d) whether Government has now changed its stand and has decided to place the matter of marketing margin before the Empowered Group of Ministers (EGoM); and

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

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) Yes, Sir.

(b) The marketing margin in the case of KG D6 is being mutually settled between buyer and the seller.

(d) and (e) On the representation made by the Department of Fertilizers, the issue of marketing margin charged by Reliance Industries Ltd. (RIL) on KG D6 gas is proposed to be placed for consideration of the Empowered Group of Ministers (EGoM) as and when it meets.

**New oil refineries by HPCL and BPCL**

†2291. SHRI BALAVANT ALIAS BAL APTE:

SHRI ANIL MADHAV DAVE:

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether HPCL and BPCL are planning to establish new oil refinery plants; and

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

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†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) Hindustan Petroleum Corporation Limited (HPCL) is setting up a 9 Million Metric Tonnes Per Annum (MMTPA) Refinery at Bathinda, Punjab, in Joint venture with Mittal Energy Investments Private Ltd. and has commissioned a study on pre project activities for a 9 MMTPA grassroot refinery at Ratnagiri District in the State of Maharashtra. Bharat Petroleum Corporation Limited (BPCL) has recently commissioned a 6 MMTPA Refinery at Bina, Madhya Pradesh on 20th May, 2011 in Joint Venture with Oman Oil Company, Oman.

#### Shortage of LPG distributors in Gujarat

2292. SHRIMATI SMRITI ZUBIN IRANI:

SHRI NATUJI HALAJI THAKOR:

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) the number of LPG distributors in Gujarat, district-wise;
- (b) whether it is a fact that there are less number of LPG distributors in the State as compared to other States;
- (c) the norms in practice to appoint LPG distributors in the country; and
- (d) whether Government proposes to appoint more distributors to meet the demand of people of Gujarat?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) As on 01.10.2011, Public Sector Oil Marketing Companies (OMCs) viz. IOCL, BPCL and HPCL are operating 558 LPG distributorships in the State of Gujarat. The district-wise details are given in Statement (*See below*).

(b) The existing LPG distributorships of OMCs in the State of Gujarat are sufficient to cater to the needs of the customers in the State.

(c) The locations for setting up of LPG distributorship are identified jointly by the OMCs, based on available refill sale potential, which can sustain operation of an LPG distributorship. The refill sale potential is based on several factors including population, population growth rate, economic prosperity of the location etc. Based on the population of town, the refill ceiling limit has been fixed as under:—

Type of market	Monthly refill ceiling
Town with < 10 lakh population	8000
Town with 10 to 20 lakh population	10000
Town with 20 to 40 lakh population	12000
Town with > 40 lakh population	15000

In case of the Rajiv Gandhi Gramin LPG Vitaran Yojana (RGGLVY), potential sale of 600 refills is considered while opening of a distributorship.

(d) For accelerating the spread of LPG distribution network in rural areas and uncovered areas, OMCs have planned to set up 42 regular LPG distributorships and 80 distributorships under the Rajiv Gandhi Gramin LPG Vitaran Yojana (RGGLVY) in the State of Gujarat. The selection process of the same is on, as per the existing policy.

***Statement***

*District-wise details of LPG distributorships in the State of Gujarat*

Sl. No.	Name of Districts	No. of LPG distributorships
1	2	3
1.	Ahmedabad	83
2.	Amreli	21
3.	Anand	27
4.	Banaskantha	14
5.	Bharuch	18
6.	Bhavnagar	25
7.	Dahod	07
8.	Dangs	01
9.	Gandhinagar	22
10.	Jamnagar	25
11.	Junagadh	25
12.	Kachchh	18
13.	Kheda	19
14.	Mehsana	14
15.	Narmada	03
16.	Navsari	14
17.	Nadiad	03
18.	Panchmahal	08

1	2	3
19.	Patan	10
20.	Porbandar	08
21.	Rajkot	41
22.	Sabarkantha	11
23.	Surat	62
24.	Surendranagar	15
25.	Tapi	05
26.	Vadodara	42
27.	Valsad	17
TOTAL :		558

#### Losses incurred by IOC

2293. SHRIMATI SHOBHANA BHARTIA: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether Indian Oil Corporation (IOC) has reported a record loss of ` 7,486 crores for the quarter June-September, 2011;

(b) if so, the reasons therefor;

(c) whether Government is in a position to import crude oil for the coming months in face of this loss; and

(d) if so, how Government proposes to deal with the same?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) Yes, Sir. The reasons for the loss are unmet/continued under-recoveries, foreign exchange fluctuation loss and higher interest burden.

(c) and (d) The public sector oil marketing companies (OMCs) *i.e.* Indian Oil Corporation Limited (IOCL), Bharat Petroleum Corporation Limited (BPCL) and Hindustan Petroleum Corporation Limited (HPCL) are importing crude and processing it into products. They are selling Diesel, public distribution system (PDS) Kerosene oil and Domestic Liquefied Petroleum Gas (LPG) below their desired retail selling price and are incurring under-recovery on the sale of these petroleum products. To compensate these under-recoveries and protect the financial health of OMCs, the Government is following a burden sharing mechanism under which the

public sector upstream oil companies have contributed ₹ 21,633 crores and Government has confirmed budgetary support of ₹ 30,000 crore to the OMCs during the first half of the financial year 2011-12.

**Measures to increase production of gas and oil**

†2294. SHRI BHARATSINH PRABHATSINH PARMAR:  
SHRI PARSHOTTAM KHODABHAI RUPALA:

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) the details of the steps taken by the Ministry till date to increase the production of gas and crude oil in the country; and

(b) the details of the estimated quantity and the names of regions in Gujarat where gas and crude oil is likely to be found and the necessary steps being taken to increase its production?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) Several measures have been taken by the Government to accelerate the production of gas and crude oil in the country, which includes the following:—

- (i) Carving out more and more areas for exploration for offer under various rounds of New Exploration Licensing Policy (NELP).
- (ii) Offering of exploration blocks under and Coal Bed Methane (CBM) Policy.
- (iii) Use of stimulation techniques for increasing production from existing fields.
- (iv) Application of Enhanced Oil Recovery (EOR)/Improved Oil Recovery (IOR) techniques for increasing recovery factor from existing fields.

(b) There are no direct methods to estimate the quantity and names of regions where gas and crude oil is likely to be found. However, Oil and Natural Gas Corporation Ltd. (ONGC) has assessed that the resource potential of the Cambay and Kutch onland basins in Gujarat are 2050 Million Metric Tonnes (MMT) and 210 MMT respectively.

**Beneficiaries of subsidies to petroleum sector**

2295. SHRIMATI T. RATNA BAI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether according to the International Energy Agency (IEA), in 2008 India spent approximately US \$40 billion on subsidies to the petroleum sector;

(b) if so, the details thereof in the Eleventh Plan, year-wise;

(c) the real beneficiaries in each State, including Andhra Pradesh; and

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†Original notice of the question was received in Hindi.

(d) the misuse that took place in each State, so far, during the Eleventh Plan?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) to (d) The Government is providing fiscal subsidy of ₹ 0.82 per litre on PDS Kerosene and ₹ 22.58 per cylinder on Domestic LPG under the “PDS Kerosene and Domestic LPG Subsidy Scheme, 2002” only to the Public Sector Oil Marketing Companies (OMCs) namely, Indian Oil Corporation Limited (IOCL), Bharat Petroleum Corporation Limited (BPCL) and Hindustan Petroleum Corporation Limited (HPCL). In addition to the fiscal subsidy, the OMCs are being partly compensated by the Government for the under-recoveries on the sale of Petrol (upto 25.6.2010), Diesel, PDS Kerosene and Domestic LPG through a Burden Sharing Mechanism. No subsidy/compensation is being disbursed to the State Governments.

The details of total subsidy including oil bonds/cash assistance on petroleum products namely Petrol (upto 25.6.2010), Diesel, PDS Kerosene, Domestic LPG and Natural Gas from 2007-08 to 2010-11 are given below:—

	(₹ crore)			
	2007-08	2008-09	2009-10	2010-11
(1) Fiscal subsidy under ‘PDS Kerosene and Domestic LPG Subsidy Scheme, 2002’	2,641	2,688	2,770	2,904
(2) Under-recovery compensation*	77,123	1,03,292	46,051	78,190
(3) Natural Gas subsidy for North East	151	142	159	445
(4) TOTAL SUBSIDY (1)+(2)+(3):	79,915	1,06,122	48,980	81,539

\*The under-recovery is shared by the Government and Public Sector Oil Companies under burden sharing mechanism.

Note — Under-recovery compensated on Petrol upto 25.6.2010 only.

#### **Delay in laying PNG lines in Indirapuram, Uttar Pradesh**

2296. DR. JANARDHAN WAGHMARE: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether a large number of residents of Indirapuram, Uttar Pradesh (NCR) have applied for new domestic PNG connections which is pending with the Indraprastha Gas Limited (IGL) since the last several months;

(b) if so, the details thereof;

(c) whether any responsibility has been fixed on the part of the officials of the IGL who are deliberately keeping the cases of installations of new domestic PNG connection at Indirapuram, Uttar Pradesh (U.P.) pending; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) to (d) Indraprastha Gas Limited (IGL) has been laying infrastructure of underground piped natural gas (PNG) pipelines in Indirapuram, Ghaziabad in a phased manner. Registrations for PNG connections have been invited from residents of the area accordingly in a phased manner. Pipeline infrastructure has been substantively completed in units in Indirapuram area. IGL has so far received around 11000 registrations from interested residents and connections have been provided in approximately 8125 houses till November 30, 2011. The pending 2875 connections are expected to be completed in next three months period subject to technical feasibility of individual households who have applied for PNG connections, availability of digging permissions where ever required and availability of access to customer premises. A dedicated team of IGL has been deployed in Indirapuram, Ghaziabad for completion of PNG project.

#### **Corruption in allocating petrol pumps to martyrs**

†2297. SHRI RASHEED MASOOD: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) the number of gas agencies and petrol pump stations allocated in the names of martyrs where some army officers and the officials of petrol companies have indulged in corruption; and

(b) what are the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) Public sector oil marketing companies (OMCs) *i.e.* Indian Oil Corporation Limited (IOCL), Bharat Petroleum Corporation Limited (BPCL) and Hindustan Petroleum Corporation Limited (HPCL) have not come across any allotment of Retail Outlet (RO) dealerships/Liquefied Petroleum Gas (LPG) distributorships in the name of martyrs, where any army officers and the officials of OMCs have indulged in corruption.

#### **Shortage of LPG in Rohru-Chirgaon, Shimla district (Himachal Pradesh)**

†2298. SHRIMATI BIMLA KASHYAP SOOD: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether it is a fact that there is acute shortage of LPG in Rohru-Chirgaon

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†Original notice of the question was received in Hindi.

in Shimla district, Himachal Pradesh (H.P.) and LPG has not been supplied to people for last 3-4 months;

(b) if so, the time by which Government would supply adequate quantities of LPG there; and

(c) whether it is also a fact that gas agency at Chirgaon is not supplying gas properly and gas cylinders are being used openly for commercial purposes in Rohru-Chirgaon and the common man is not getting gas supply?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) Public Sector Oil Marketing Companies (OMCs) have reported that at present, there is no shortage of LPG in the State of Himachal Pradesh, including Rohru-Chiragaon market and LPG supplies to distributors are being made by the OMCs, in accordance with the genuine demand of customers registered with the LPG distributors.

(c) Indian Oil Corporation Limited (IOC) has reported that M/s. Himachal Pradesh State Civil Supplies Corporation Limited (HPSCSCL), a Public Sector Undertaking under the State Government of Himachal Pradesh, caters to the customers of Rohru and Chirgaon market. A new LPG distributorship was commissioned at Chirgaon on 03.11.2011 to whom around 500 domestic LPG customers were transferred to the said distributorship. At present, the genuine demand of the customers registered with the new distributorship at Chirgaon is being met. The demand of balance customers of Chirgaon is being met from the distributorship, operating at Rohru and there is no reported backlog.

During the last one year, no complaint relating to use of domestic LPG cylinders for commercial purposes have been reported at Rohru-Chirgaon markets.

#### **Pending dues of Air India with oil companies**

2299. SHRI RAM KRIPAL YADAV: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) the arrears/dues with Air India on account of fuels to all oil companies as on today;

(b) whether it is a fact that oil companies have threatened Air India to stop supply of further fuels due to non-payment of dues;

(c) if so, whether Government has taken any initiative on this matter; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) As on 30.11.2011, total dues outstanding on account of Aviation Turbine Fuel (ATF) supplied to Air India by Public Sector Oil Marketing Companies (OMCs) is



Rs. 4170.50 crores. Company-wise detail of outstanding dues with Air India is given below:—

(Rs. in crores)

Name of the OMC	Total outstanding excluding interest	Cumulative interest	Total outstanding including interest	Total overdue outstanding including interest
Indian Oil Corporation Ltd. (IOCL)	2380.08	423.43	2803.51	1996.00
Bharat Petroleum Corporation Ltd. (BPCL)	635.08	92.73	727.81	570.04
Hindustan Petroleum Corporation Ltd. (HPCL)	573.01	66.17	639.18	442.43
<b>TOTAL:</b>	<b>3588.17</b>	<b>582.33</b>	<b>4170.50</b>	<b>3008.47</b>

(b) OMCs have reported that they had requested Air India for payment of dues, failing which they could take appropriate action for recovery of dues, including restriction of supplies.

(c) and (a) The Government has decided to extend credit facility of three months on ATF supplies to provide Air India with some time in order to complete its financial restructuring exercise which is currently going on. Accordingly, this Ministry has advised the Public Sector OMCs to extend three months credit to Air India, while protecting their commercial interests.

#### **Kerosene quota for Outboard Mechanised Engine Vessels**

2300. DR. MANOHAR JOSHI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether Government has taken steps to give kerosene quota other than PDS for operation of Outboard Mechanised Engine Vessels to Maharashtra;

(b) if so, the details thereof;

(c) whether Government has considered the criterion of weaker sections of fishing community; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) A request from the State Government of Maharashtra was

received in this Ministry for grant of Kerosene quota for distribution to the fisheries co-operative societies. In response to this, it was clarified that the Central Government allocates subsidized SKO (Superior Kerosene Oil) for distribution under PDS to BPL families for the purpose of cooking and illumination only. The State Government was requested to submit a formal proposal to this Ministry indicating the quantity of non-subsidized Kerosene oil required for the fisheries sector.

(c) and (d) Allocation of Public Distribution System (PDS) Kerosene to States/Union Territories (UTs) is made by the Government of India for cooking and lighting purposes. Further distribution, criterion for eligibility and scale of allocation to beneficiaries is the responsibility of the State Government.

#### **Perspective planning for ensuring oil availability**

2301. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) the percentage of petroleum products availability from domestic sources and through imports during the last three years;

(b) whether the oil reserves of over 1.1 billion tonnes of oil and equivalent quantity of natural gas, plus the recently found reserves of shale gas will substantially meet India's growing demand for petroleum products from indigenous sources; and

(c) if so, the perspective planning of domestic availability quantity and imported-quantity by the end of the Twelfth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) The total consumption of Petroleum Products in the country during the last three years are as follows:—

	2008-09	2009-10	2010-11
Consumption of Petroleum Products (in Million Metric Tonne)	133.6	137.8	141.8

The percentage of indigenously produced Crude Oil which was processed to meet the domestic demand of the petroleum products during the last three years is given below:—

	2008-09	2009-10	2010-11
Indigenous crude oil (in %)	23.4%	22.9%	25.0%

The requirement of crude oil to meet the balance domestic demand of petroleum products was imported.

(b) and (c) Government has initiated steps for the assessment of shale gas resources in selected onland basins as well as to formulate a Shale Gas Policy. The exploration of shale gas in India will depend on the completion of resource assessment, framing of Shale Gas Policy including addressing environmental issues and award of blocks through bidding.

#### **New modality of payment for Iranian oil**

2302. SHRI TAPAN KUMAR SEN: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) whether Iran is the 2nd largest supplier of crude oil to India;
- (b) if so, the quantity imported from Iran during the last three years;
- (c) whether the Reserve Bank of India disallowed payments to Iran on oil imports through Asian Clearing Union (ACU) since December, 2010;
- (d) if so, the reasons therefor;
- (e) whether a new modality of payment has been found out; and
- (f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) Yes, Sir.

- (b) The quantity imported from Iran during the last three years is given below:—

Year	2008-09	2009-10	2010-11
Quantity (MMT)	21.814	21.197	18.499

(c) to (f) After the Asian Clearing Union was withdrawn by the RBI in December, 2010, the Government has operationalised a new payment mechanism in August, 2011 under which all the outstanding payments due to National Iranian Oil Company (NIOC) have been settled successfully, and payment for crude oil import from Iran is made through this mechanism as and when due.

#### **Sharing of revenue generated from oil production in Barmer**

†2303. SHRI ASHK ALI TAK: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) the revenue received by the Central Government from the production of oil by Cairn Energy right from its inception in the Barmer district of Rajasthan and the amount therefrom received by Rajasthan and under which head of account;

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†Original notice of the question was received in Hindi.

(b) whether Government plans to establish a refinery in Rajasthan in view of the oil reserves found there; and

(c) if so, by when and, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) The amount of Profit Petroleum received by Central Government since production of commercial crude oil in August, 2009 from the block RJ-ON-90/1 operated by Cairn Energy India Limited (CEIL) till September, 2011 is Rs. 1038.26 crore. The details of revenue received by Government of India (GoI) and Government of Rajasthan (GoR) during the above period are as under:—

(In rupees crore)		
Item	Revenue received by GoI	Revenue received by GoR
Royalty	—	3278.96
Cess	2144.85	—
Education Cess	64.67	—
National Calamity Contingent Duty (NCCD)	44.61	—
Sales Tax	—	355.37

(b) and (c) The matter is under consultation between Government of Rajasthan and ONGC for an appropriate and viable equity structure acceptable to all the stakeholders for feasibility of a refinery.

#### De-regulation of petroleum products

2304. SHRI M.V. MYSURA REDDY: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) the details of commodities on which the Ministry has regulatory power and the reasons therefor;

(b) whether it is a fact that Ministry is planning to deregulate commodities like diesel, LPG, Kerosene, CNG etc.; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) The Government is modulating the Retail Selling Prices (RSPs) of Diesel, PDS Kerosene and Domestic LPG to insulate the common man from the impact of rising

international oil prices and the domestic inflationary conditions. The RSPs of these petroleum products are not being maintained in line with the movement in international oil prices.

(b) to (c) The Kirit Parikh Committee had recommended that the price of Diesel may be made market-determined. Government on 25.06.2010 took a decision 'in principle' that its price would be made market-determined, both at Refinery Gate and Retail Level. However, for the reasons stated above, Government continues to modulate the RSP of Diesel. The price of CNG is already deregulated.

However, at present, there is no such proposal under consideration before the Government to decontrol the prices of Diesel, PDS Kerosene and Domestic LPG.

#### Export subsidy to refineries

2305. SHRI K.N. BALAGOPAL: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

- (a) whether Government is giving export subsidy to refineries for refined products export;
- (b) if so, the details thereof; and
- (c) the details of value and quantity of petroleum products India is exporting per year?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) There is no subsidy given by Government to Oil Refineries on export of petroleum products.

(c) The details of value and quantity of petroleum products India is exporting per year is given in Statement.

#### Statement

##### Export of petroleum products during last three years

	2008-09			2009-10			2010-11 (P)		
	Qty. in TMT	Million US\$	Rs. crore	Qty. in TMT	Million US\$	Rs. crore	Qty. in TMT	Million US\$	Rs. crore
1	2	3	4	5	6	7	8	9	10
LPG	109	97	456	131	104	491	154	151	693
Petrol	5440	4,008	17810	9771	6,650	31,203	13578	10,861	49,480
Naphtha	7601	5,643	25055	9911	6,318	29,859	10655	8,161	37,138
Aviation Turbine Fuel	3701	2,999	13498	4588	2,824	13,331	4478	3,546	16,140

1	2	3	4	5	6	7	8	9	10
Diesel	14720	11,032	49670	18451	10,747	50,930	20335	15,220	69,300
Kerosene	77	77	362	46	32	154	33	31	141
LDO	0.4	0.3	1.3	41	19.0	87.1	98	56.0	260.0
Lubes	139	136	687	28	26	121	29	33	147
Fuel Oil/ LSHS	6207	2,737	12297	5155	2,236	10,478	6734	3,318	15,098
Bitumen	45	14	64	31	12	67	56	27	124
Others	905	539	2575	2870	1,595	7,508	2927	1,936	8,340
TOTAL	38,944	27,282	122,475	51,023	30,563	144,229	59,077	43,340	196,861
EXPORT:									

*Notes:*

*Source:* Oil Companies and Directorate General of Commercial Intelligence and Statistics (DGCIS).

P — Provisional.

#### Contribution of Petroleum Sector to National Exchequer

2306. SHRI TARINI KANTA ROY: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether contribution of Petroleum Sector in form of duty, tax, dividend to Central Government exchequer was ₹ 1.36 lakh crores;

(b) whether contribution of Petroleum Sector to the State exchequer during the same period was ₹ 89,000 crores (approx.);

(c) whether total payout by the Central Government to oil companies was ₹ 43,926 crores during the same period; and

(d) if so, whether Petroleum Sector is subsidizing Government?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) The details of contribution of Petroleum sector to the Central and State Exchequers during the year 2010-11 are given in Statement (*See below*).

(c) to (d) The Government is providing fiscal subsidy of ₹ 0.82 per litre on PDS Kerosene and ₹ 22.58 per cylinder on Domestic LPG under the “PDS Kerosene and Domestic LPG Subsidy Scheme, 2002” and the Freight subsidy is also being provided under the “Freight Subsidy (For

Far-Flung Areas), Scheme, 2002” to the Public Sector Oil Marketing Companies (OMCs).

In addition to the above subsidy, the OMCs are being partly compensated by the Government for the under-recoveries on the sale of Diesel, PDS Kerosene and Domestic LPG through a Burden Sharing Mechanism.

The details of payout by the Central Government to the Public Sector Oil Companies during the year 2010-11 are given below:—

	(₹ crore)
	Amount
Cash assistance by Government towards OMCs’ under-recovery	41,000
Subsidy on PDS Kerosene and Domestic LPG *	2,904
Freight Subsidy on PDS Kerosene and Domestic LPG **	22
Natural Gas subsidy for North East	445
<b>TOTAL PAYOUT:</b>	<b>44,371</b>

\*Subsidy under ‘PDS Kerosene and Domestic LPG Subsidy Scheme, 2002’.

\*\*Subsidy under ‘Freight Subsidy (For Far-Flung Areas) Scheme, 2002’.

### ***Statement***

#### *Contribution to Central and State Exchequers by the Petroleum Sector*

	(₹ crore)
Particulars	2010-11
1	2

#### **Central Exchequer**

##### **A. Tax/Duties on Crude oil and Petroleum products**

Cess on Crude Oil	6,810
Royalty on Crude Oil/Gas	3,652
Customs Duty	24,136
Excise Duty	68,040
Service tax etc. <sup>942</sup>	
<b>SUB TOTAL (A):</b>	<b>1,03,580</b>

1	2
<b>B. Dividend to Government/Income tax etc.</b>	
Corporate/Income Tax	17,146
Dividend income to Central Government	9,807
Dividend distribution tax	2,354
Petroleum Profit on exploration of Oil/Gas *	3,610
<hr/>	
SUB TOTAL (B):	32,917
<hr/>	
TOTAL CONTRIBUTION TO CENTRAL EXCHEQUER (A+B):	1,36,497
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<b>State Exchequers</b>	
<hr/>	
<b>A. Tax/Duties on Crude and Petroleum products</b>	
Royalty on Crude Oil/Gas	4,636
Sales Tax/VAT on POL Products	78,689
Octroi, Duties Incl. Electricity Duty	2,163
Entry Tax/Others	3,488
<hr/>	
SUB TOTAL (C) :	88,976
<hr/>	
<b>B. Dividend to Government/Income tax etc.</b>	
Dividend Income to State Government	21
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SUB TOTAL (D) :	21
<hr/>	
TOTAL CONTRIBUTION TO STATE EXCHEQUER (C+D):	88,997
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*Note:* Based on data provided by oil companies.

\*The amount of Profit Petroleum has been taken from MoP & NG.

#### **Supply of gas to gas-based power projects in Assam**

2307. SHRI KUMAR DEEPAK DAS: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether Government has undertaken any initiative for supply of gas to gas-based power projects;

(b) if so, the present status of supply of gases to various projects including Amguri gas-based power project in Assam; and

(c) the details of pending proposal for supply of gases in various gas-based projects in Assam?



THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) Power sector has been given high priority in allocation of domestic natural gas. So far, Power sector has been allocated around 98 mmcmd of natural gas, which is 47% of the total allocation.

(b) The following Power sector customers in Assam are presently being supplied gas:—

Name of Plants	Average quantity supplied during 2010-11 (in mmcmd)
(i) Assam Power Generation Corporation Ltd., Namrup	0.61
(ii) Assam Power Generation Corporation Ltd., Lakwa	0.378
(iii) North-Eastern Electric Power Corporation (NEEPCO), Kathalguri	1.436
(iv) Assam State Electricity Board, Maibella plant	0.392
(v) Through AGCL, DLF power plant	0.07

(c) Oil India Ltd. is committed to supply 1.35 mmcmd of natural gas to M/s Bhramputra Cracker and Polymer Ltd. in Assam from 2012-13.

#### **Surrendering of LPG cylinders by PNG consumers**

†2308. SHRI NARENDRA KUMAR KASHYAP: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether Indraprastha Gas Limited (IGL) has asked the Piped Natural Gas (PNG) consumers to surrender their LPG cylinders;

(b) if so, the intention of the IGL behind it and the reasons therefor;

(c) whether the old LPG consumers will be allowed to pay at previous rates in case they require LPG connection again; and

(d) if not, the basis of receiving payments from old LPG consumers at new rates?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) Yes, Sir.

(b) In pursuance of Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000 amended *vide* Notification dated 10.9.2009, PNG consumers are required to deposit

†Original notice of the question was received in Hindi.

LPG connection of the public sector oil marketing companies in the 'safe custody' of the LPG distributor within 60 days, upon which they will be issued a "Termination Voucher" and the security deposit will be refunded to them.

(c) and (d) Such consumers can avail the domestic LPG connection again upon 'security deposit' of the same amount as mentioned in the "Termination Voucher".

#### **Formulation of Integrated National Policy for alternative fuel sources**

†2309. SHRI JAI PRAKASH: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether Government proposes to formulate an integrated national policy to promote exploration of shale gas, gas hydrate and coal methane as an alternative to check the rising prices of crude oil and its ill-effects on the financial situation;

(b) if so, by when such a policy would be announced; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) to (c) No, Sir, there is no proposal to formulate integrated national policy for exploration of shale gas, gas hydrate and Coal Bed Methane (CBM). The status on CBM, gas hydrate and shale gas is as under:—

Government has already implemented CBM Policy and has awarded 30 exploration blocks so far under the CBM Policy.

Gas Hydrate Programme is at Research and Development stage worldwide. Currently, suitable technology for commercial production of gas hydrate is not available. However, Government is pursuing National Gas Hydrate Programme with the cooperation of other countries such as USA, Germany and Japan.

Government has initiated steps for the assessment of shale gas resources in selected onland basins as well as to formulate a Shale Gas Policy. Implementation of Shale Gas Policy is dependent upon completion of resource assessment, carving out blocks and finalization of terms and conditions for exploration of shale gas in the country in consultation with all concerned Departments/Agencies.

#### **Allocation of kerosene to Madhya Pradesh**

†2310. SHRI KAPTAN SINGH SOLANKI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether it is a fact that Government is not allocating kerosene as per the number of ration-card holders in Madhya Pradesh (MP);

(b) if so, the details thereof;

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†Original notice of the question was received in Hindi.

- (c) whether Government has framed any policy in this regard;
- (d) if so, the details thereof;
- (e) whether Government has fixed responsibility for it; and
- (f) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI R.P.N. SINGH): (a) and (b) Allocation of Public Distribution System (PDS) Kerosene to States/Union Territories (UTs) is made by the Government of India, for cooking and illumination purposes. Further distribution within the State the scale of allocation, entitlement of beneficiaries, etc. is decided by the State Government.

(c) to (f) Do not arise, in view of (a) and (b) above.

#### **BPL list in Kerala**

2311. SHRI T.K. RANGARAJAN: Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether it is a fact that in Kerala the BPL list specifically includes deprived groups, female headed households, the fishing community, the Scheduled Castes and Scheduled Tribes;
- (b) whether Government have any plan to follow this example; and
- (c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) Yes, Sir.

(b) and (c) In a Joint Statement issued on 3rd October, 2011 by Deputy Chairman, Planning Commission and Hon'ble Minister of Rural Development it is stated that the eligibility and entitlements of rural households in the country for various programmes and schemes of Ministry of Rural Development will be determined after the Socio-Economic and Caste Census, 2011 (SECC, 2011) results are available and have been analyzed.

#### **Amendment to Land Acquisition Act of 1894**

†2312. SHRI RAVI SHANKAR PRASAD:  
SHRI RAM JETHMALANI:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether it is a fact that the Supreme Court has issued directives that there is a need to amend the Land Acquisition Act of 1894 in the present situation;

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†Original notice of the question was received in Hindi.

(b) if so, whether Government has taken any decision regarding amending this Act;

(c) if so, the decision taken in this regard; and

(d) by when the implementation of this decision will start in the country?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI SISIR ADHIKARI): (a) In Civil Appeal No. 4097 of 2010 in the case of Bondu Ramaswamy Vs. Bangalore Development Authority and Others, the Supreme Court in its judgement dated 5.5.2010 has pointed out that there is also a need for the Law Commission and the Parliament to revisit the Land Acquisition Act, 1894 which is more than a century old.

(b) to (d) The Ministry of Rural Development has drafted the Land Acquisition, Rehabilitation and Resettlement Bill, 2011, to replace the Land Acquisition Act, 1894, which was approved by the Union Cabinet on 5th September, 2011. The aforesaid Bill has been introduced in the Lok Sabha on 7th September, 2011. The Bill has been referred to the Parliamentary Standing Committee on Rural Development by the Hon'ble Speaker, Lok Sabha for examination and report to Parliament.

#### **Provisioning of farm labourers through MGNREGS**

2313. SHRI SANJAY RAUT:

SHRI GOVINDRAO ADIK:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether it is a fact that there is a serious problem of labour shortage in farms;

(b) whether it is also a fact that farm hands are now opting for MGNREGS work;

(c) whether the Ministry is considering to provide labourers to farmers through MGNREGS during sowing and harvesting seasons when there is a dire need of farm hands; and

(d) if so, the details thereof and by when Government will provide relief to farmers?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) and (b) There have been no definite findings indicating shortage of farm labourers due to Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). Since MGNREGA is a demand driven scheme, backed by legislation, State Governments are obliged to provide upto 100 days of guaranteed wage employment in a financial year to every rural household for doing unskilled manual work, if demanded, at any time of the year, as mandated in the Act. Average persondays employment generated under MGNREGA during 2008-10 has ranged between 54 days to 47 days per annum. National Sample Survey Organization (NSSO) surveys conducted between 1972-73 to 2009-10 have highlighted a continuous decline in the

proportion of male and female workers in agriculture over the years whereas MGNREGA has been in operation only since 2.2.2006.

(c) and (d) The focus of activities under MGNREGA for wage employment is laid down in Schedule-I of the Act as amended from time to time. The activities for wage employment in the agriculture sector have already been included in Schedule-I of the Act for provision of irrigation facility, horticulture plantation and land development facilities to land owned by households belonging to the Schedule Castes and Schedule Tribes or Below Poverty Line families or to beneficiaries of land reforms or to the beneficiaries under the Indira Awas Yojana of the Government of India or that of small farmers or marginal farmers as defined in the Agriculture Debt Waiver and Debt Relief Scheme, 2008 (extended *vide* notification dated 22.7.2009), or to the beneficiaries under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, (extended *vide* notification dated 22.9.2011).

#### Progress of PMGSY in Uttar Pradesh

†2314. SHRI GANGA CHARAN: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the details of progress of Pradhan Mantri Gram Sadak Yojana (PMGSY), State-wise;

(b) the phase of the above mentioned plan going on presently in Uttar Pradesh;

(c) whether Uttar Pradesh is lagging behind other States, in implementation of this plan; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) to (d) Details of progress of Pradhan, Mantri Gram Sadak Yojana, (PMGSY), State-wise upto September, 2011 is given in Statement-I (*See below*). The details of road works sanctioned under PMGSY to the State of Uttar Pradesh upto October, 2011 phase-wise is given in Statement-II.

#### Statement-I

##### Progress under PMGSY — State-wise

Sl. No.	Name of State	No. of road works cleared (upto September'11)	No. of road works completed (upto September'11)
1	2	3	4
1.	Andhra Pradesh	6,681	6,040

†Original notice of the question was received in Hindi.

1	2	3	4
2.	Arunachal Pradesh	782	553
3.	Assam	4,645	2,314
4.	Bihar (RWD)	5,788	1,396
5.	Bihar (NEA)	3,428	1,802
6.	Chhattisgarh	5,320	4,216
7.	Goa	90	72
8.	Gujarat	3,128	2,984
9.	Haryana	420	388
10.	Himachal Pradesh	2,100	1,486
11.	Jammu and Kashmir	1,379	472
12.	Jharkhand	2,589	1,253
13.	Karnataka	3,228	3,052
14.	Kerala	1,173	653
15.	Madhya Pradesh	12,334	10,239
16.	Maharashtra	5,310	4,737
17.	Manipur	1,023	717
18.	Meghalaya	427	356
19.	Mizoram	191	144
20.	Nagaland	249	238
21.	Orissa	7,746	5,537
22.	Punjab	766	717
23.	Rajasthan	11,714	11,454
24.	Sikkim	476	209
25.	Tamil Nadu	4,970	4,851
26.	Tripura	945	722
27.	Uttar Pradesh	15,932	14,946
28.	Uttarakhand	745	424
29.	West Bengal	2,683	1,912
GRAND TOTAL :		1,06,262	83,884

***Statement-I***

*Clearance in different Phases to the State of Uttar Pradesh under PMGSY*

Sl. No.	Phase	No. of road works cleared upto October, 2011
1.	Phase-I	5,133
2.	Phase-II	1,515
3.	Phase-III	1,540
4.	Phase-IV	2,123
5.	Phase-V	2,213
6.	Phase-VI	761
7.	Phase-VII	1,310
8.	Phase-VIII	50
9.	Phase-IX (LWE)	41
10.	WB Tr-I	585
11.	WB Tr-II	447
12.	WB Tr-III	43
13.	WB Tr-IV	212
14.	WB RRP-II Tr.I	514
TOTAL :		16,487

**PMGSY road in LWE districts**

2315. MS. MABEL REBELLO : Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the criterion to construct PMGSY roads in tribal areas specially in LWE districts since tribals in scheduled areas don't live in clusters;

(b) whether there is any plan to allow construction of PMGSY road in those areas with 100 houses;

(c) by when all 6 lakhs villages and double the number of habitations will be connected by pucca roads under PMGSY particularly in 60 LWE districts; and

(d) whether construction of these roads would be permitted so that PMGSY roads become functionally effective since Trunk roads connecting PMGSY are almost nonexistent in LWE districts?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) to (d) The Pradhan Mantri Gram Sadak Yojana (PMGSY) guidelines envisage connecting all habitations with a population of 500 persons and above in plain areas and 250 persons and above in hill States, Tribal (Schedule-V) areas, the Desert Areas (as identified in Desert Development Programme) and in the Left Wing Extremism affected/Integrated Action Plan (IAP) districts as identified by the Ministry of Home Affairs/Planning Commission. For the 60 IAP districts, relaxation to cover habitations of population 250 to 499 has been extended to non-Schedule-V Tribal areas also. The pace of implementation of PMGSY depends on the implementation capacity of the States.

**Irregularities in implementation of MGNREGS  
in Andhra Pradesh**

2316. SHRI NANDI YELLAIAH: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the annual budget sanctioned and spent under Mahatma Gandhi National Rural Employment Guarantee Scheme in Andhra Pradesh, district-wise and village-wise during 2008-09, 2009-10 and 2010-11;

(b) the irregularities detected, district-wise and village-wise in Andhra Pradesh during implementation of MGNREGS, during 2008-09, 2009-10 and 2010-11; and

(c) the various measures taken and proposed to be taken in eradicating irregularities detected under MGNREGS in Andhra Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) The details of district-wise approved annual labour budget and expenditure incurred in Andhra Pradesh under Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) during 2008-09, 2009-10 and 2010-11 as reported by the State Government are given in Statement-I (*See below*).

(b) A Statement indicating district-wise details of irregularities and financial deviations detected in MGNREGA in Andhra Pradesh since inception as reported by the State Government is given in Statement-II (*See below*).

(c) The steps taken by the State Government of Andhra Pradesh to eradicate irregularities in implementation in MGNREGA in the State are given in Statement-III (*See below*).



**Statement-I**

*Details of district-wise approved labour annual Budget and expenditure*

(Rs. in lakh)

Sl. No.	Andhra Pradesh District Name	2008-09		2009-10		2010-11	
		Approved labour Budget	Expenditure	Approved labour Budget	Expenditure	Approved labour Budget	Expenditure
1.	Adilabad	16876	14559	25552.2	21389	41732.26	28111
2.	Anantapur	30318	19857	45147.3	27286	46871.31	33089
3.	Chittoor	20774	19518	31704.8	22106	30887.63	25292
4.	East Godavari	22539	19429	30464.8	17823	29721.33	21015
5.	Guntur	9526	7972	23493.5	3332	14354.17	11856
6.	Kadapa	18319	15555	23237.1	20122	30771.49	22724
7.	Karimnagar	23889	17285	32228	25714	38573.6	25812
8.	Khammam	19076	19066	31915	20432	30714.88	20418
9.	Krishna	14167	2288	25458.7	4060	18248.66	11947
10.	Kurnool	13932	21235	24824.3	24480	37589.76	27143
11.	Mahabubnagar	26681	19477	37816.6	25750	47063.35	32624
12.	Medak	15265	12222	30526.2	19521	40393.58	26618
13.	Nalgonda	24190	16557	35004.1	22062	41836.12	30653
14.	Nizamabad	17157	13385	19572.5	16549	48643.28	30360
15.	Prakasam	6717	10311	26223.5	17106	35419.89	25440
16.	Ranga Reddy	6162	7217	16946.1	11709	18536.48	13698
17.	S.P.S Nellore	12460	11128	19805.8	11400	20469.92	14772
18.	Srikakulam	7949	10785	24884.8	22650	50327.76	30924
19.	Visakhapatnam	11497	4981	18591.4	20100	33082.29	24852
20.	Vizianagaram	13985	14971	26460.4	25415	44425.98	31244
21.	Warangal	20055	15793	40700	24616	50740.32	34472
22.	West Godavari	12779	2829	13461.5	7898	30668.94	19953
TOTAL :		364313	295390	604018.6	411520	781073	543017

**Statement-II**

*Irregularities of financial deviations detected in MGNREGS in Andhra Pradesh since inception*

Sl. No.	District	No. of social audits conducted						Amount covered by deviations (Rs.)	Amount determined as Misappropriate on (Rs.)	Amount Recovered (Rs.)	Amount dropped as the deviation not held proved (Rs.)
		I	II	III	IV	V	Total				
1	2	3	4	5	6	7	8	9	10	11	12
1.	Adilabad	52	52	50	8	0	162	66370063	8182084	6591687	575678
2.	Anantapur	63	63	63	53	0	242	81455132	18597122	8481055	124763
3.	Chittoor	65	65	65	62	0	257	46750083	8858894	3068591	10071423
4.	East Godavari	58	58	58	21	0	195	54573283	27582911	6294688	2436258
5.	Guntur	57	57	57	0	0	171	59583854	36253178	8114944	988208
6.	Karimnagar	57	57	57	8	0	179	60366761	46851307	17554040	9337527
7.	Khammam	46	46	46	36	0	174	19685684	12119587	5206672	3530821
8.	Krishna	49	49	48	2	0	148	3374201	2060310	1318570	1313891
9.	Kurnool	53	53	53	40	0	199	57812142	32474571	1 1482071	490384
10.	Mahabubnagar	64	62	58	7	0	191	158246806	71611579	24929464	11231263

1	2	3	4	5	6	7	8	9	10	11	12
11.	Medak	45	45	43	24	0	157	47069096	10076272	5049884	17709394
12.	Nalgonda	59	59	59	31	0	208	56682996	37230200	9657137	9714328
13.	Nellore	46	46	46	10	0	148	22812533	8945575	3597368	1084983
14.	Nizarnabad	36	36	36	34	3	145	81568727	6283561	6157528	675947
15.	Prakasam	56	56	37	0	0	149	39377042	8669509	3460118	2490615
16.	Ranga Reddy	21	21	21	14	0	77	31331665	4013917	1995575	1665499
17.	Srikakulam	38	38	38	14	0	128	26021271	5853954	3356055	2068189
18.	Visakhapatnam	39	39	39	8	0	125	15197595	13248882	8600969	4900
19.	Vizianagaram	34	34	34	34	15	151	33693119	13846294	2822308	14543507
20.	Warangal	50	50	50	50	1	201	135475364	44130046	16898110	4826363
21.	West Godavari	46	46	46	14	0	152	9918568	7833404	4129702	501339
22.	Y.S.R. Kadapa	50	50	50	50	42	242	55988137	25691066	14648327	832364
TOTAL		1084	1082	1054	520	61	3801	1163354122	450414223	173414869	96217644

***Statement-III***

*Steps taken to eradicate the irregularities in implementation of  
MGNREGA in Andhra Pradesh*

1. Muster Verification Register is being maintained in order to strengthen the Muster Roll Management System
  2. The labour who have worked for a minimum of 15 days in a year have been formed into Fixed Labour Groups in order to prevent any irregularity in the Muster Roll in the form of benami musters/names.
  3. Electronic Muster Measurement System (eMMS) system is introduced using mobile based software wherein every day the attendance is taken in the mobiles and put in the public domain.
  4. Muster Verification Officers have been appointed for verification of physical musters based on the muster information received through eMMS system.
  5. An exclusive Quality Control wing is established with more than 100 engineers headed by a retired Engineer-in-Chief as Chief Quality Control Officer to ensure the quality and quantity aspects as per the specifications
  6. An exclusive Society for Social Audit (Society for Social Audit for Accountability and Transparency-SSAAT) has been established with 1,000 resource personnel to conduct village level Social Audit once in 6 months.
  7. The public Hearing is being conducted at the mandal headquarters. In the Public Hearing actions such as recovery of misappropriated amount, disciplinary actions etc. are being taken up then and there itself against the erring EGS functionaries.
  8. In order to curtail the irregularities and misappropriations of MGNRES funds, an exclusive Vigilance cell is created at State level headed by a retired IAS officer as Chief Vigilance Officer. And at district level Vigilance Cell is established to closely monitor the irregularities misappropriations of funds and recover the misappropriated amount.
  9. Disciplinary actions have been initiated against the erring officials responsible for the misappropriations.
  10. So far, 3338 Fixed Tenure Employees (FTEs) have been removed in 22 districts. Misappropriated amounts are being recovered from the erring FTEs from their remunerations.
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### **Construction of roads in Himachal Pradesh under PMGSY**

2317. SHRI RAJNITI PRASAD: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the amount sanctioned by Government to Himachal Pradesh for the year 2011-12 and 2012-13 for construction of roads under PMGSY;

(b) whether the State Government had sent any proposal for construction of roads connecting Amboi-Gumna, Todsa-Gumma, Jalwari-Manghara and Link road connecting Jalwari-Kailu in Chirgaon Tehsil under Shimla District of Himachal Pradesh for the development of that area;

(c) if so, by when these roads would be constructed and amount sanctioned for construction of each of these roads; and

(d) whether Government will take special care for construction of roads in these areas for the welfare of the people?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) Under Pradhan Mantri Gram Sadak Yojana (PMGSY) project proposal for Rs. 156.22 crores has been sanctioned to Government of Himachal Pradesh for the year 2011-12.

(b) to (d) Rural Road is a State subject and Pradhan Mantri Gram Sadak Yojana (PMGSY) is a one-time special intervention of Central Government to improve the Rural Infrastructure through construction of roads. Habitations are cleared out of the eligible unconnected habitations on the basis of proposals sent by the States. No proposal has been sent by State Government of Himachal Pradesh for approval for the Amboi-Gumna, Todsa-Gumma, Jalwari-Manghara and Link road connecting Jalwari-Kailu in Chirgaon Tehsil.

### **Connectivity of villages with motorable roads**

2318. SHRI SHANTA KUMAR: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the number of villages connected with motorable roads upto September, 2011 under PMGSY; and

(b) the number of villages still to be connected through motorable roads?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) and (b) Under the PMGSY Programme, project proposals for connecting 1,09,085 habitations with all weather roads have been cleared by the Ministry upto September, 2011. As per the information received from the States, 80,015 habitations have been connected upto September, 2011.

**Representation of reserved categories in the sanctioned  
staff strength of the Ministry**

2319. SHRI AMBETH RAJAN: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the details of total sanctioned staff strength in the Ministry, group-wise *i.e.* Group A to Group D;

(b) the number of jobs earmarked for SC/ST category as per Government of India's reservation policy out of the total strength; and

(c) the reasons, if any, for the staff strength not being in accordance with the reservation policy of the Central Government?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) The Group-wise sanctioned strength of the Ministry of Rural Development is as under:—

Group A	Group B	Group C*
195	249	248

\*Consequent on the implementation of the 6 CPC recommendations, the erstwhile Group 'D' posts have been upgraded/placed in Group 'C' pay scale and re-designated as Multi Task Staff (MTS).

(b) Out of the total sanctioned strength of 692 posts, this Ministry maintains the reservation roster for only 3 Group 'A' posts, 132 Group 'B' posts and 248 Group 'C' posts. For the remaining posts in respective Groups, the rosters are maintained by the concerned cadre controlling authorities in different Ministries. As per the roster maintained for such posts in this Ministry, the number of posts reserved for SC/ST is as under:—

Sl. No.	Name of the cadre	Number of posts reserved	
		SC	ST
1.	Group A	Nil	Nil
2.	Group B	19	8
3.	Group C	35	15

(c) There is no shortfall in the representation of SC/ST *vis-à-vis* the number of posts filled at present. However, with reference to the sanctioned strength, the shortfall in the representation of SC/ST in the above cadres *vis-à-vis* the points earmarked for them in the

reservation roster is mainly due to number of regular posts lying vacant. Till recently, there were restrictions on direct recruitment. Further, Direct Recruitment to the post of Lower Division Clerk (Group 'C') has been discontinued and 85% of the Direct Recruitment vacancies are required to be abolished every year as per the instructions of the Government.

#### **Inclusion of IAY house under DRI scheme**

2320. SHRI NAND KUMAR SAI: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the State Coordinating Committee looking after the implementation of Indira Awas Yojana (IAY) have reviewed its progress in the meeting held in the recent past in New Delhi;

(b) if so, the details thereof and the name of the States participated in the meeting;

(c) the details of the issues raised and discussed during the meeting;

(d) whether RBI has advised all banks to include IAY houses under Differential Rate of Interest (DRI) scheme for lending upto Rs. 20,000/- per unit;

(e) if so, the details thereof; and

(f) the number of IAY beneficiaries so far granted loan as per the advise of RBI in various States?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) to (c) Yes, Sir. Coordinating Officers from Meghalaya, Uttar Pradesh, Chhattisgarh, Jharkhand, Rajasthan, Orissa, Sikkim, Tamil Nadu, Himachal Pradesh, Uttarakhand, Andaman and Nicobar Islands, Haryana, Goa, and Tripura attended the meeting of coordinating officers held on 31st October, 2011. During the review meeting, the main issues discussed were timely submission of the proposal for release of second instalment of IAY funds in order to avoid cut or deductions made on account of delay/excess carryover of funds, utilization of the balance lying unutilised in special packages with the District Rural Development Agencies (DRDAs), improvement of the physical performance of the States and uploading IAY-MIS data on the website etc.

(d) to (f) Yes, Sir. Reserve Bank of India *vide* its letter dated 13th June, 2007 has revised upper limit for housing loan under DRI Scheme to Rs. 20,000 per beneficiary. Subsequently on March 12, 2008, Department of Financial Services intimated that it has already requested Reserve Bank of India to include IAY houses under the DRI Scheme and for lending upto Rs. 20,000 per unit at an interest rate of 4%. On May 02, 2008 Indian Bank Association circulated model scheme to all public sector banks for extension of housing loan under DRI scheme to beneficiaries under IAY. A Statement showing the State-wise number of IAY beneficiaries benefited under DRI Scheme during 2008-09 to June, 2011-12 is given in Statement.

**Statement**

*Statement showing State-wise number of beneficiaries availed benefit under  
DRI under Indira Awas Yojana during 2008-09 to 2011-12*

(In Nos.)

Sl. No.	State	2008-09	2009-10	2010-11	2011-12*	Total
1	2	3	4	5	6	7
1.	Andhra Pradesh	0	0	0	0	0
2.	Arunachal Pradesh	0	0	0	0	0
3.	Assam	0	325	252	0	577
4.	Bihar	0	8526	2686	0	11212
5.	Chhattisgarh	1242	78	3586	105	5011
6.	Goa	0	0	0	0	0
7.	Gujarat	0	255	22590	26919	49764
8.	Haryana	0	26	21	115	162
9.	Himachal Pradesh	0	79	64	33	176
10.	Jammu and Kashmir	0	0	0	0	0
11.	Jharkhand	0	666	1155	278	2099
12.	Karnataka	0	0	0	0	0
13.	Kerala	73	128	129	971	1301
14.	Madhya Pradesh	0	3576	0	0	3576
15.	Maharashtra	0	0	0	0	0
16.	Manipur	0	498	0	0	498
17.	Meghalaya	0	0	0	0	0
18.	Mizoram	0	0	0	0	0
19.	Nagaland	0	0	0	0	0
20.	Orissa	0	0	0	0	0



1	2	3	4	5	6	7
21. Punjab		0	0	0	0	0
22. Rajasthan		0	1550	12	0	1562
23. Sikkim		0	0	0	0	0
24. Tamil Nadu		0	30384	9192	2698	42274
25. Tripura		0	0	0	0	0
26. Uttar Pradesh		0	2	0	0	2
27. Uttaranchal		0	0	257	125	382
28. West Bengal		0	2337	4352	721	7410
29. Andaman and Nicobar Islands		0	0	4	5	9
30. Dadra and Nagar Haveli		0	0	0	0	0
31. Daman and diu		0	0	0	0	0
32. Lakshadweep		0	0	0	0	0
33. Pondicherry		0	0	0	0	0
TOTAL :		1315	48430	44300	31970	126015

\*Performance upto October, 2011 as online MPR received on 30.11.2011.

#### Study on impact of proposed land acquisition bill

2321. SHRI PIYUSH GOYAL : Will the Minister of RURAL DEVELOPMENT be pleased to state :

(a) whether Government has conducted any study to ascertain the impact of the proposed land acquisition bill;

(b) if so, the details thereof;

(c) if not, the reasons therefor;

(d) whether the existing cases of land disputes will be governed under the proposed land acquisition bill;

(e) if so, the details thereof; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI SISIR ADHIKARI): (a) to (c) The Land Acquisition, Rehabilitation and Resettlement Bill, 2011 is broadly based on the National Rehabilitation and Resettlement Policy, 2007. A study was given to the Council for Social Development on “Overview of the Social Impact Assessment (SIA) being undertaken under the NRRP-2007 and other existing R&R Policies in different States and UTs and the rehabilitation and resettlement policies and packages under related projects including those under central Government PSUs”. The study has produced report on the SIA in projects being undertaken in National Highways Authority of India (NHAI), Andhra Pradesh, Uttar Pradesh and Orissa. It has also reviewed the National Rehabilitation and Resettlement Policy, 2007, Orissa Resettlement and Rehabilitation Policy, 2006, Resettlement and Rehabilitation Policy of NTPC-2010, Resettlement and Rehabilitation Policy for Mumbai Urban Transport Project, 2000 and Resettlement and Rehabilitation Policy of Vedanta Alumina Project, 2003.

(d) to (f) Clause 24 of the Land Acquisition, Rehabilitation and Resettlement Bill, 2011 provides that in any case where a notification under Section 4 of the Land Acquisition Act, 1894 has been made but award under Section 11 of the Act has not been made or where possession of the land has not been taken before the commencement of the LARR Bill, 2011 the process shall be deemed to have lapsed. In such cases fresh acquisition proceedings under the new Act will have to be made.

#### **Training for youths and tribals under NRLM**

2322. SHRI RANJITSINH VIJAYSINH MOHITE-PATIL: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Ministry has put in place a coordinated action plan involving a pilot project under National Rural Livelihood Mission (NRLM) to train and find jobs for a large number of youths and tribals to work with big corporate houses for better remuneration;

(b) whether this plan is being made for 60 Naxal affected districts and is going to give a boost to developmental works there; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) The Ministry implements Special Projects for Placement Linked Skill Development of BPL rural youth in the age group of 18-35 years with a view to equip them with marketable skills which would enable them to secure placement in the industry. The Project Implementing Agency has to ensure that out of the total beneficiaries covered under a project, a minimum of 50% will be from SC/ST community.

(b) and (c) Special Projects can be implemented in any district, including the Naxal affected district of the country. However, Ministry of Rural Development is in the process of approaching Empowered Group of Officers in Planning Commission for relaxing the guidelines for special projects and seeking additional funding for 60 IAP districts. Relaxations sought will help in improving the (i) Inclusion criteria, (ii) Financial outlay, (iii) Training models and (iv) Geographical Spread. This initiative will give a boost to development works there as it would complement other initiatives under IAP by constructively engaging the youth.

**Inadequate employment opportunities under MGNREGS**

2323. SHRI P. RAJEEV: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the number of people who have applied for work under the MGNREGS from 2006 till date, State-wise;

(b) the number of such applicants have been provided with 100 days of employment, State-wise; and

(c) the reasons for inability of provide employment for all those who have applied?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) and (b) The details of total number of households who demanded work under Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and the number of households who have availed hundred days of employment under MGNREGA from 2006 onwards upto 15.11.2011 as reported by States/UTs are given in Statement (*See below*).

(c) As per Section 3(1) of the Act, it is for the concerned State Government to provide to every rural household whose adult members volunteer to do unskilled manual work not less than one hundred days of such work in a financial year in accordance with the Scheme made under the Act. As per Section 4 of the Act, every State Government shall notify a Scheme for giving effect to the provisions of Section 3 of the Act.

**Statement**

*Details of households who availed employment under MGNREGA*

Sl. No.	State	Cumulative No. of HH demanded employment (In Nos.)						Cumulative No. of HH completed 100 days (In Nos.)					
		2006-07	2007-08	2008-09	2009-10	2010-11	2011-12 upto 15 Nov., 11	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12 upto 15 Nov., 11
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Andhra Pradesh	2161494	4803892	5699557	6158493	6200423	4014803	57946	432357	483058	1395537	964713	283227
2.	Arunachal Pradesh	16926	36437	110259	72606	151574	9091	0	2020	12788	276	602	0
3.	Assam	798179	1448243	2155349	2139111	1807788	760345	185160	239473	176778	130457	45490	5747
4.	Bihar	1708610	3956055	3822484	4127330	4763659	577736	60310	52825	102597	282797	284063	30274
5.	Chhattisgarh	1282794	2297042	2271194	2025845	2485581	2109275	130302	256071	251674	160851	184497	46129
6.	Gujarat	226269	290691	850691	1596402	1097483	586024	12208	11416	49160	103752	67653	14506
7.	Haryana	50765	70869	171794	156410	237480	179331	5626	7402	9855	8837	9077	3187
8.	Himachal Pradesh	67187	275463	453724	499174	447064	399034	16815	13842	50193	48283	22052	3589
9.	Jammu and Kashmir	121328	116914	214385	352287	497617	99884	11758	1673	7643	21360	60224	2119
10.	Jharkhand	1394108	1679978	1576857	1703243	1989083	1103823	51065	49836	95473	133296	131149	13042

1	2	3	4	5	6	7	8	9	10	11	12	13	14
11.	Karnataka	548532	554002	906503	3626437	2414441	491574	69789	23081	27009	445930	131575	8829
12.	Kerala	104927	259275	698680	957477	1186356	1165724	537	59443	14344	43596	67970	618
13.	Madhya Pradesh	2866349	4347079	5207862	4714916	4445781	2327903	531556	922107	979026	678717	467119	44440
14.	Maharashtra	353024	474695	907783	591611	453941	665350	5341	8349	32510	22630	28240	30905
15.	Manipur	18568	112549	381109	418564	437228	221374	18568	0	137006	101	109339	2
16.	Meghalaya	99177	106989	239630	302537	357523	151320	575	6677	26323	13453	19576	439
17.	Mizoram	52478	88943	172775	180140	170894	166159	5946	0	91758	7059	131970	0
18.	Nagaland	27884	115331	296689	325242	350815	0	0	0	34070	103436	190261	0
19.	Odisha	1407251	1134751	1220596	1416560	2030029	887522	154118	37475	52459	82710	204229	9445
20.	Punjab	31788	49690	147336	272684	278567	157774	5327	2642	3970	7702	5243	755
21.	Rajasthan	1175172	2173122	6375314	6522264	6156667	4080437	639219	911248	2631892	1514420	495830	76579
22.	Sikkim	4179	21773	52554	54156	56401	31698	222	2006	2863	12633	25695	822
23.	Tamil Nadu	683708	1234818	3345648	4373257	4969140	4952830	1824	77053	508122	760689	1102070	47415
24.	Tripura	74800	425299	549145	577540	557413	538786	19577	1772	56930	214218	81442	2447
25.	Uttar Pradesh	2676261	4104283	4338490	5667644	6581786	5347533	154953	436032	647525	796929	600559	59368
26.	Uttarakhand	134363	189263	298741	522304	542391	224052	3727	15658	12633	20664	25412	2979

27. West Bengal	3235360	3919996	3025854	3489363	5011657	2330645	18817	31468	23050	72123	104967	3791
28. Andaman and Nicobar Islands	NA	NA	8131	20634	17937	12152	NA	NA	12	657	174	81
29. Dadra and Nagar Haveli	NA	NA	1919	3741	2290	NR	NA	NA	66	24	0	NR
30. Daman and Diu	NA	NA	NR	NR	NR	NR	NA	NA	NR	NR	NR	NR
31. Goa	NA	NA	NR	6613	13997	9582	NA	NA	NR	121	413	16
32. Lakshadweep	NA	NA	3024	5192	4507	2031	NA	NA	481	20	71	8
33. Pondicherry	NA	NA	12264	40377	38574	35136	NA	NA	0	385	137	56
34. Chandigarh	NA	NA	NR	NR	NR	NR	NA	NA	NR	NR	NR	NR
TOTAL :	21321481	34287442	45516341	52920154	55756087	33638928	2161286	3601926	6521268	7083663	5561812	690815

NR — Not Reported.

NA — Not Applicable.

### **Proposed Land Acquisition Bill**

2324. SHRI SYED AZEEZ PASHA: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether it is a fact that the entire wording and content and substance in the new land acquisition bill is a mere reprinting of the 1894 Land Acquisition Act, as reported in the Mail Today dated November 20, 2011 captioned 'A dud land Bill lets all off hook';

(b) the distinctions between the Bill of 1894 and that of 2011; and

(c) the steps taken to address the growing concerns that the Bill lacks anything of substance?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI SISIR ADHIKARI): (a) No, Sir. The Land Acquisition, Rehabilitation and Resettlement (LARR) Bill, 2011 is a new legislation and repeals the Land Acquisition Act, 1894.

(b) The major distinctions between the Land Acquisition Act, 1894 and the Land Acquisition, Rehabilitation and Resettlement Bill, 2011 are:—

- (i) The component of rehabilitation and resettlement were not there in the Act of 1894, which have been provided in detail in the new Bill.
- (ii) The whole land acquisition process has been made transparent, informative and participatory in the new Bill.
- (iii) Procedure has been put in the place in the new Bill to ensure only minimum land is acquired for bonafide public purpose only.
- (iv) Acquisition of multi-cropped land is proposed to be restricted to ensure food security, in the new Bill.
- (v) There was no provision for the landless livelihood losers in the Act of 1894. These have been included in the definition of the 'affected family' in the new Bill.
- (vi) 'Public purpose' has been comprehensively defined in the new Bill.
- (vii) An authority is proposed in the new Bill to resolve the grievances of the affected families instead of the Civil Courts prescribed in the Act of 1894.
- (viii) Acquired but unutilized land is proposed to revert to the Land Bank after 10 years. There was no such provision in the Act of 1894.
- (ix) The scope of urgency clause has been limited for specific purpose only in the new Bill.

- (x) A scientific method has been prescribed for calculation of the market value of the land to be acquired in the new Bill.

(c) The Land Acquisition, Rehabilitation and Resettlement Bill addresses various issues related to land acquisition and rehabilitation and resettlement, comprehensively. The aforesaid Bill has been introduced in the Lok Sabha on 7th September, 2011. The Bill has been referred to the Parliamentary Standing Committee on Rural Development by the Hon'ble Speaker, Lok Sabha for Examination and Report to the Parliament.

#### **Impact of MGNREGS on tea garden workforce**

2325. SHRI GOVINDRAO ADIK: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether it is a fact that the tea industry in Assam and West Bengal is facing acute shortage of workforce which has been triggered off by MGNREGA, the proudest flagship programme of Government;

(b) if so, the reasons therefor; and

(c) whether Government is mulling over social audit on MGNREGA in these areas to stop the drainage of funds of the National exchequer?

THE MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI PRADEEP JAIN): (a) and (b) The tea industry in some pockets of Assam and West Bengal is plagued by shortage of workforce and high absenteeism of casual workers during peak tea seasons due to various reasons. The primary objective of Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) is to enhance the livelihood security of the rural households by providing upto 100 days of guaranteed wage employment in a year to every household on demand for doing unskilled manual work. The Act extends to all rural areas in the country. MGNREGA is a demand driven scheme, backed by legislation. The State Governments are obliged to provide upto 100 days of guaranteed wage employment in a financial year to every rural household for doing unskilled manual work, if demanded, at any time of the year, as mandated in the Act. Section 16(1) of MGNREGA provides that Gram Panchayats shall be responsible for identification of projects' in the Gram Panchayat area to be taken up under the scheme as per the recommendations of the Gram Sabha and Ward Sabhas. Section 13(1) of MGNREGA provides that the Panchayats at district, intermediate and village levels shall be the principal authorities for planning and implementation of the schemes made under the Act. All State Governments are required to provide employment and make wage payment to the beneficiaries in accordance with the provisions of the Act.

(c) As per Section 24 of MGNREG Act, 2005, the Central Government may in consultation with the Comptroller and Auditor General (CAG) of India, prescribe appropriate



arrangements for audits of the accounts of the Schemes at all levels. The Ministry has, accordingly, in consultation with the CAG, notified on 30th June, 2011, the Mahatma Gandhi National Rural Employment Guarantee Audit of Schemes Rules, 2011. All States have been asked to put in place a robust Social Audit Mechanism as outlined in these Rules.

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12.00 NOON

### SHORT NOTICE QUESTION

#### Fund distribution as per population and area

1. SHRI NARESH CHANDRA AGRAWAL: Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) the norms for allocation of funds to the schemes being run by Central Government for the development of villages;

(b) whether it is a fact that a big State like Uttar Pradesh is not getting the full benefit of these schemes, considering its huge population and area;

(c) if so, whether Government would lay down the norms relating to these schemes on the basis of area and population; and

(d) if not, the reasons therefor?

THE MINISTER OF RURAL DEVELOPMENT (SHRI JAIRAM RAMESH): (a) to (d) A Statement is laid on the Table of the House.

#### *Statement*

(a) to (d) The Ministry of Rural Development is implementing through State Governments and UT Administrations various rural development programmes namely; Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Swarnjayanti Gram Swarajgar Yojana (SGSY)/National Rural Livelihood Mission (NRLM), Pradhan Mantri Gram Sadak Yojana (PMGSY), Indira Awas Yojana (IAY) and Integrated Watershed Management Programmes (IWMP). Besides, the other rural development programmes namely National Rural Drinking Water Programme (NRDWP) and Total Sanitation Campaign are now being implemented by the Ministry of Drinking Water and Sanitation

The Central allocation to the States including Uttar Pradesh is based on predetermined criteria of the Planning Commission as per the objectives of the respective rural development programmes. The area and population of the States are not the only parameters for Central allocation. The allocation based schemes of the Ministry of Rural Development are SGSY/NRLM, IAY and NRDWP and other schemes *i.e.* MGNREGA, IWMP and TSC are demand/project

based. Central allocation to the States including Uttar Pradesh under SGSY, IAY and NRDWP is given as below:—

**SGSY:** Central allocation under SGSY is made amongst the States on the basis of 'Adjusted shares' worked out by the Planning Commission based on the 1993-94 poverty ratios.

**IAY:** Funds are allocated among the States/UTs giving 75% weightage to rural housing shortages as per 2001 Census and 25% weightage to poverty ratio.

**NRDWP:** Funds are allocated to States on the criteria of rural population-40% weightage, rural SC/ST population 10%, areas under Desert Development Programme, Drought prone Areas Programme, Hill Area Development Programme, Special Category Hill States-40% and population managing their own water supply schemes-10%.

**श्री नरेश चन्द्र अग्रवाल:** सभापति महोदय, अभी माननीय मंत्री जी प्रश्न संख्या 283 के जवाब में कह रहे थे...(व्यवधान)...

**श्री सभापति:** आप इस पर सवाल पूछिए।

**श्री नरेश चन्द्र अग्रवाल:** सर, मैं इस पर ही सवाल पूछ रहा हूँ कि दक्षिण भारत, उत्तर भारत और नार्थ ईस्ट तीनों की स्थिति अलग-अलग है। मैंने भी इस संदर्भ में प्रश्न किया है और मेरा मूल प्रश्न यह है कि क्या माननीय मंत्री जी उत्तर भारत की विशेष परिस्थिति को देखते हुए जो भी ग्रामीण योजनाएँ हैं, उनका मानक क्षेत्रफल और जनसंख्या के आधार पर रखेंगे या नहीं? माननीय मंत्री जी ने जवाब दिया है कि कुछ योजनाओं को छोड़कर बाकी को नहीं रखेंगे, क्योंकि ये मानक योजना आयोग ने बनाए हैं, मंत्री जी के विभाग ने नहीं बनाए हैं। उन्होंने कहा कि उनके आधार पर केवल पॉपुलेशन और एरियाज़ को नहीं लिया जा सकता।

माननीय मंत्री जी, मैं आप से सिर्फ यह पूछना चाहता हूँ कि उत्तर प्रदेश और उत्तर भारत की योजनाओं के लिए आपने जिन मानकों को रखा है और इतने वर्षों से इन मानकों से जो योजनाएँ चल रही हैं, उन योजनाओं का क्या रिज़ल्ट आया? इसके साथ ही आगे कितने वर्षों में उत्तर प्रदेश और उत्तर भारत के सारे गाँव इन योजनाओं से saturate हो जाएंगे? मैं इसके साथ यह भी पूछना चाहता हूँ...(व्यवधान)...

**श्री सभापति:** केवल एक सवाल।

**श्री नरेश चन्द्र अग्रवाल:** सर, इसी से जुड़ा हुआ है।...(व्यवधान)...

**श्री सभापति:** हर चीज़ दुनिया में जुड़ी हुई है। आप केवल एक ही सवाल पूछिए।

**श्री नरेश चन्द्र अग्रवाल:** माननीय सभापति जी, जब हम और आप उत्तर प्रदेश से जुड़े हुए हैं, तो सभी कुछ जुड़ गया।...(व्यवधान)...

**श्री सभापति:** हम सब देश से जुड़े हैं।

**श्री नरेश चन्द्र अग्रवाल:** जब सर्वोच्च पीठ उत्तर प्रदेश से जुड़ गई तो फिर सभी कुछ जुड़ ही गया। माननीय मंत्री जी, मैं उत्तर प्रदेश का विशेष उल्लेख करते हुए, आप से यह पूछना चाहता हूँ कि आप जो

मनरेगा की 100 days की बात कर रहे हैं, आपने इस 100 days पर जो रुपया खर्च किया है, इससे आप रोजगार देने की बात करते हैं, तो आप लोगों को 100 days के बजाए 365 दिन काम दीजिए। आप मनरेगा पर प्रति वर्ष 40,000 करोड़ रुपया खर्च करते हैं, उससे अब तक क्या एसेट्स तैयार हुए हैं?

**श्री जयराम रमेश:** सर, जैसा कि माननीय सदस्य ने कहा है कि हम जो मानक बनाते हैं, ये योजना आयोग के मानक हैं। इनके आधार पर ही हमारा मंत्रालय ग्रामीण विकास कार्यक्रमों के लिए राज्य सरकारों को धनराशि आबंटित करता है। ग्रामीण विकास मंत्रालय में इस साल करीब 88,000 करोड़ रुपए का प्रावधान किया गया है। इस 88,000 करोड़ रुपए में से मात्र 14 फीसदी BPL या गरीबों के आधार पर है, क्योंकि ये ऐसे कार्यक्रम हैं, जो मांग के आधार पर हैं। मनरेगा कार्यक्रम मांग के आधार पर है, PMGSY कार्यक्रम मांग के आधार पर है। जैसे कि इंदिरा आवास योजना है या गरीबों और बुजुर्गों के लिए पेंशन की योजना है या पेयजल योजना है, वहां गरीबी और आबादी दो मानक जरूर होते हैं। आप जानते हैं कि वित्त आयोग और योजना आयोग के माध्यम से राज्यों को धनराशि मिलती है और जो मानक लगाए जाते हैं, उनमें से करीब 60 प्रतिशत आबादी का होता है। करीब 15 से 20 प्रतिशत तक परकैपिटा इन्कम का होता है। मैं नहीं समझता कि किसी राज्य के साथ भेदभाव हुआ है। मिसाल के तौर पर मैं आपको बता दूँ कि आपने उत्तर प्रदेश के संदर्भ में जो मनरेगा का जिक्र किया है, इस साल करीब 20 फीसदी आबंटन उत्तर प्रदेश को गया है। हालांकि आबादी के आधार पर उत्तर प्रदेश का हिस्सा 16 प्रतिशत है, लेकिन उसकी तुलना में 20 प्रतिशत पैसा उत्तर प्रदेश को गया है।

मान्यवर, ये जो मानक हैं, ये ज्यादातर आबादी के आधार पर हैं। हमारा मंत्रालय इनमें कोई दखल नहीं देता है। यह पैसा वित्त आयोग और योजना आयोग के आधार पर दिया जाता है। माननीय सदस्य ने पूछा है कि उत्तर प्रदेश को महाराष्ट्र, कर्नाटक, तमिलनाडु और आन्ध्र प्रदेश के स्तर पर आने के लिए और कितने साल लगेंगे, तो मैं कहता हूँ कि यह सिर्फ उत्तर प्रदेश की सरकार पर निर्भर है।...(व्यवधान)...

**श्री नरेश चन्द्र अग्रवाल:** मान्यवर, नहीं...(व्यवधान)...

**श्री वीर सिंह:** सर,...(व्यवधान)...

**श्री सभापति:** बैठ जाइए, बैठ जाइए।

**श्री जयराम रमेश:** अभी धनराशि की कोई कमी नहीं है।...(व्यवधान).... अगर इसको ढंग से खर्च करेंगे...(व्यवधान)...

**श्री सभापति:** बैठ जाइए।...(व्यवधान)...

**श्री जयराम रमेश:** अगले दस साल में उत्तर प्रदेश एक विकसित राज्य हो सकता है।...(व्यवधान)...

**श्री सभापति:** थैंक यू, दूसरा सवाल पूछिए।...(व्यवधान).... बैठ जाइए। अग्रवाल जी, आप दूसरा सवाल पूछिए।...(व्यवधान)...

**श्री नरेश चन्द्र अग्रवाल:** माननीय मंत्री जी, आपके तमाम मंत्री, जो इस सरकार के मंत्री हैं, जो उत्तर प्रदेश के रहने वाले हैं, वे उत्तर प्रदेश जाकर लगातार यह बयान देते हैं कि उत्तर प्रदेश सरकार केन्द्र के पैसे का सही उपयोग नहीं कर रही है। आपके कुँवर साहब भी यही बयान देते हैं। वे अभी उत्तर प्रदेश गए थे, उन्होंने भी यही बयान दिया।...(व्यवधान)...

**श्री सभापति:** प्लीज़, आप सवाल पूछिए, भाषण मत दीजिए।

**श्री नरेश चन्द्र अग्रवाल:** श्रीमन्, मैं सवाल पूछ रहा हूँ। इस देश में सबसे ज्यादा प्रधान मंत्री उत्तर प्रदेश के हुए और वे भी कांग्रेस के थे। सबसे ज्यादा उपेक्षा उत्तर प्रदेश की हुई। सबसे ज्यादा साल उत्तर प्रदेश में कांग्रेस सरकार रही, उपेक्षा हुई। हमारी सरकार को तो चार ही साल हुए हैं। माननीय मंत्री जी, आप जानना चाहते हैं, आपकी जो IAY है...(व्यवधान)... मैं क्वेश्चन पर आ रहा हूँ।...(व्यवधान)...

MR. CHAIRMAN: Hon. Members, we have other business to transact. If this debate goes on, how we will close discussion on the question.

**श्री नरेश चन्द्र अग्रवाल:** मैं क्वेश्चन पूछ रहा हूँ।

माननीय मंत्री जी, मैं आपके संज्ञान में दो चीजें लाना चाहता हूँ और उनका उत्तर भी चाहता हूँ। आप IAY ले लीजिए। IAY में उत्तर प्रदेश में BPL का 2002 तक का जो सर्वे था, उसके अनुसार उत्तर प्रदेश में करीब 22 लाख परिवार बिना मकान के रह जाएँगे और उसको पूरा करने में करीब 8-10 साल लग जाएँगे। प्रधान मंत्री ग्राम सड़क योजना में 200 की आबादी तक की घोषणा हुई थी। अभी भी उत्तर प्रदेश में 500 तक की आबादी का फंड पूरा release नहीं हुआ, जिससे 500 तक की आबादी के गाँव सड़क से जुड़ जाएँ। 200 की आबादी वाले तो पूरी तरह से छूट गए। यह उपेक्षा किसकी तरफ से हो रही है? माननीय मंत्री जी, इसलिए मैं आपसे जानना चाहता हूँ कि चूँकि उत्तर प्रदेश में चुनाव भी होने जा रहे हैं, कब आचार संहिता लग जाए, उत्तर प्रदेश का विशेष ध्यान रखते हुए क्या आप उत्तर प्रदेश के लिए योजना आयोग से निवेदन करेंगे? माननीय वित्त मंत्री जी बैठे हुए हैं। माननीय वित्त मंत्री जी हम लोगों का अनुरोध सुन लें। क्या आप योजना आयोग से अनुरोध करेंगे कि वह अपने मापदंडों को बदलते हुए, वे राज्य, जो बहुत पिछड़े हुए हैं, उत्तर प्रदेश सहित और भी उत्तर भारत, जहाँ देश की आबादी के 50 प्रतिशत लोग रहते हैं, उनके लिए विशेष मानक बनाते हुए उनको विशेष फंड देंगे? यदि हाँ, तो कब तक और यदि नहीं, तो क्यों?

**श्री जयराम रमेश:** सर, वास्तविकता यह है कि योजना आयोग के तहत विशेष मापदंड होते हैं और पिछड़े राज्यों के लिए एक special treatment दिया जाता है। योजना आयोग से बुंदेलखंड पैकेज की घोषणा हो चुकी है। कई ऐसे कार्यक्रम हैं, जिनमें बिहार, झारखंड, उड़ीसा, उत्तर प्रदेश या जो स्पेशल कैटेगरी स्टेट्स हैं, उत्तर-पूर्वी राज्य हैं, उनके लिए स्पेशल दर्जा दिया गया है।

सर, इन्होंने कई बात उठाई है। एक तो इन्होंने प्रधान मंत्री ग्राम सड़क योजना के बारे में जिक्र किया। मैं आपको बिना राजनीति के उत्तर देना चाहता हूँ, हालांकि आप इसको बार-बार एक राजनीतिक मुद्दा बना रहे हैं। प्रधान मंत्री ग्राम सड़क योजना का यह मकसद था कि जो 500 से ऊपर की आबादी है, 500 plus habitation है, उसको जोड़ा जाए। धन राशि की कमी थी। इसलिए हमने उन आबादियों को प्राथमिकता दी, जिनकी पॉपुलेशन 1000 से भी ऊपर थी। आपको यह जान कर खुशी होगी कि कल ही हमने निर्णय लिया है कि हम इस सीमा को अभी और कम करें और 800 से लेकर 999 तक जो habitations हैं, हम उनके लिए भी सारे भारत में PMGSY में काम करेंगे।...(व्यवधान)...

**श्री नरेश चन्द्र अग्रवाल:** 500 तक की घोषणा हो चुकी है।

**श्री जयराम रमेश:** आप मेरी पूरी बात तो सुनिए।...(व्यवधान)...

**श्री नरेश चन्द्र अग्रवाल:** आप 800 से 1000 ले रहे हैं। हम 500 से 200 पर जा रहे हैं और आप 800 से 1000 पर जा रहे हैं!

**श्री जयराम रमेश:** एक तो आप बिल्कुल गलतफहमी में हैं। प्रधान मंत्री ग्राम सड़क योजना में कभी नहीं कहा गया था कि 200 की आबादी ली जाएगी। यह कभी नहीं कहा गया था।...**(व्यवधान)**... मुझे मेरी बात खत्म तो करने दीजिए। पहले चरण में हम 800 से लेकर 999 तक की आबादी लेंगे। जब वहाँ के 90 प्रतिशत works sanction होंगे, काम sanction होंगे, तब हम 600 से लेकर 799 तक की आबादी लेंगे। हम यह क्यों कर रहे हैं? क्योंकि माँगें बहुत आ रही हैं। अभी आपने केरल से सुना कि हमें upgradation के लिए पैसा चाहिए। कई दक्षिण भारतीय राज्यों से और माँगें आ रही हैं। हम PMGSY में जो पैसा खर्च करते हैं, इस साल हमने करीब 20 हजार करोड़ रुपए खर्च किए हैं, अगर हमारे पास अनगिनत पैसा होता, तो हम लोग 10 या 15 की आबादी भी लेते। लेकिन, क्योंकि धनराशि की कमी है और तीस राज्यों में हमें इसे बाँटना है, इसीलिए हम इसे चरणों में ले रहे हैं। आपको यह जानकर खुशी होगी कि कल ही हम लोगों ने यह निर्णय लिया है कि 800 से लेकर 999 तक की आबादी को इससे जोड़ा जाएगा।

आपने पहले कहा कि प्रधान मंत्री ग्राम सड़क योजना के तहत उत्तर प्रदेश को कोई मंजूरी नहीं दी गई है।...**(व्यवधान)**... प्रधान मंत्री ग्राम सड़क योजना के तहत 26 जिलों में करीब 500 सड़कों के लिए हमारे पास प्रस्ताव आया था, हमने उसको तुरंत मंजूरी दी है। आज मैं पूरी जिम्मेदारी के साथ कह सकता हूँ कि उत्तर प्रदेश का कोई भी प्रस्ताव प्रधान मंत्री ग्राम सड़क योजना के तहत हमारे मंत्रालय में रुका हुआ है, यह बात बिल्कुल बेबुनियाद है।...**(व्यवधान)**...

**श्री नरेश चन्द्र अग्रवाल:** श्रीमन्, ...**(व्यवधान)**...

**श्री सभापति:** आपको दूसरा सवाल पूछना है या तकरीर करनी है?...**(व्यवधान)**...

**श्री नरेश चन्द्र अग्रवाल:** सर, मैं जो पूछ रहा हूँ, उसका जवाब ही नहीं आया।...**(व्यवधान)**...

**श्री सभापति:** अगर आपको जवाब नहीं मिला है, तो आप लिखित में दीजिए कि सवाल का जवाब unsatisfactory था।...**(व्यवधान)**...

**श्री नरेश चन्द्र अग्रवाल:** माननीय सभापति जी, अगर हम नये सदस्यों को आपका संरक्षण नहीं मिलेगा तो हम लोगों का बड़ा नुकसान होगा।...**(व्यवधान)**... हम सीखने के लिए आए हैं।...**(व्यवधान)**... कुछ सीखने के लिए आए हैं।...**(व्यवधान)**...

MR. CHAIRMAN: Please don't waste time. ...**(Interruptions)**...

**श्री नरेश चन्द्र अग्रवाल:** हम प्रयास कर रहे हैं कि अपनी बात को कह सकें।...**(व्यवधान)**...

**श्री सभापति:** आप अपना दूसरा सवाल पूछ लीजिए। दूसरे लोगों को भी सवाल पूछने हैं।...**(व्यवधान)**...

**श्री नरेश चन्द्र अग्रवाल:** जी, सर...**(व्यवधान)**... माननीय मंत्री जी, ...**(व्यवधान)**...

**एक माननीय सदस्य:** सर, ये दोनों सवाल पूछ चुके हैं।...**(व्यवधान)**...

**श्री सभापति:** दोनों पूछ चुके?...**(व्यवधान)**... O.K. ...**(Interruptions)**...

**श्री नरेश चन्द्र अग्रवाल:** मैंने एक ही पूछा है, सर।...**(व्यवधान)**... माननीय सभापति जी, प्लीज़। ...**(व्यवधान)**...

**श्री सभापति:** आपने सवाल पूछ लिए हैं।...**(व्यवधान)**... Sorry ...**(व्यवधान)**... नहीं, अब आप बैठ जाइए। ...**(व्यवधान)**... अब आप बैठ जाइए।...**(व्यवधान)**... श्री मोहन सिंह।

**श्री मोहन सिंह:** सभापति महोदय, अभी योजना आयोग के उपाध्यक्ष बुंदेलखंड गए थे। उन्होंने कहा कि भारत सरकार ने राज्य सरकार को बुंदेलखंड के विकास के लिए जो विशेष फंड दिया, उत्तर प्रदेश के हिस्से में उसका सदुपयोग नहीं हुआ और अभी तक पूरा खर्च नहीं हुआ। मनरेगा में उत्तर प्रदेश में जो गड़बड़ियाँ थीं, माननीय मंत्री जी ने खुद ही उनके सम्बन्ध में अनेक सार्वजनिक बयान दिये, पत्र लिखे और सी.बी.आई. से जाँच कराने की माँग की।

मैं माननीय मंत्री जी से यह जानना चाहता हूँ कि जिन राज्यों को आप केन्द्रीय फंड से पैसा देते हैं और यदि उस फंड का दुरुपयोग होता है, उसकी ठीक से समीक्षा नहीं होती, तो क्या केन्द्र से इसकी जाँच की कोई विशेष व्यवस्था सी.ए.जी. के जरिए या अपनी ही तरफ से सी.बी.आई. के जरिए इसकी जाँच कराने की कोई व्यवस्था करेंगे?

**श्री जयराम रमेश:** हमारे पास तीन विकल्प हैं। पहला है - पैसा रोकना, जिसके पक्ष में मैं बिल्कुल नहीं हूँ। दूसरा है - सी.बी.आई. की जाँच। सी.बी.आई. की जाँच तभी हो सकती है, जब हम लोगों को राज्य सरकार की सहमति हो और वह कभी होती नहीं है, तो CBI enquiry भी नहीं हो सकती है।...**(व्यवधान)**... जो तीसरा विकल्प है या तीसरा रास्ता जो हमने अपनाया है, वह सी.ए.जी. का ऑडिट है। आपको जानकर खुशी होगी कि पहली बार सारे ग्रामीण विकास कार्यक्रम — इसमें कुछ शंका थी, कुछ doubts थे कि क्या सी.ए.सी. ऑडिट लागू हो सकता है, परन्तु सी.ए.जी. की मुलाकात के बाद हमने यह निर्णय लिया है कि सारे ग्रामीण विकास कार्यक्रम, सारे 28 हजार करोड़ रुपए, जो इस साल खर्च होंगे, सी.ए.जी. ऑडिट की per view में आएँगे और इसकी शुरुआत हम मनरेगा से करेंगे। सी.ए.जी. परफॉर्मेंस ऑडिट 12 राज्यों में करेगी और अलग-अलग महत्वपूर्ण राज्यों के लिए स्पेशल ए.जी. भी नियुक्त किए जाएँगे। तो सी.ए.जी. ही हमारे पास एकमात्र रास्ता है, जिससे हम कुछ नियंत्रण रख सकते हैं। परन्तु, यह बात सही है कि मैंने मुख्य मंत्री जी को खत लिखा था कि 7 ऐसे जिले हैं, जहाँ भारी मात्रा में घोटाले उभर कर निकले हैं।...**(व्यवधान)**...

**श्री ब्रजेश पाठक:** वह पूरी तरह से राजनीति से प्रेरित था।...**(व्यवधान)**...

**श्री सभापति:** आप बैठ जाइए।...**(व्यवधान)**...

**एक माननीय सदस्य:** उनको अपनी बात पहले खत्म करने दीजिए।...**(व्यवधान)**...

**श्री ब्रजेश पाठक:** अगर इनको जाँच करानी थी तो उत्तर प्रदेश सरकार...**(व्यवधान)**...

**श्री सभापति:** यह आपका सवाल तो नहीं है?...**(व्यवधान)**...

**श्री ब्रजेश पाठक:** जहाँ भी भ्रष्टाचार की बात आती है, हमारी सरकार उससे सख्ती से...**(व्यवधान)**... और वह उसकी जाँच कराती है।...**(व्यवधान)**... इस तरह से राजनीतिक बयानबाजी करना उचित नहीं है। ...**(व्यवधान)**... मैं उस बयान की भर्त्सना करता हूँ...**(व्यवधान)**... मैं उसकी निंदा करता हूँ ...**(व्यवधान)**...

**श्री सभापति:** आप बैठ जाइए।...**(व्यवधान)**...

**श्री ब्रजेश पाठक:** चुनाव के समय इस तरीके से आपको काम नहीं करना चाहिए।...**(व्यवधान)**...

MR. CHAIRMAN: The Short Notice Question is over.

## PAPERS LAID ON THE TABLE

### I. Notification of the Ministry of Health and Family Welfare

### II. Report and Accounts (2009-10) and (2010-11) of various Medical Institutes and related papers

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABI AZAD): Sir, I lay on the Table—

- I. A copy (in English and Hindi) of the Ministry of Health and Family Welfare Notification No. F.14-369(98) Co-ordination Cell/Estt.I, dated the 19th May, 2011, publishing the All India Institute of Medical Sciences (Amendment) Regulations, 2011, under sub-section (3) of Section 28 of the All India Institute of Medical Sciences Act, 1956.

[Placed in Library. See No. L.T. 5377/15/11]

- II. (i) (1) A copy each (in English and Hindi) of the following papers, under sub-section (4) of Section 18 and Section 19 of the Postgraduate Institute of Medical Education and Research, Chandigarh Act, 1966:—
  - (a) Forty-third Annual Report of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, for the year 2009-10.
  - (b) Annual Accounts of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, for the year 2009-10, and the Audit Report thereon.
  - (c) Review by Government on the working of the above Institute.
- (2) Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (a) and (b) above.

[Placed in Library. See No. L.T. 5660/15/11]

- (ii) A copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:—
  - (a) Twenty-eighth Annual Report and Accounts of the HSCC (India) Limited, NOIDA, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
  - (b) Review by Government on the working of the above Company.

[Placed in Library. See No. L.T. 5376/15/11]

(iii) A copy each (in English and Hindi) of the following papers:—

- (a) Forty-ninth Annual Report and Accounts of the National Academy of Medical Sciences, New Delhi, for the year 2009-10, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Academy.
- (c) Statement giving reasons for the delay in laying the papers mentioned at (a) above.

[Placed in Library. See No. L.T. 5659/15/11]

[MR. DEPUTY CHAIRMAN in the Chair]

**I. Report and Accounts (2010-11) of various Public Sector Companies and related papers**

**II. Report and Accounts (2010-11) of FCRI, Palakkad, Kerala and ARAI, Pune and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI PRAFUL PATEL): Sir, I lay on the Table—

I. A copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:—

- (i) (a) Thirtieth Annual Report and Accounts of the National Bicycle Corporation of India Limited (NBCIL), Mumbai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5598/15/11]

- (ii) (a) Forty-first Annual Report and Accounts of the Bharat Pumps and Compressors Ltd. (BPCL), Naini, Allahabad, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.
- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5594/15/11]

- (iii) (a) Fifty-first Annual Report and Accounts of the Tungabhadra Steel Products Limited (TSPL), Hospet, Karnataka, for the year 2010-11,



together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5597/15/11]

- (iv) (a) Annual Report and Accounts of the M/s Bridge and Roof Company (India) Limited, Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5596/15/11]

- (v) (a) Thirty-ninth Annual Report and Accounts of the Scooters India Limited (SIL), Lucknow, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5418/15/11]

- (vi) (a) Annual Report and Accounts of the Andrew Yule and Company Limited (AYCL), Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5419/15/11]

- (vii) (a) Fifty-eighth Annual Report and Accounts of the HMT Limited, Bangalore, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5595/15/11]

- (viii) (a) Fifty-ninth Annual Report and Accounts of the Hindustan Cables Limited, Kolkata, the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5417/15/11]

- (ix) (a) Annual Report and Accounts of the Bharat Bhari Udyog Nigam Limited (BBUNL), Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5416/15/11]

- (x) (a) Forty-seventh Annual Report and Accounts of the Cement Corporation of India Limited (CCI), New Delhi for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5420/15/11]

II. A copy each (in English and Hindi) of the following papers:—

- (i) (a) Annual Report and Accounts of the Fluid Control Research Institute (FCRI), Palakkad, Kerala, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Statement by Government accepting the above report.

[Placed in Library. See No. L.T. 5599/15/11]

- (ii) (a) Forty-first Annual Report and Accounts of the Automotive Research Association of India (ARAI), Pune, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Statement by Government accepting the above Report.

[Placed in Library. See No. L.T. 5421/15/11]

**Notification of the Ministry of Rural Development**

THE MINISTER OF OF RURAL DEVELOPMENT AND THE MINISTER OF DRINKING WATER AND SANITATION (SHRI JAIRAM RAMESH): Sir, I lay on the Table, under sub-section (2) of Section 29 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, a copy (in English and Hindi) of the Ministry of Rural Development (Department of Rural Development) Notification No. S.O. 2202 (E), dated the 22nd September, 2011, amending Paragraph 1 (IV) of Schedule I to the Mahatma Gandhi National Rural Employment Guarantee Act, 2005.

[Placed in Library. See No. L.T. 5423/15/11]

- I. **Report and Accounts (2008-09) of PNHZP, Darjeeling and related papers.**
- II. **Report and Accounts (2009-10) of CZA, New Delhi, WII, Dehradun and related papers.**

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS  
(SHRIMATI JAYANTHI NATARAJAN): Sir, I lay on the Table, a copy each (in English and Hindi)  
of the following papers:—

- I. (i) (a) Annual Report and Accounts of the Padmaja Naidu Himalayan Zoological Park (PNHZP), Darjeeling, for the year 2008-09, together with the Auditor's Report on the Accounts.  
(b) Review by Government on the working of the above Park.  
(c) Statement giving reasons for the delay in laying the papers mentioned at (a) above.

[Placed in Library. See No. L.T. 5486/15/11]

- II. (i) (a) Annual Report and Accounts of the Central Zoo Authority (CZA), New Delhi, for the year 2009-10, together with the Auditor's Report on the Accounts.  
(b) Review by Government on the working of the above Authority.  
(c) Statement giving reasons for the delay in laying the papers mentioned at (ii) (a) above.

[Placed in Library. See No. L.T. 5485/15/11]

- (ii) (a) Annual Report and Accounts of the Wildlife Institute of India (WII), Dehradun, for the year 2009-10, 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 at (iii) (a) above.

[Placed in Library. See No. L.T. 5484/15/11]

- I. **Notification of the Ministry of Finance**
- II. **Report (2010-11) of IRDA, Hyderabad and related papers.**
- III. **Report and Accounts (2010-11) of various Regional Rural Banks and related papers**

**IV. Valuation Report, Report and Accounts (2010-11) of LIC, Mumbai and related papers**

**V. Report and Accounts (2010-11) of various Investment, Finance and Insurance Companies and related papers**

**VI. Report and Accounts (2010-11) of various Institutes, Centres and Councils and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI NAMO NARAIN MEENA):

Sir, I lay on the Table—

I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Economic Affairs), under Section 31 of the SEBI Act, 1992:—

(1) No. LAD-NRO/GN/2011-12/18/26148, dated the 16th August, 2011, publishing the Securities and Exchange Board of India (Registrars to an Issue and Share Transfer Agents) (Second Amendment) Regulations, 2011.

(2) No. LAD-NRO/GN/2011-12/17/26149, dated the 16th August, 2011, publishing the Securities and Exchange Board of India (Merchant Bankers) (Second Amendment) Regulations, 2011.

(3) No. LAD-NRO/GN/2011-12/16/26150, dated the 16th August, 2011, publishing the Securities and Exchange Board of India (Prohibition of Insider Trading) (Amendment) Regulations, 2011.

[Placed in Library. See No. L.T. 5450/15/11]

(4) F. No. LAD-NRO/GN/2011-12/19/26273, dated the 17th August, 2011, publishing the Securities and Exchange Board of India (Stock Brokers and Sub-Brokers) (Second Amendment) Regulations, 2011.

[Placed in Library. See No. L.T. 5449/15/11]

(5) F. No. LAD-NRO/GN/2011-12/22/27668, dated the 30th August, 2011, publishing the Securities and Exchange Board of India (Mutual Funds) (Amendment) Regulations, 2011.

[Placed in Library. See No. L.T. 5448/15/11]

(ii) A copy (in English and Hindi) of the Ministry of Finance (Department of Financial Services) Notification No. G.S.R. 779 (E), dated the 21st October, 2011, publishing the Life Insurance Corporation of India, Class III

and Class IV Employees (Promotion) Amendment Rules, 2011, under sub-section (3) of Section 48 of the Life Insurance Corporation of India Act, 1956.

[Placed in Library. See No. L.T. 5456/15/11]

(iii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Financial Services), under sub-section (11) of Section 19 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970:—

- (1) H.O./Admn./F-49/3241, dated the 2nd September, 2011, publishing the Allahabad Bank (Officers') Service (Amendment) Regulations, 2010.
- (2) Serial No. 214, dated the 3rd November, 2011, publishing corrigendum to Notification No. H.O./Admn./F-49/3241 (Sl. no.181), dated 2nd September, 2011 (Hindi version).

[Placed in Library. See No. L.T. 5454/15/11]

II. A copy each (in English and Hindi) of the following papers, under sub-section (3) of Section 20 of the Insurance Regulatory and Development Authority Act, 1999:—

- (a) Annual Report of the Insurance Regulatory and Development Authority (IRDA), Hyderabad, for the year 2010-11.
- (b) Review by Government on the working of the above Authority.

[Placed in Library. See No. L.T. 5678/15/11]

III. A copy each (in English and Hindi) of the Annual Reports and Accounts of the following Regional Rural Banks, for the year 2010-11, together with the Auditor's Report on the Accounts, under Section 20 of the Regional Rural Banks Act, 1976:—

Malwa Gramin Bank, Sangrur, Punjab

[Placed in Library. See No. L.T. 5701/15/11]

Mizoram Rural Bank, Aizawl, Mizoram

[Placed in Library. See No. L.T. 5703/15/11]

Uttarbanga Kshetriya Gramin Bank, Cooch Behar, West Bengal

[Placed in Library. See No. L.T. 5702/15/11]

MGB Gramin Bank, Pali-Marwar, Rajasthan

[Placed in Library. See No. L.T. 5704/15/11]

Tripura Gramin Bank, Agartala, Tripura

[Placed in Library. *See* No. L.T. 5705/15/11]

Mahakaushal Kshetriya Gramin Bank, Jabalpur, Madhya Pradesh

[Placed in Library. *See* No. L.T. 5706/15/11]

Chhattisgarh Gramin Bank, Raipur, Chhattisgarh

[Placed in Library. *See* No. L.T. 5708/15/11]

Sharda Gramin Bank, Satna, Madhya Pradesh

[Placed in Library. *See* No. L.T. 5707/15/11]

Meghalaya Rural Bank, Shillong, Meghalaya

[Placed in Library. *See* No. L.T. 5698/15/11]

Uttaranchal Gramin Bank, Dehradun, Uttarakhand

[Placed in Library. *See* No. L.T. 5679/15/11]

Andhra Pradesh Grameena Vikas Bank, Warangal, Andhra Pradesh

[Placed in Library. *See* No. L.T. 5680/15/11]

Vananchal Gramin Bank, Dumka, Jharkhand

[Placed in Library. *See* No. L.T. 5699/15/11]

Parvatiya Gramin Bank, Chamba, Himachal Pradesh

[Placed in Library. *See* No. L.T. 5700/15/11]

Vidisha Bhopal Kshetriya Gramin Bank, Vidisha, Madhya Pradesh

[Placed in Library. *See* No. L.T. 5692/15/11]

Madhya Bharat Gramin Bank, Sagar, Madhya Pradesh

[Placed in Library. *See* No. L.T. 5693/15/11]

Langpi Dehangi Rural Bank, Karbi Anglong, Assam

[Placed in Library. *See* No. L.T. 5694/15/11]

Maharashtra Gramin Bank, Shivajinagar, Nanded

[Placed in Library. *See* No. L.T. 5695/15/11]

Ballia-Etawah Gramin Bank, Ballia, Uttar Pradesh

[Placed in Library. *See* No. L.T. 5696/15/11]

Sutlej Gramin Bank, Bathinda, Punjab

[Placed in Library. *See* No. L.T. 5697/15/11]

Visveshvaraya Grameena Bank, Mandya, Karnataka

[Placed in Library. *See* No. L.T. 5688/15/11]

Krishna Grameena Bank, Gulbarga, Karnataka

[Placed in Library. *See* No. L.T. 5687/15/11]

Utkal Gramya Bank, Bolangir, Odisha

[Placed in Library. *See* No. L.T. 5689/15/11]

Saurashtra Gramin Bank, Rajkot, Gujarat

[Placed in Library. *See* No. L.T. 5681/15/11]

Jharkhand Gramin Bank, Ranchi

[Placed in Library. *See* No. L.T. 5682/15/11]

Paschim Banga Gramin Bank, Howrah, West Bengal

[Placed in Library. *See* No. L.T. 5683/15/11]

Manipur Rural Bank, Keishampat, Imphal

[Placed in Library. *See* No. L.T. 5690/15/11]

Madhya Bihar Gramin Bank, Patna

[Placed in Library. *See* No. L.T. 5709/15/11]

Jammu and Kashmir Grameen Bank, Narwal, Jammu

[Placed in Library. *See* No. L.T. 5684/15/11]

Ellaquai Dehati Bank, Srinagar, Kashmir

[Placed in Library. *See* No. L.T. 5685/15/11]

Samastipur Kshetriya Gramin Bank, Samastipur, Bihar

[Placed in Library. *See* No. L.T. 5486/15/11]

Sarva Uttar Pradesh Gramin Bank, Meerut, Uttar Pradesh

[Placed in Library. *See* No. L.T. 5691/15/11]

IV. A copy each (in English and Hindi) of the following papers, under Section 29 of the Life Insurance Corporation Act, 1956:—

(a) Forty-first Valuation Report of the Life Insurance Corporation of India as on 31st March, 2011.

(b) Fifty-fourth Annual Report and Accounts of the Life Insurance Corporation of India (LIC), Mumbai, for the year 2010-11, together with the Auditor's Report on the Accounts.

(c) Review by Government on the working of the above Corporation.

[Placed in Library. See No. L.T. 5676/15/11]

V. A copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:—

(i) (a) Fourteenth Annual Report and Accounts of the Industrial Investment Bank of India Limited (IIBI), Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the working of the above Bank.

[Placed in Library. See No. L.T. 5674/15/11]

(ii) (a) Annual Report and Accounts of the India Infrastructure Finance Company Limited (IIFCL), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Performance Report of the India Infrastructure Finance Company Limited (IIFCL), New Delhi, for the year 2010-11.

[Placed in Library. See No. L.T. 5673/15/11]

(iii) (a) Thirty-ninth Annual Report and Accounts of the General Insurance Corporation of India (GIC), Mumbai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the working of the above Corporation.

[Placed in Library. See No. L.T. 5446/15/11]

(iv) (a) Annual Report and Accounts of the United India Insurance Company Limited, Chennai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(b) Review by Government on the working of the above Company.

[Placed in Library. See No. L.T. 5447/15/11]



- (v) (a) Annual Report and Accounts of the Oriental Insurance Company Limited, New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Company.

[Placed in Library. See No. L.T. 5445/15/11]

- (vi) (a) Annual Report and Accounts of the New India Assurance Company Limited, Mumbai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Company.

[Placed in Library. See No. L.T. 5444/15/11]

- (vii) (a) Annual Report and Accounts of the National Insurance Company Limited, Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Company.

[Placed in Library. See No. L.T. 5443/15/11]

VI. A copy each (in English and Hindi) of the following papers:—

- (1) (a) Twenty-fourth Annual Report and Accounts of the Institute for Studies in Industrial Development (ISID), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Institute.

[Placed in Library. See No. L.T. 5381/15/11]

- (2) (a) Annual Report and Accounts of the Institute for Social and Economic Change (ISEC), Bangalore, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Institute.

[Placed in Library. See No. L.T. 5383/15/11]

- (3) (a) Eighteenth Annual Report and Accounts of the Centre for Development Economics (CDE), Delhi School of Economics, Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5382/15/11]

- (4) (a) Annual Report and Accounts of the Centre for Policy Research (CPR), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5379/15/11]

- (5) (a) Annual Report and Accounts of the National Council of Applied Economic Research (NCAER), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Council.

[Placed in Library. See No. L.T. 5380/15/11]

**I. Notifications of the Ministry of Finance (Department of Revenue)**

**II. Report and Accounts (2010-11) of the Empowered Committee of State Finance Ministers, New Delhi and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.S. PALANIMANICKAM): Sir, I lay on the Table—

- I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 159 of the Customs Act, 1962, alongwith Explanatory Memoranda:—
- (a) S.O. 1475 (E), dated the 28th June, 2011, regarding exchange rate for conversion of certain foreign currency into Indian currency or *vice versa* for the purpose of assessment of imported and export goods.
- (b) S.O. 1486 (E), dated the 30th June, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.
- (c) G.S.R. 500 (E), dated the 1st July, 2011, publishing the Customs Tariff (Determination of Origin of Goods under the Preferential Trade Agreement between the Governments of the Republic of India and Malaysia) Rules, 2011.
- (d) S.O. 1635 A (E), dated the 15th July, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.

- (e) S.O. 1749 (E), dated the 27th July, 2011, regarding the exchange rate of conversion of certain foreign currency into Indian currency or vice versa for the purpose of assessment of imported and export goods.

[Placed in Library. For (a) to (e) See No. L.T. 5389/15/11]

- (f) S.O. 1759 (E), dated the 29th July, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.
- (g) S.O. 1889 (E), dated the 12th August, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.
- (h) S.O. 1975 (E), dated the 26th August, 2011, regarding exchange rate for conversion of certain foreign currency into Indian currency or vice versa for the purpose of assessment of imported and export goods.
- (i) S.O. 2028 (E), dated the 30th August, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.
- (j) S.O. 2084 (E), dated the 15th September, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.
- (k) S.O. 2093 (E), dated the 16th September, 2011, regarding revision of Exchange Rate for the currency Swiss Franc for imported and export goods.

[Placed in Library. For (f) to (k) See No. L.T. 5389/15/11]

- (l) S.O. 2244 (E), dated the 28th September, 2011, regarding the exchange rate for conversion of foreign currency into Indian currency or vice versa for the purpose of assessment of imported and export goods.
- (m) S.O. 2270 (E), dated the 30th September, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.
- (n) S.O. 2364 (E), dated the 14th October, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.

- (o) S.O. 2444 (E), dated the 27th October, 2011, regarding the exchange rate for conversion of foreign currency into Indian currency or vice versa for the purpose of assessment of imported and export goods.
- (p) S.O. 2470 (E), dated the 31st October, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.
- (q) S.O. 2579 (E), dated the 15th November, 2011, amending Notification No. S.O.748 (E), dated the 3rd August, 2011, to substitute certain entries in the original Notification.
- (r) G.S.R. 712 (E), dated the 22nd September, 2011, notifying All Industry Rates of Duty Drawback, for the year 2011-12.
- (s) G.S.R. 713 (E), dated the 22nd September, 2011, publishing the Customs, Central Excise Duties and Service Tax Drawback (Amendment) Rules, 2011.

[Placed in Library. For (l) to (s) See No. L.T. 5389/15/11]

G.S.R. 745 (E), dated the 4th October, 2011, publishing the On-site Post Clearance Audit at the Premises of Importers and Exporters Regulations, 2011.

[Placed in Library. See No. L.T. 5727/15/11]

G.S.R. 757 (E), dated the 12th October, 2011, amending Notification No. G.S.R. 393 (E), dated the 30th June, 2006, to insert certain entries in the original Notification.

[Placed in Library. See No. L.T. 5389/15/11]

G.S.R. 787 (E), dated the 28th October, 2011, amending Notification No. G.S.R. 712 (E), dated the 22nd September, 2011, to substitute certain entries in the original Notification.

[Placed in Library. See No. L.T. 5453/15/11]

- (ii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub-section (7) of Section 9A of the Customs Tariff Act, 1975, alongwith Explanatory Memoranda:—
  - (a) G.S.R. 738 (E), dated the 3rd October, 2011, amending Notification No. G.S.R. 889 (E), dated the 26th December, 2008, to substitute certain entries in the original Notification.

- (b) G.S.R. 739 (E), dated the 3rd October, 2011, seeking to continue the levy of anti-dumping duty on imports of Caustic Soda, originating in, or exported from the People's Republic of Korea and imported into India at modified rates as recommended by the Designated Authority in final findings of Mid-term Review Investigation.
- (c) G.S.R. 775 (E), dated the 20th October, 2011, seeking to levy anti-dumping duty on imports of Certain Rubber Chemicals (MBTS) Dibenzothiazole disulphide, originating in, or exported from the People's Republic of China, for a further period of five years pursuant to the final findings of Sunset review investigations conducted by the Directorate General of Anti-dumping and Allied duties.

[Placed in Library. For (a) to (c) See No. L.T. 5388/15/11]

- (iii) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under Section 296 of the Income Tax Act, 1961, alongwith Explanatory Memoranda:—

- (1) S.O. 2045 (E), dated the 6th September, 2011, specifying the allowances and perquisites of Serving as well as retired Chairman and Members of UPSC.

[Placed in Library. See No. L.T. 5452/15/11]

- (2) S.O. 2394 (E), dated the 17th October, 2011, publishing the Income-Tax (Seventh Amendment) Rules, 2011.
- (3) S.O. 2429 (E), dated the 24th October, 2011, publishing the Income-Tax (Eighth Amendment) Rules, 2011.
- (4) S.O. 2468 (E), dated the 29th October, 2011, publishing Corrigendum to Notification No. GSR 2394 (E), dated the 17th October, 2011.

[Placed in Library. For (2) to (4) See No. L.T. 5387/15/11]

- (iv) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub Section (4) of Section 94 of the Finance Act, 1994, alongwith Explanatory Memoranda:—

- (1) G.S.R. 642 (E), dated the 25th August, 2011, publishing the Service Tax (Fourth Amendment) Rules, 2011.

[Placed in Library. See No. L.T. 5386/15/11]

- (2) G.S.R. 771 (E), dated the 21st October, 2011, publishing Service Tax (Fifth Amendment) Rules, 2011.

[Placed in Library. See No. L.T. 5451/15/11]

- (v) A copy each (in English and Hindi) of the following Notifications of the Ministry of Finance (Department of Revenue), under sub-section (2) of Section 38 of the Central Excise Act, 1944, alongwith Explanatory Memoranda:—

- (1) G.S.R. 676 (E), dated the 13th September, 2011, amending Notification No. G.S.R. 541 (E), dated the 18th July, 2011, to substitute certain entries in the original Notification.
- (2) G.S.R. 677 (E), dated the 14th September, 2011, publishing the Central Excise (Fourth Amendment) Rules, 2011.
- (3) G.S.R. 678 (E), dated the 14th September, 2011, publishing the CENVAT Credit (Fourth Amendment) rules, 2011.

[Placed in Library. For (1) to (3) See No. L.T. 5455/15/11]

- II. A copy each (in English and Hindi) of the following papers:—

- (a) Annual Report and Accounts of the Empowered Committee of State Finance Ministers, New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.
- (b) Review by Government on the working of the above Committee.

[Placed in Library. See No. L.T. 5726/15/11]

#### **Notification of the Ministry of Health and Family Welfare**

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI S. GANDHISELVAN): Sir, I lay on the Table, under sub-section (3) of Section 31 of the Cigarettes and Other Tobacco Products (Prohibition and Regulations of Trade and Commerce, Production, Supply and Distribution) Act, 2003, a copy (in English and Hindi) of the Ministry of Health and Family Welfare Notification No. G.S.R. 786 (E), dated the 27th October, 2011, publishing the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Second amendment) Rules, 2001.

[Placed in Library. See No. L.T. 5391/15/11]

#### **I. Report and Accounts (2009-10) and (2010-11) of various oil and Investment Companies**

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND NATURAL GAS AND

THE MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI R.P.N. SINGH):  
Sir, I lay on the Table—

I. A copy each (in English and Hindi) of the following papers, under sub-section (1) of Section 619A of the Companies Act, 1956:—

- (i) (a) Fifty-second Annual Report and Accounts of the Indian Oil Corporation Limited (IOC), Mumbai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Corporation.

[Placed in Library. See No. L.T. 5640/15/11]

- (ii) (a) Eighteenth Annual Report and Accounts of the Oil and Natural Gas Corporation Limited (ONGC), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Corporation.

[Placed in Library. See No. L.T. 5641/15/11]

- (iii) (a) Fifty-eighth Annual Report and Accounts of the Bharat Petroleum Corporation Limited (BPCL), Mumbai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Corporation.

[Placed in Library. See No. L.T. 5642/15/11]

- (iv) (a) Annual Report and Accounts of the GAIL (India) Limited, New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Company.

[Placed in Library. See No. L.T. 5429/15/11]

- (v) (a) Fifty-ninth Annual Report and Accounts of the Hindustan Petroleum Corporation Limited (HPCL), Mumbai, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Corporation.

[Placed in Library. See No. L.T. 5639/15/11]

- (vi) (a) Tenth Annual Report and Accounts of the Balmer Lawrie Investments Ltd. (BLIL), Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Company.

[Placed in Library. See No. L.T. 5374/15/11]

- (vii) (a) Annual Report and Accounts of the Biecco Lawrie Limited (BIECCO), Kolkata, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Company.

[Placed in Library. See No. L.T. 5428/15/11]

- II. A copy each (in English and Hindi) of the following papers, under sub-section (4) of Section 20 of the Oil Industry (Development) Act, 1974:—

- (a) Annual Report and Accounts of the Oil Industry Development Board (OIDB), New Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

- (b) Review by Government on the working of the above Board.

[Placed in Library. See No. L.T. 5643/15/11]

Statement (in English and Hindi) giving reasons for not laying the Annual Report and Audited Accounts of the Rajiv Gandhi Institute of Petroleum Technology (RGIPT), for the year 2009-10, within the stipulated period.

[Placed in Library. See No. L.T. 5432/15/11]

**I. Report and Accounts (2010-11) of NIRD, Hyderabad and related papers**

SHRI JAIRAM RAMESH: Sir, I lay on the Table, a copy each (in English and Hindi) of the following papers:—

- I. (a) Annual Report of the National Institute of Rural Development (NIRD), Hyderabad, for the year 2010-11.
- (b) Annual Accounts of the National Institute of Rural Development (NIRD), Hyderabad, for the year 2010-11, and the Audit Report thereon.



- (c) Review by Government on the working of the above Institute.

[Placed in Library. See No. L.T. 5646/15/11]

**I. Notifications of the Ministry of Health and Family Welfare**

**II. Report and Accounts (2010-11) of Population Research Centres of various Institutes and related papers**

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE  
(SHRI SUDIP BANDYOPADHYAY): Sir, I lay on the Table—

- I. (i) A copy each (in English and Hindi) of the following Notifications of the Ministry of Health and Family Welfare, under Section 93 of the Food Safety and Standards Act, 2006, alongwith delay statement:—

- (1) F.1-61/FSSA/2009-DFQC, dated the 10th March, 2011, publishing the Food Safety and Standards Authority of India (Procedure for Transaction of Business of the Central Advisory Committee) Regulations, 2010.

[Placed in Library. See No. L.T. 5462/15/11]

- (2) F.1-61/FSSA/2009-DFQC, dated the 10th March, 2011, publishing the Food Safety and Standards Authority of India (Transaction of Business at its meetings) Regulations, 2010.

[Placed in Library. See No. L.T. 5396/15/11]

- (3) F.1-61/FSSA/2009-DFQC, dated the 10th March, 2011, publishing the Food Safety and Standards Authority of India (Procedure of Scientific Committee and Scientific Panels) Regulations, 2010.

[Placed in Library. See No. L.T. 5462/15/11]

- (ii) A copy (in English and Hindi) of the Ministry of Health and Family Welfare Notification No. G.S.R. 752 (E), dated the 12th October, 2011, regarding Prohibition of the drug Letrozole for induction of ovulation in anovulatory infertility, under Section 38 of the Drugs and Cosmetics Act, 1940.

[Placed in Library. See No. L.T. 5306/15/11]

- II. A copy each (in English and Hindi) of the following papers:—

- (i) (a) Annual Report and Accounts of the Population Research Centre, Institute for Social and Economic Change (ISEC), Bangalore, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5750/15/11]

- (ii) (a) Annual Report and Accounts of the Population Research Centre, Utkal University, Bhubaneswar, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5752/15/11]

- (iii) (a) Annual Report and Accounts of the Population Research Centre, Centre for Research in Rural and Industrial Development, Chandigarh, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5753/15/11]

- (iv) (a) Annual Report and Accounts of the Population Research Centre, Panjab University, Chandigarh, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5754/15/11]

- (v) (a) Annual Report and Accounts of the Population Research Centre, Institute of Economic Growth, University of Delhi, Delhi, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5755/15/11]

- (vi) (a) Annual Report and Accounts of the Population Research Centre, JSS Institute of Economic Research, Dharwad, Karnataka, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5756/15/11]

- (vii) (a) Annual Report and Accounts of the Population Research Centre, The Gandhigram Institute of Rural Health and Family Welfare Trust, Dindigul, Tamil Nadu, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. *See* No. L.T. 5757/15/11]

- (viii) (a) Annual Report and Accounts of the Population Research Centre, Department of Statistics, Gauhati University, Assam, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. *See* No. L.T. 5758/15/11]

- (ix) (a) Annual Report and Accounts of the Population Research Centre, Department of Economics, Lucknow University, Lucknow, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. *See* No. L.T. 5759/15/11]

- (x) (a) Annual Report and Accounts of the Population Research Centre, Department of Statistics, Patna University, Bihar, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. *See* No. L.T. 5760/15/11]

- (xi) (a) Annual Report and Accounts of the Population Research Centre, Department of General and Applied Geography, Dr. Harisingh Gour University, Sagar (M.P.), for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. *See* No. L.T. 5762/15/11]

- (xii) (a) Annual Report and Accounts of the Population Research Centre, Himachal Pradesh University, Shimla, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. *See* No. L.T. 5763/15/11]

- (xiii) (a) Annual Report and Accounts of the Population Research Centre,

Department of Economics, University of Kashmir, Srinagar, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5764/15/11]

- (xiv) (a) Annual Report and Accounts of the Population Research Centre, University of Kerala, Thiruvananthapuram, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5765/15/11]

- (xv) (a) Annual Report and Accounts of the Population Research Centre, Andhra University, Visakhapatnam, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5767/15/11]

- (xvi) (a) Annual Report and Accounts of the Population Research Centre, Mohanlal Sukhadia University, Udaipur, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5766/15/11]

- (xvii) (a) Annual Report and Accounts of the Population Research Centre, Gokhale Institute of Politics and Economics, Pune, for the year 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5761/15/11]

- (xviii) (a) Annual Report and Accounts of the Population Research Centre, Department of Statistics, the Maharaja Sayajirao University of Baroda, Vadodara, 2010-11, together with the Auditor's Report on the Accounts.

- (b) Review by Government on the working of the above Centre.

[Placed in Library. See No. L.T. 5751/15/11]

**Statements showing the Action taken by the Government on various  
assurances, promises and undertakings given during the Session**

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS  
(SHRI RAJEEV SHUKLA): Sir, I lay on the Table, a copy each (in English and Hindi) of the following statements showing the action taken by the Government on the various assurances, promises and undertakings given during the Session shown against each:—

1. Statement No. XXV Hundred and Ninety-fourth Session, 2001.  
[Placed in Library. See No. L.T. 6119/15/11]
2. Statement No. XXX Hundred and Ninety-sixth Session, 2002.  
[Placed in Library. See No. L.T. 6120/15/11]
3. Statement No. XXVII Hundred and Ninety-eighth Session, 2003.  
[Placed in Library. See No. L.T. 6121/15/11]
4. Statement No. XXIV Two hundred and Second Session, 2004.  
[Placed in Library. See No. L.T. 6122/15/11]
5. Statement No. XIX Two hundred and Third Session, 2004.  
[Placed in Library. See No. L.T. 6123/15/11]
6. Statement No. XIX Two hundred and Fourth Session, 2005.  
[Placed in Library. See No. L.T. 6124/15/11]
7. Statement No. XXIV Two hundred and Fifth Session, 2005.  
[Placed in Library. See No. L.T. 6125/15/11]
8. Statement No. XXI Two hundred and Sixth Session, 2005.  
[Placed in Library. See No. L.T. 6126/15/11]
9. Statement No. XX Two hundred and Seventh Session, 2006.  
[Placed in Library. See No. L.T. 6127/15/11]
10. Statement No. XX Two hundred and Eighth Session, 2006.  
[Placed in Library. See No. L.T. 6128/15/11]
11. Statement No. XV Two hundred and Ninth Session, 2006.  
[Placed in Library. See No. L.T. 6129/15/11]
12. Statement No. XVI Two hundred and Tenth Session, 2007.  
[Placed in Library. See No. L.T. 6130/15/11]

13. Statement No. XV Two hundred and Eleventh Session, 2007.  
[Placed in Library. *See* No. L.T. 6131/15/11]
14. Statement No. XV Two hundred and Twelfth Session, 2007.  
[Placed in Library. *See* No. L.T. 6132/15/11]
15. Statement No. XIII Two hundred and Thirteenth Session, 2008.  
[Placed in Library. *See* No. L.T. 6133/15/11]
16. Statement No. XII Two hundred and Fourteenth Session, 2008.  
[Placed in Library. *See* No. L.T. 6134/15/11]
17. Statement No. IX Two hundred and Fifteenth Session, 2009.  
[Placed in Library. *See* No. L.T. 6135/15/11]
18. Statement No. VIII Two hundred and Seventeenth Session, 2009.  
[Placed in Library. *See* No. L.T. 6136/15/11]
19. Statement No. VII Two hundred and Eighteenth Session, 2009.  
[Placed in Library. *See* No. L.T. 6137/15/11]
20. Statement No. VI Two hundred and Nineteenth Session, 2010.  
[Placed in Library. *See* No. L.T. 6138/15/11]
21. Statement No. V Two hundred and Twentieth Session, 2010.  
[Placed in Library. *See* No. L.T. 6139/15/11]
22. Statement No. III Two hundred and Twenty first Session, 2010.  
[Placed in Library. *See* No. L.T. 6140/15/11]
23. Statement No. II Two hundred and Twenty second Session, 2011.  
[Placed in Library. *See* No. L.T. 6141/15/11]
24. Statement No. I Two hundred and Twenty third Session, 2011.  
[Placed in Library. *See* No. L.T. 6142/15/11]
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## **MESSAGE FROM LOK SABHA**

### **The Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2011**

SECRETARY-GENERAL: In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Bill, 2011, as passed by Lok Sabha at its sitting held on the 12th December, 2011. Sir, I lay a copy of the Bill on the Table.

## **REPORT OF THE COMMITTEE OF PRIVILEGES**

SHRI S.S. AHLUWALIA (Jharkhand): Sir, I present the Fiftyseventh Report (in English and Hindi) of the Committee of Privileges on the alleged misbehavior with Shri Rajiv Pratap Rudy, Member Rajya Sabha by the CEO & MD of IFCI Ltd.

## **REPORTS OF DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE ON FINANCE**

SHRI S.S. AHLUWALIA (Jharkhand): Sir, I lay on the Table, a copy each (in English and Hindi) of the following Reports of the Department-related Parliamentary Standing Committee on Finance (2011-12):—

- (i) Forty-first Report on the Insurance Laws (Amendment) Bill, 2008;
- (ii) Forty-second Report on the National Identification Authority of India Bill, 2010;  
and
- (iii) Forty-third Report on the Banking Laws (Amendment) Bill, 2011.

## **REPORTS OF THE COMMITTEE ON WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES**

SHRI JABIR HUSAIN (Bihar): Sir, I lay on the Table, a copy each (in English and Hindi) of the following Reports of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the Ministry of Petroleum and Natural Gas:—

Sixteenth Report on Action Taken by the Government on the recommendations contained in their First Report (Fifteenth Lok Sabha) on Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Oil and Natural Gas Corporation (ONGC);  
and

Seventeenth Report on Action Taken by the Government on the recommendations contained in their Fourth Report (Fifteenth Lok Sabha) on Reservation for and Employment of Scheduled Castes and Scheduled Tribes in allotment of Gas and Petrol Agencies.

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**STATEMENT BY THE MINISTER**

**Status of the implementation of recommendations contained in the Two Hundred and Eighteenth Report and Two Hundred and Nineteenth Report of Department-related Parliamentary Standing Committee on Industry**

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI PRAFUL PATEL): Sir, I make a statement regarding Status of implementation of recommendations contained in the Two Hundred and Eighteenth Report and Two Hundred and Nineteenth Report of the Department-related Parliamentary Standing Committee on Industry pertaining to the Ministry of Heavy Industries and Public Enterprises.

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**GOVERNMENT BILLS**

**The Appropriation (No. 4) Bill, 2011**

MR. DEPUTY CHAIRMAN: Now, we shall take up further consideration of the Appropriation (No. 4) Bill. The hon. Minister to reply.

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Mr. Deputy Chairman, Sir, first of all, I would like to express my gratitude and appreciation to all the hon. Members who have made their contribution on the Second Supplementary Demand (General).

As per the Constitutional practice, this House does not discuss the Demands for Grants; but it discusses the proposals while considering the Appropriation Bill. Therefore, the relevant Appropriation Bill is being discussed. Sir, a large number of issues have been raised on this occasion. The Leader of the Opposition has brought out the entire economic scenario in the context of international developments and also some domestic developments. I appreciate his concerns, and the concerns of all the Members of the House, about certain deteriorating trends in the economy, about how we can prevent them and address those issues in the correct perspective. Before coming to that aspect, Mr. Deputy Chairman, Sir, I would like to explain what was the necessity of having this second supplementary demand, and whether it was done because the various provisions in the Budget were under-funded or because certain exigencies had emerged which required the budgetary support to fulfill the commitment. There was no



exigency that was sudden, but, at the same time, some faction belied the expectations which we had assumed at the time of presentation of the Budget. For instance, the ruling petroleum prices prevailing at that point of time, around the months of December, 2010, and January to February, 2011, were around 90 dollars per barrel, that is, of the brent crude which we normally use. Now, we have noticed that throughout the year, from April onwards, the average price of petroleum crude has been around 107 to 110 dollars per barrel. Therefore, the calculation which was made on the basis of the price of 90 dollars per barrel can no longer remain relevant.

Now, that eight months have passed, we found that the subsidies which we had calculated to be provided to the fuel sector surpassed our expectations. If you would notice, out of about Rs. 56,848 crores of supplementary demand, the subsidies on fertilizers, fuel and food taken together come to Rs. 46,000 crores.

Some hon. Members have said that we are reducing fertilizer subsidy. That is not correct. We are not increasing fertilizer subsidy. Even on Urea the subsidy has not been abolished. I would come to that aspect a little later. I would be happy if the total fertilizer subsidy was confined to Rs. 90,000 crores against a projection of Rs. 40,000 crores, but, I am afraid, it may go up, because the international price has increased substantially. This subsidy is more than 200 dollars per tonne and we have to import it, not substantially, but practically, fully. We hardly produce any fertilizer of that category here. Of course, there are uncertainties of certain Middle Eastern countries which have huge rock phosphate as their resource and which manufacture these fertilizers. The political uncertainties are prevailing there. Hon. Members are fully aware of this. I need not go into this. Food subsidies have also increased because, as the hon. Members are aware, we have not increased the issue prices which we provide to the Public Distribution System, to the BPL families and to the AAY families. Issue prices have not been changed since 2001, whatever be the procurement prices. This is one of the reasons for which we have to ask for more money from this House. The other reason is we announced in the Budget about the enhancement of the remuneration of persons who are engaged in Self-Help Groups from Rs. 750 to Rs. 1500 and from Rs. 1500 to Rs. 3000. Naturally, it was a policy announcement but the actual number was to be worked out later on and we had to provide some amount for ICDS and we have provided about Rs. 1950 crore for this. Some increase in allocation towards pensions and allowances of the Armed Forces, because of some additions in the strength was required for. Those have also been taken into account. Rest are the minor details; the hon. Member have seen that and I am not going into that aspect. The question is: to what extent, it is going to affect our fiscal deficit? To what extent, it would have an impact on the Budget? Some hon. Members have expressed their concerns rightly. But merely we should not go for number in absolute terms. The total supplementary is Rs. 65,864 crore. If we take it into account in terms

of percentage, it accounts for 5.25 per cent of the total budgetary expenditure of Rs. 12,57,729 crore. Naturally, one may say that you have already surpassed your fiscal deficit which was 4.7 per cent. So, this is 5.25 per cent of your total budgetary allocation of Rs. 12,57,729 crore. But it is not like that. Hon. Members are fully aware that the mid-term allocation in terms of percentage, has remained around that. I can share some of the information with hon. Members. For instance, during 2006-07, this mid-term allocation was 6.99 per cent of the budgetary allocation; in 2007-08, it was 9.69 per cent of the budgetary allocation. Additionalities were 21.25 per cent in 2008-09 and 13.13 per cent of 2010-11. But, in course of time, it was absorbed with the savings and with the allocation of the mopping up of the resources. The second aspect of it is that, and rightly it was pointed out by the hon. Leader of the Opposition, the IIP figure was released yesterday where the industry has negative growth of more than 5 per cent in the month of October. The overall growth, from April to October, in the industrial sector has been around 3.7 per cent. The question has been raised whether we have entered into a recession. Have we entered into a phase where the Indian economy is going to be derailed? Have we entered into a situation where we cannot retrieve the situation and move ahead? Most respectfully, I would like to submit that if you look at the performance of the economy, particularly in the crisis situations, you will notice that Indian workers, Indian managers, Indian farmers and Indian entrepreneurs have the capacity and resilience to overcome the crisis. In system, we have the capacity to rise to the occasion. Take the case of 1979-80. The rate of inflation was as high as 16 per cent. The GDP growth was minus-5. But, thereafter, we could revive the economy, and in 1981-82, the rate of inflation came down to 2.5 per cent and the average growth from 1982-1985, during the Sixth Plan period, was a little more than five per cent. It is not accidental, or, one-time event. Even when the second crisis came in 1991, where again the rate of inflation was around 16 per cent and the GDP growth came down to less than two per cent, we could bounce back, and hon. Members are fully aware that we registered 5.6 per cent GDP growth at an annual average between 1990-1995 during the Eighth Plan period. The short point, which I am trying to drive at, Mr. Deputy Chairman, Sir, is that we have the resilience, we have the capacity and we shall have to unleash this capacity. We have to ensure that all of our potential and our enterprising skills are to put to optimal use. There is a perception that there is a paralysis in the decision-making process. The Government does not function; there is no cohesion, consistency in the policy; and, a lot of *ad hocism* is taking place. Most respectfully, I would like to submit that it is not so. During this period, in the last couple of months, we have not only taken initiatives, but we have finalised the policies — new manufacturing policies, incentives to the SMEs, package for the rehabilitation of the debt-stressed handloom sector, Accelerated Skill Development

Programmes, financial inclusions. Hon. Members are fully aware that we are committed that by 31st March, 2012, we will provide the banking facilities to 73,000 villages through new technology. The bankers have identified these 73,000 villages each having 2,000 or more population. We have been able to cover these villages substantially and the target will be reached, I am told, by 31st December. Therefore, actions are being taken. Policies are being initiated. Yes, sometimes, there may be some setbacks. It is nothing new. The Leader of the Opposition is fully aware that running a coalition is not a very easy job, and, he himself had to suffer; the NDA had to suffer. There was not one NDA from 1998 to 2004. There was one NDA from 1998 to 1999. The Government lost its majority by one vote, and, that was not merely because of the efforts of the combined Opposition but because one of the allied partners withdrew the support. Therefore, if I try to convince my alliance partners to carry on with me, there is nothing wrong because the Indian electorate has not given me the mandate with 273 Members. The mandate, which they have given, is a limited mandate, ...*(Interruptions)*...

**श्री रुद्रनारायण पाणि:** सर,...*(व्यवधान)*...

**श्री उपसभापति:** अरे बैठिए...*(व्यवधान)*...

SHRI PRANAB MUKHERJEE: Please excuse me. ...*(Interruptions)*.... पाणि साहब, मेहरबानी करके आप चुप बैठिए।...*(व्यवधान)*...

**श्री उपसभापति:** अच्छी डिबेट के बीच में आप क्यों बोलते हैं?...*(व्यवधान)*...

SHRI PRANAB MUKHERJEE: Please don't interrupt. ...*(Interruptions)*.... Enough is enough. Please. ...*(Interruptions)*.... I am not yielding. Please.

Sir, my respectful submission is, yes, the Indian electorate has given us a little more mandate, increasing our strength from 147 to 206, but still it is a limited mandate. The mandate is clear, carry people with you. Look at the scenario as to how many General Elections did we have since 1990 — first one in 1989; second in 1991, third one in 1996, fourth one in 1998, and, the fifth one in 1999. Then some regularity came, and, subsequent elections were held in 2004 and 2009. Nobody has brought it to us. It has not come from another planet. We, the politicians, sometimes must criticize it. We want stability. When the mandate of the people is fractured, we cannot afford to have the luxury of going to elections after 12 months, 14 months or 18 months. Some sort of chemistry works in all political parties that let us not institutionalize instability in the Parliamentary democracy.

I congratulate the Opposition parties because during UPA-I, in the entire five years' period, there was occasion only once to take the Vote of Confidence, of course, on a major issue, but not frequently because we recognized that to inject instability by playing with the numbers, is not

going to help us. And, that inspires confidence in me; not merely what has been stated by some columnists or journalists, either here or there. But apart from that, I would like to submit that the issue is serious. Yes, the industrial growth has come down. Recession in Europe is no longer a mere theoretical proposition. It is a reality. And it is staring us at the face. I do hope that the arrangements, which the European leaders have made, will resolve the crisis, and it will not go beyond the affected countries, because their economies are small. But if it extends to a large economy, any amount of bailout package will not be sufficient, and the worldwide depression will take place. We are concerned, because we cannot remain insulated from the adverse impact of that. Fortunately, American economy has started recovering slowly. Its unemployment rate has come down. There is a possibility of having positive growth. If it is followed in Japan and if the major developed economies revive or start the process of recovery, India has the resilience to take advantage of it. It is not a theoretical proposition. We took advantage of that. After the crisis of 2008, from nine per cent, you all know how fast we have been decelerating. Every quarter growth rate is coming down. In the third quarter, it was as low as 5.8 per cent. Like many other countries, we have to inject substantial quantum of liquidity in the system; in terms of GDP percentage, it was almost three per cent of the GDP and, in absolute terms, Rs.1,86,000 crore were injected. We prevented further deceleration. Growth became 6.8 per cent in 2008-2009. Then, quick recovery started, and next year growth rate was eight per cent. And, in 2010-2011, it became 8.5 per cent. The point that I am trying to make is that we have the resilience. Our economy has the capacity and our entrepreneurs have the capability. Now we have to do it 'collectively'. We shall have to work together. I said 'collectively,' because today there are certain areas where partisan politics does not help us. It does not help us either as party or as an integral part of the nation. Therefore, we shall have to find out a mechanism through which we can work out, in the larger national interests, certain broad major economic policies. While speaking on the floor of the House, I remember, and perhaps some of the Members who were Members at that time will recollect, that it was in 1995 that I signed the WTO Agreement at Marrakesh. It was fiercely opposed. One of the conditionality in the IPR Agreement was that India would have to amend its patent laws of 1973 to provide not only the product patent but also process patent. In the Lok Sabha, we got through. But we could not get through in this House. We attempted twice, not once. It was strongly opposed. Then a Coordination Committee was formed headed by Dr. Ashok Mitra and Dr. Murli Manohar Joshi. Both of them shared same common approach. And yet it could not be passed. What happened was somebody complained in the WTO that India has failed to comply with the requirements of the agreement. We had to contest. Even the Solicitor General, Mr. Soli Sorabjee, was sent; some law officers were sent.

But, we lost in the dispute resolution mechanism. We could not establish that we did the correct thing. A situation arose that either amend the domestic law or get out of the WTO. Government changed. I was sitting exactly where Mr. Surinder is sitting now and it was to be decided as to what is to be done in this House itself. Collectively, we decided to amend the Act despite the differences which were displayed just 6-7 years ago but, when the national interest demanded, we could do it. If we could do it in 2001, surely we can do it in 2011 and 2012.

Mr. Deputy Chairman, Sir, through you, I welcome the suggestion put forward by the Leader of Opposition that we will try to build up consensus. Where there is an area of agreement, let us proceed with that, but, there is also an area of disagreement. It is not a question of one individual's ego; it is a question of national interest. Therefore, if we find that some more time will be required to convince others to create conducive atmosphere to expand the area of agreement and reduce the area of disagreement, we should give time. But, we should not lose track of it.

From my side and from the Government side, Mr. Deputy Chairman, Sir, through you, I can assure the House that the Government will not be lacking in trying to build up the consensus on broad economic policies in which the vital interests of the country lie. But, we have to demonstrate and we have to convey this message. I am not going to the remote past, but, just in the last session, when a very popular leader of the civil society went on agitation, in the Prime Minister's room, sitting with the Leader of Opposition of this House, the Leader of Opposition of the other House and other senior leaders, we could work out a formula, we could formulate the views of this House and that House which resolved that crisis. Therefore, if we have done it in the Monsoon Session, we can do it again in the Winter Session and fortunately, after some initial deadlock, we have been able to resolve the impasse and we are proceeding. But we shall have to do it more expeditiously. There should be visible demonstration. You are correctly saying that people are feeling disappointed that why should they invest. After all, investors are those who have money. They have many choices. There are various choices. Everybody would like to make investment in India if he feels that the atmosphere is conducive. I do not claim that there are no lapses on our part. I do not claim that we are infallible. But, the short point which I am trying to drive at is that we shall have to discharge the responsibility for which we are mandated by the electorate of this country. Mr. Deputy Chairman, Sir, I always believe — somebody may agree with me or may not agree with me — when I come to be a Member of Parliament, it is my voluntary action. Nobody tells me that I will have to be elected from a Lok Sabha constituency. I offer myself as a candidate, go to the electorates, beg votes from them and ask them to elect me, and thereafter, if I find that the Parliament which is a body of deliberation, discussion,

debate and finally decision making is converted into a demonstrative platform, I feel that we are not doing justice either to ourselves or to the electorates. Of course, there may be areas where tension will be there, passion will be high and tempers will rise. But it is the responsibility of the leaders of various political parties, including the ruling party, to resolve the issues. I own my share. It may be a large share. But all of you have a small share and we have to try to resolve the issues. As the Opposition you have every right to oppose, expose and, if possible, depose. That is the traditional role. But how can it be done? Despite my best efforts I have not been able to find out the great purpose that we have achieved simply by obstructions. I had seen in this House one important debate — I am giving you a reference — on whether the Governor's conduct can be discussed on the floor of the House. If you look at the rules, the rules plainly say that the conduct of the Governor can't be discussed on the floor of the House. A situation arose in November, 1967 when an elected Government was dismissed. Eminent Parliamentarians like Mr. Bhupesh Gupta, Mr. Ramamurthy and a couple of others debated it in this House itself and, ultimately, the ruling came from the Chair that the conduct of the Governor while discharging his Constitutional responsibility could be discussed and that has become the rule of the law. That has become the rule of the day. But it was debated; it was discussed and it was achieved. The debate went on throughout the day, not one day but for two or three days and, ultimately, considering all aspects, the Chair finally gave the ruling. Therefore, if we, on contentious issues, share our views, discuss our views and listen to all, then we will find a way out, what is needed today.

I am fully aware of the problems. No Finance Minister will find it comfortable when rupee is declining, when inflation is still perilously close to the double digit, when industrial production is coming down and when there is slow-down in growth. Then a message will have to be conveyed collectively. We have to convey that, yes, however difficult the problem may be, the collective wisdom of the political establishments in this country can resolve it. Therefore, we will sit across the table, try to work out a mechanism through which important decisions can be taken. Once we start taking important decisions, once the institutions start functioning, once the Parliament starts functioning, it will have its impact on the Government. When the Parliament starts functioning, it will inspire confidence in the minds of the people, when the institutions, not one institution but all the institutions, are fully operationalised — that is the strength of the democracy — you will find that there is confidence in the whole system and that will get reflected in various economic activities.

That is my most respectful submission. I am repeating it once again that the Leader of the Opposition raised the debate to a much higher level in a broad panoramic view and discussed it in the context of the international situation, national situation and national development. I would

not like to take more time of the House. Mr. Deputy Chairman, Sir, if I have transgressed a little bit from the conventional debate on Supplementary Demand, I would like to be excused. But as today is the 13th December, I am talking today because of the persons whom we have paid our homage. I was just sitting there where Surinder is sitting and some of the leaders of the Government were sitting here. The Chairman had just left and if that door had not been closed on that day, many of us would not have been alive and speaking to each other. One lady and a couple of security forces, sacrificing their lives, prevented the terrorists to come in. What happened after that? Just by quoting it, I will conclude my observations. The Congress President, Shrimati Sonia Gandhi, was not in the Parliament premises at that time. But when she heard it on the television, immediately, her first response was to ring the Prime Minister, Shri Atal Bihari Vajpayee, to inquire whether he was safe. Next day, the Prime Minister responded by saying, "Indian democracy is safe. When in a crisis like this, the Leader of the Opposition telephones the Prime Minister and inquires about his safety, Indian democracy is safe". Let us keep Indian democracy safe; let us keep Indian economy safe. Let us move forward. Let us not move backward and try to drag each other because if I drive backward, I will take you. If you drive backward, you will take me. But collectively, we can move forward. Thank you.

SHRI S.S. AHLUWALIA (Jharkhand): Sir, yesterday, I had mentioned about Sikkim. I would like to get a response from the hon. Minister regarding the income tax exemption.

SHRI PRANAB MUKHERJEE: So far as Sikkim is concerned, I am receiving representations and some representations I have already received. I am looking into it.

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 2011-12, 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: Mr. Deputy Chairman, Sir, I move:

That the Bill be returned.

*The question was put and the motion was adopted.*

MR. DEPUTY CHAIRMAN: The House is adjourned for lunch to meet at 2 p.m.

The House then adjourned for lunch at one of the clock.

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The House re-assembled after lunch at two minutes past two of the clock,

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.

### **The Commercial Division of High Courts Bill, 2010**

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, further consideration of the Commercial Division of High Courts Bill, 2010. Mr. Minister, would you like to say something?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): I have already made a few important points. I have nothing more to say now.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri Ravi Shankar Prasad.

SHRI RAVI SHANKAR PRASAD (Bihar): Mr. Vice-Chairman, Sir, I am grateful that you have given me a chance to initiate this debate on this important Bill, that is, the Commercial Division of High Courts Bill, 2010. At the outset, let me make some general observations. This Bill was passed by the other House without any discussion. When the matter came here, seeing the mood of the House, the matter had to be referred to the Select Committee. And, once the recommendations of the Select Committee came about, a lot of changes have been contemplated. Some may be conceded and some not accepted. Perhaps, it is an example for us to reflect that passing a Bill in a hurry may not always be the case of doing justice. And particularly, such a Bill, which seeks for commercial division, creation of Benches, in the High Courts, require a little more revision, even if there were pressing obligations on the Treasury Benches to ensure that Bills had to be passed anyhow. I only hope that, in future, this issue will be kept in mind.

Sir, what is the basic purpose of this Bill? As I see it, to win investors' confidence, we have to have Fast Track Courts on the commercial side; in one line, if I can say that. The Government has taken into account the Law Commission's Report and some of the experiences of other countries. Now, what is the experience of the Western countries, particularly, the U.S. and England? Two issues always arise. One is, forum non conveniens. If the plaintiff is an alien or an Indian seeking a relief against an American or a Westerner, then, immediately, the Indian system will be praised. In the Bhopal Gas Tragedy case, as you are aware, Mr. Vice-Chairman, Sir, a claim was filed there. The U.S. standards are liberal as far as the grant of liability clause is concerned. But, suddenly, the then Union Carbide moved, invoked the great tradition of Indian



judicial system. India being a big liberal democracy, Justice Keenan said, “India is a big power. I am sure Bhopal Gas Tragedy victims can get justice there. Let the proceedings in the US court in New York, therefore, terminate”. The forum for non-conveniens was not used as an alibi at all there. There are other lines of cases. I recall the Bhatnagar case in the US courts where because some of the claimants were Americans; they raised the plea of forum for non conveniens holding that the Indian judicial system has collapsed. Sir, I belong to the same profession as my good friend, the Law Minister, belongs to, as also many other eminent lawyers, who are here. I felt sorry when some lawyers from India went and gave affidavits in American courts saying that the judicial system in India had collapsed. There can be delays. There can be delays anywhere. When I found the former Chief Justice of India going abroad and deposing before them, saying that the Indian judicial system had collapsed, I really felt sorry. If this is what they have felt after retirement, one can very well ask the question as to what they were doing when they were in power as Chief Justices of India. Sir, these are occasions to reflect upon these issues.

Sir, I was just going through a very interesting write-up which the Law Commission has quoted, ‘Prof. J. Fawcett’s *Trial in England or Abroad; the Underlying Policy Considerations*’ (3.12.8). He wrote an article in the Oxford Journal of Legal Affairs. At page 205, the article states that none of the cases in which the House of Lords has granted stay of English proceedings is the plaintiff an English. That means, the moment a non English invokes the House of Lords seeking relief against, maybe, an Indian or a South African or an African or an Asian, they say, “Go to your original country”. But if an English or an American invokes the jurisdiction, they will urge the plea of forum for non conveniens; no part of cause of action has arisen in England or America as the case may be, but the case would be entertained. I think the first question which the hon. Law Minister needs to answer is: After this great commercial division, when the Bill becomes a reality, about which we have some reservations and which I will share with the House in the course of my observations, and I presume that the forum of non conveniens plea will be given a go by because it is very important in American and English courts. That is a very serious question, that such an important Bill ought to have been preceded by some statistical data of as to how many cases of big value/ticket litigations are pending in India, at what level, above five crores of rupees, above three crores, above four crores, above ten crores, above 100 crores and so on. I am sorry there is no statistical data at all because the law as it stands today, hardly six High Courts have original jurisdiction. Now, you are giving to all, if the valuation is above a particular pecuniary benchmark.

Sir, before I come to the nitty-gritty of the Bill, I have to raise a larger question. There is delay in the country in the judicial administration. What kind of signal are we giving to ordinary

litigant in the country? “Your case will wait in the turn; some cases are high priority cases; therefore, they will be taken out of turn not by a single judge but by a division bench.” Yes, I can understand if because of fast track some criminal cases have been expedited. But, appeals come to the High Court. We know that people are in jail, languishing for years together and they are told, ‘Wait in the queue.’ If certain cases become high profile, then they are taken out of turn because of variety of considerations. But, an ordinary convicted criminal by a trial court is waiting for his turn in the High Court! The same is about the civil cases—partition suit, first appeal, second appeal, etc. Hon. Law Minister, I would be really grateful if you tell the House on the number of first appeals pending in different High Courts of India. I will be really grateful for the data on partition suits, title suits, land alienation, etc.

Sir, we have to be alive to these questions of justice. While speaking on this Bill, I am reminded of a very interesting incident which remains in my memory, when I just began my practice in the Patna High Court in the early 80’s. It is a very telling comment on the quest for justice in India. Sir, I read in the Indian Nation that an under-trial prisoner Mohamadeen Mian was in jail for 49 years. I was amazed. The PIL was in its infancy. I drafted and the judges almost snubbed me, ‘What this nonsense, Mr. Prasad. Is this the way!’ I said, ‘Sir, there has to be a way out. This man is in jail for 49 years. Even if he is convicted, he cannot serve in jail beyond 20 years!’ After a great persuasion, a notice was issued to the Superintendent of that jail where he was supposed to be.

Mr. Deputy Chairman, Sir, this was reported in the media and I had a very emotional follow up of this. His nephew was looking for him because his father, while dying, had secured a promise from him that he would look for his younger brother who was in jail since 1940 in Hazaribagh. He was working in Assam. Then, the DM of Motihari, from where he hailed, sent him the notice saying, ‘This young lawyer is following your case, go and meet him.’ I got an order from the High Court enabling the nephew to meet him. He went to meet with an image that there was a big *massa* on his forehead. They met. I got him released. I got him a compensation of about Rs.25,000 by fighting with the High Court.

Sir, the reason why I am mentioning this case is that the destiny has been kind to me that I have got many assignments in the public life, the professional life. But, the smiling face of Mohamadeen Mian, when he came to meet me after release, would remain the biggest trophy of my life. I am sure, there are Mohamadeen Mians languishing in different jails of India. How will they feel about it? These are issues which have to be addressed. Maybe, you can discuss the technical issue of *differentia*; this can be a valid legislation under article 14; we lawyers can settle that in law courts. But, when we sit in Parliament, hon. Law Minister, we do not go by

technicalities alone because we represent also the soul of India in many ways, the concerns of India in many ways. The question we have to ask today is, when we are having a separate division for high-flying commercial cases to be fast-tracked, are we alive to the concerns of the poor common man who is languishing in jail or waiting for a title suit on the recovery of his house? These are issues to be considered. I would like the House to reflect on these. Sir, I regret to say that I do not find any kind of message about them.

Let us take another case. I would like to be enlightened, hon. Law Minister, as to what is the exact number of pendency of cases in the country. We hear 3 crores, we hear 4 crores, we hear 5 crores. ...*(Interruption)*... Is it 3.2 crores? Now, there is a debate about it. The Supreme Court's hon. Chief Justice said that some cases are five years old, only they are serious and the rest are not. Therefore, at least for the sake of clarity, inform this House today as to what is the exact number of pendency in different High Courts of India, in the civil courts of India and in the Supreme Court of India. How many cases are how much old? The reason why I am asking this question is, you have as much professional experience as I have, or even more in many cases; whenever we apply before the courts for any urgent matter, what they say? "Sorry, we are helpless, we are overloaded." Have you factored into the load of the High Court because of this new Commercial Division Benches that are being created? Everyday, we hear reports in the media, in the seminars, in the course of judicial proceedings, 'Sorry, we do not have time. We are over-loaded.' Therefore, this new legislation, namely, all the High Courts having been granted the original jurisdiction of a specified value in a Division Bench would create further load. Have you done some home work about the load concept? Are you going to have some additional judges? Are you thinking about it? These are very important issues. You cannot wish them away. It is all the more important that the appeal lies to the Supreme Court only. Under this Bill, or, as the Bill passed by the other House, the appeal lies only to the Supreme Court against a Division Bench order of two judges.

Mr. Vice-Chairman, Sir, of late, we have given statutory powers to the Supreme Court in many legislations, like the Gratuity Act of 2003 and other Acts. You know, an appeal is of right, if you are able to show your point. Now, in the Supreme Court, they ask a question, "We know that we are the appellate body, but we are over-loaded. Show your main point. Pay all the money. Then come". Therefore, because of the over-loading of the Supreme Court, the appellate remedy is also becoming ineffective in many ways, if not irrelevant altogether. Therefore, when you are giving this power of appeal to the Supreme Court, then, it is important that the work load of the Supreme Court should also be factored into. Sir, these are my important general observations, which I have to make, as far as the Bill is concerned. Now, I come to some of the specific nitty-gritty of this Bill.

Sir, as I see the Bill, you have made great changes, as far as this whole commercial dispute definition is concerned. Earlier, it was in Section 2, a detailed explanation, immovable property, movable property, a lot of things were there. Now, I see that in the light of the Select Committee's recommendations, you have changed the definition substantially. It says, "Commercial dispute means a dispute arising out of export or import of merchandise, joint-ventures agreement, capital markets, stocks or securities, as defined in clause (h) of Section 2 of the Securities Contract (Regulations) Act of 1956, intellectual property, software, hardware, network, internet, website, foreign direct investment..." Mr. Vice-Chairman, Sir, the foreign direct investment never leaves us. It keeps on appearing and appearing and appearing everywhere. No problem. It further states, "Agreements providing for international commercial arbitration". Now, hon. Law Minister, my question is this. Does a bank's debt or a debt of a financial institution come within the ambit of the commercial dispute or not, as the law you have proposed to be amended? It is because joint-venture agreements can have banking liabilities, whether it is software, hardware, website, intellectual property right. Therefore, may be, not in a strict sense, but, may be, if interpretation is there. Why I am asking this clarification is very important. If you see Section 8, it says, "The valuation being given by the plaintiff is sufficient to show that it is worth one crore or five crores, as the case may be". You have not changed Section 8. Sir, Section 8 says, "The specified value of the subject matter of the commercial dispute in a suit or appeal or application shall be determined in the following manner:- (a) where the relief is sought, then, whatever relief he seeks of money, interest, etc." Can a bank seek a proceeding against any debtor under the provisions of this Act or not? Let me tell you why it is important. There is The Recovery of Debts Due to Banks and Financial Institutions Act of 1993. If I can read this for you, Section 2 of this Act is very clear. It says, "This Act may be called Recovery of Debts Due to Banks and Financial Institutions". Now, bank means banking company, corresponding new banks and everything. Any banking company will come within its ambit. There is no bar of any Banking Regulation Act. It says, "Financial Institution means under 4(A) of the Companies Act or the securitization company or reconstruction company shall obtain a certificate of registration". Therefore, financial institutions have also been described in a liberal interpretation, banking companies and corporations are also described in a liberal interpretation. The reason why I am asking this question is, in this Section 18, 'bar of jurisdiction' of this Debt Recovery Act, '...or on from the appointed day no court or other authority shall have or entitled to exercise any jurisdiction, power of authority except the Supreme Court and High Court under article 226.' Therefore, it is an ousted clause, the Debt Recovery Act, whereunder if it is a bank's debt or it is a debt of financial institutions, then it will straightaway be covered by

this provision and all other clauses are ousted except by Supreme Court or the High Court re-jurisdiction. Now let me read the present Bill, here clause 8, sub-clause 4 says, ‘the manner of valuation and determination of the subject matter of commercial dispute in a suit, appeal or application under this Act shall override any provision for valuation of subject matter of any suit under any law for the time being in courts.’ Therefore, if any plaintiff, say, a bank or a financial institution determines the valuation and declares it in terms of 84, it becomes final. Under Section 18 of Debt Recovery Act that becomes final which will prevail. It is a grey area. We would like clarity on it. The reason why I am asking you this is, the first question is whether a bank debt comes within the ambit of this law or not because in the original one it was, but in the amendment you are silent. You have kept to yourself the right to notify any other services. But in the way whole thing has been described, joint venture, exportimport of merchandise, if bank is involved, the bank would come in the picture. It is a grey area where there is lack of clarity. The second issue is also equally important. What about the court fee? Will these big companies having thousands of crores of international operations pay peanuts as court fee? There is a proper Court Fee Act but there has to be certain clarity to be given either in the rules of the High Court or all these things. I think it is very important that there must be clarity about the court fee because you are giving them a special forum of two High Court Judges deciding in a particular timeframe, giving judgment in 30 days, if not given the judgment then reason is to be given. Therefore, everything is superfast track. Yet, they will not pay for it. You have to have more clarity on it. Sir, I have my serious reservation. I understand the need to have investment in the country; I understand the need that investors who come to India must have an assurance that if there is a dispute it will be fast tracked. Sir, I remember a very interesting story which I can share here. In the Government of Mr. Vajpayee when I was handling your portfolio for sometime, I was in New York and one day an investor in New York came to meet me. He had supplied something here in Haryana, I still remember. But he went for a litigation and he was confronted with an injunction in a court in Haryana. He said to me, “What should I do?” I said, “Go and face the litigation in India. You will have to face it.” I understand the need for that but the need should not be projected in a way that a common man’s thrust in our judicial process gets dented. That is what I would like to highlight. Therefore, the load of Judges, the need for fast-tracking of criminal cases of ordinary litigants, who are languishing in jails, the need for fast-tracking the civil case of a poor landlady or landholder, all those are equally important and plus the load on the Judges and on the High Court. I think these are issues which need proper clarity. Sir, with these words, I do not want to take long time, I am quite sure the hon. Minister in the course of his reply will add this as serious areas of concern which I have highlighted. Thank you, Sir, I am grateful to you.

SHRI SHANTARAM NAIK (Goa): Sir at the outset I would like to congratulate you..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Me? Why?

SHRI SHANTARAM NAIK: It is because as a Chairman of the Select Committee you have done a wonderful job of convincing all the Members who are towing a different line. Of course, they have given their dissent notes but they have given their dissent notes very decently, without any problem and therefore, all the credit goes to you. Therefore, I would like to congratulate you at the outset.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): But don't take more time.

SHRI SHANTARAM NAIK: Sir, we had almost thirty sittings and I was privileged to be the Member of that Committee. We had examined about 50 memorandums, considered the views of eminent lawyers, associations, businessmen, industrialists to arrive at a conclusion. Sir, the need for this arose and we are delayed a bit. After 1991, when we declared a new economic policy, free economy wants to have a play. If we want a free economy to play, then, we have to have a conducive atmosphere for entering into memorandums, MoUs and the consequent litigations. In today's world, every memorandum, every agreement is followed by litigation, whether one likes it or not. That is because you cannot express every intention, every intent in terms of words. Therefore, litigations are bound to be there. If you want to have investments in our country, free flow of money for whatever that is required, then, we should obviously create this atmosphere and Commercial Division of High Court is one such way. In fact, investment that will be coming, I think, a portion of that investment can be reserved for building infrastructure for the other courts which we require or even infrastructure of a High Court and Supreme Court. Unless money comes, it will be difficult for us to go ahead. One of the criticisms, which was made, specially by hon. Member, Shri D. Raja who was there, was that we are taking the side of higher litigants and we are not looking at the poor class. Shri Ravi Shankar Prasad also said this and we have never created this sort of a system anywhere in the past for weaker sections. It is not true. Since independence we have been creating special tribunal, tenancy courts, rent tribunal for all the weaker sections. Whatever issues related to weaker sections are there we have given special treatment and therefore, these are the courts and tribunals which you have been creating since independence. It is only today that we are dealing with elite class. It is not that anytime in the past weaker sections of the society have not been considered. Now, Sir, in this connection I would like to say that pending cases in other courts are there. Lakhs of cases are pending. This is the reality. Sometimes, I feel that judiciary also makes sweeping remarks saying that because legislature is not acting, because executive is not acting that is why they are acting. In fact, nobody can encroach upon each other's realm. Even if one organ is not working,

automatically power does not get transferred to the other organ. If that was logic, tomorrow Prime Minister of India can say, 'In Supreme Court and High Court lakhs of cases are pending and since you are not dealing with this I will pass the judgment.' Can Prime Minister of India say so? Judiciary says, 'since you are not legislating, we are legislating through judgments.' They are doing it. Can Prime Minister say so? Therefore, it is better that each one sticks to their respective organs, respective powers. As it is stated, there are only six High Courts where the original jurisdiction is there. In fact, we are on a stage to abolish original jurisdiction. That is a different item altogether. But, now, in this matter, if only six High Courts have got the Original Jurisdiction, what are we going to do with respect to other High Courts? Are we going to restrict this legislation with respect to only six High Courts? Or, are we going to convince the State Governments to have Original Jurisdiction, at least, in some major States. Maybe, smaller States may not require, because they may not have many commercial litigations. So, give exception to them. But, there may be other States, which are bigger States, where you do not have the Original Jurisdiction. If Original Jurisdiction is to be established there, again, infrastructure, more Judges are required. Sir, have you thought of implications of these, I would like to know.

Sir, number of Judges is a perennial problem. In this case, if number of Judges is not increased, then the Bill will remain only on paper. It is not just allotting two Judges separately and makes them sit as Commercial Division does not make any sense. You have to provide additional Judges in the respective High Court to deal with commercial litigations. Secondly, if case goes to the Supreme Court, the same problem will be there. I think, the time has come that in the Supreme Court too we may have to create another system or another division to deal with commercial cases. In any case, the increase in number of Judges is very essential and this has to be taken up on priority. We are not able to fill the vacancies. In these circumstances, I don't know how the hon. Minister is going to face the situation. Everything is not in his hands. The things are taken away by the Courts through judgments. They decide. The power, earlier, basically, was lying with the Government of India. But, one fine day, one judgment is passed and power is snatched away. We are not able to do anything because of the circumstances. Nobody should construe that we are interfering with judgments. But, when the power came to the Supreme Court, the situation remains the same. I ask: was it given or was it taken by consensus or was there any discussion between the Government and the Supreme Court? No. Sir, unilaterally, they pass judgment that from today onwards the power of appointment will rest with them. The meaning is same. Earlier we used to blame the Government of India for not filling up of vacancies. Is there any improvement after the powers have substantially been vested with the Supreme Court? No.

I come to the question of transfer of cases. It was discussed earlier. I would like know whether all commercial cases which are pending in various courts should be transferred. Then, more or less, a consensus now has arrived at that the cases which have reached to a final stage will continue, but all other cases will be transferred. This is more or less the consensus arrived at. I think appropriate amendments are moved by the hon. Minister in this regard.

Another aspect is the training of Judges. Commercial litigation is a very, very technical matter. It is very difficult for an average judicial officer to deal with commercial litigations, especially in the light of new developments that are taking place in various fields like IT, coupled with other commercial activities. If the Judge is not wellversed with these things, it is very difficult. Sir, training has to be provided. But, the question arises: who will give training? For normal Judges we have got our training institutions. We send them there for training relating to Cr.P.C., C.P.C., etc. They are normal laws. But, who will train our Judges as far as commercial litigations are concerned? I am not aware whether there is any institution in the country for this purpose. If not, we have to find a way out, because without giving training to Judges in these commercial litigations and asking them to pass judgments may not be that fruitful. Then, another question was raised by Shri Ravi Shankar Prasadji, rightly so, regarding the fees. According to me, the fees should be increased like anything. The fees should be on very, very higher side because the issues involve crores of rupees and a judgement worth crores of rupees should not be made available for just Rs. 300-400. I am not suggesting any quantum, but it should be on very, very higher side. I will even go to the extent of saying that ten per cent of the fees charged by a lawyer of any commercial litigation should be charged and allotted for the development of infrastructure of courts. I hope Shri Ravi Shankar Prasadji would agree with me that ten per cent of his fees is charged for the development of infrastructure of courts. I hope, all lawyers would also agree with me on this count.

Lastly, this Bill is the need of the hour and it should be passed at the earliest so that more investment comes in and we are able to encourage the foreign investors to invest in this country.

**श्री वीर सिंह (उत्तर प्रदेश):** उपसभाध्यक्ष महोदय, आपने मुझे उच्च न्यायालय वाणिज्यिक प्रभाग विधेयक, 2010 पर बोलने का अवसर दिया, इसके लिए मैं आपके प्रति आभार व्यक्त करता हूं। महोदय, यह विधेयक वाणिज्यिक विवादों के न्याय निर्णय के लिए उच्च न्यायालयों में वाणिज्यिक प्रभाग स्थापित करने और उनसे संबंधित विषयों हेतु लाया गया है। यह विधेयक जटिल और महत्वपूर्ण है। लोक सभा द्वारा इस विधेयक को बिना किसी चर्चा के दिनांक 18.12.2009 को पारित कर दिया गया। राज्य सभा में दिनांक 22.12.2009 को इसे प्रवर समिति को जांच के लिए सौंपा गया था। समिति ने जांच के उपरांत अपनी रिपोर्ट दिनांक 29 जुलाई, 2010 को राज्य सभा में प्रस्तुत कर दी थी। यह विधेयक विधि आयोग के 188वें प्रतिवेदन में की गयी सिफारिशों



पर आधारित है, जिसमें यूके, यूएसए और कतिपय अन्य देशों के उच्च न्यायालयों में वाणिज्यिक पद्धति पर भारत के उच्च न्यायालयों की समीक्षा की गई थी तथा प्रत्येक उच्च न्यायालय में उच्च तकनीकी सुविधाओं वाले वाणिज्यिक प्रभाग के सृजन की सिफारिश की गयी थी, जिससे कि वे त्वरित निपटान के आधार पर उच्च मूल्य के वाणिज्यिक मामलों पर कार्यवाही कर सकें। महोदय, मेरा मानना है कि विधि आयोग ने भारत के विभिन्न न्यायालयों में लम्बित वाणिज्यिक मामलों संबंधी किसी आंकड़े पर विचार किए बिना ही अपनी सिफारिश कर दी है। मैं जानना चाहूंगा कि विधेयक के प्रख्यापन से पहले सरकार ने क्या कोई अध्ययन किया है? उस अध्ययन के क्या कोई परिणाम सामने आए हैं? यदि नहीं, तो उसके कारण क्या हैं? कृपया इस संबंध में स्पष्टीकरण दें। इसके साथ-साथ इस विधेयक के उद्देश्यों और कारणों के कथनानुसार इसका अधिनियम उच्चपण वाले वाणिज्यिक विवादों के त्वरित और प्रभावी ढंग से समाधान हेतु तंत्र बनाकर वाणिज्य और व्यापार में निर्बाध प्रगति प्राप्त करने हेतु किया गया है। यह सरकार की वैश्वीकरण, निजीकरण और उदारीकरण की नीतियों को आगे बढ़ाने के लिए है। हमारी बहुजन समाज पार्टी वाणिज्य और व्यापार के विरुद्ध नहीं है परन्तु ऐसा आम आदमी की कीमत पर और उसे न्याय देने में विलम्ब करके या न्याय देने से वंचित करके नहीं किया जा सकता है। महोदय, भारतीय न्यायपालिका की प्रमुख समस्या न्याय देने में होने वाली देरी और लम्बित मामलों की बढ़ती संख्या है। मामलों का लम्बित होना, न्याय पाने वाले आम आदमी को सबसे ज्यादा प्रभावित करता है। गुणवत्ता युक्त कानूनी सहायता, सेवा काफी महंगी होती है और आम आदमी उसका खर्च नहीं उठा सकता है। चूंकि कुशल विधिक सेवा वाणिज्य वर्ग को उपलब्ध है, इसलिए उन्हें मामलों की सुनवाई और निबटाने में वरीयता मिल सकती है। हमारी पार्टी का मानना है कि विधेयक में आम आदमी के मौलिक अधिकारों और रोजी-रोटी संबंधित मामलों का हनन हो सकता है और उसका सालों प्रतीक्षा के बाद भी किसी कीमत पर अधिकाधिक वाणिज्यिक विवादों के मामलों को शीघ्र निबटाने पर जोर है। इस विधेयक ने उच्च न्यायालयों को मूल अधिकारिता प्रदान करने के मुद्दे पर काफी ध्यान दिया गया है।

#### (श्री उपसभापति पीठासीन हुए)

दलितों व अन्य पिछड़े वर्गों के मूल अधिकारों से संबंधित सामान्य मामलों की सुनवाई के लिए उपलब्ध न्यायाधीशों की संख्या कम हो जाएगी। वैसे ही हमारे उच्च न्यायालयों में दलित अधिकारों, दहेज के मामलों व मजदूरों की क्षतिपूर्ति से संबंधित लाखों मामले दशकों से लम्बित हैं। अतः वाणिज्यिक प्रभाग का सृजन किए जाने से अन्य मामलों के लिए उपलब्ध संसाधन कम हो जाएंगे और उनके निबटान में विलम्ब होगा। अनेक उच्च न्यायालयों में बड़ी संख्या में न्यायाधीशों के पदों के खाली होने से यह स्थिति और भी गंभीर हो गई है। भविष्य में न्यायाधीशों की नियुक्ति शीघ्रातिशीघ्र की जानी चाहिए। मान्यवर, आज पूरे देश के उच्च न्यायालयों में लगभग 45 लाख मुकदमे लम्बित हैं, जिसमें केवल उत्तर प्रदेश में इलाहाबाद उच्च न्यायालय में 11 लाख मुकदमे लम्बित हैं। इसी प्रकार से देश के अन्य प्रदेशों के उच्च न्यायालयों में काफी लम्बित मुकदमे हैं। उसी प्रकार से जिला न्यायालयों व उनके अधीनस्थ न्यायालयों में 2009 के आंकड़ों के अनुसार पूरे देश में 2,72,75,953 मुकदमे लम्बित हैं, जिसमें उत्तर प्रदेश में 54,04,633 मुकदमे लम्बित हैं। अब तो 2011 में लम्बित मुकदमों की संख्या 75 से 80 लाख तक पहुंच गई होगी। मान्यवर, इस प्रकार महाराष्ट्र में 41,58,458, पश्चिम बंगाल में 25,97,655 और गुजरात में 21,62,599, कर्नाटक में 11,39,691, मध्य प्रदेश में 11,30,542, बिहार में 14,90,833, राजस्थान में 14,18,883 मुकदमे लम्बित हैं। इसी प्रकार देश के अन्य प्रदेशों की स्थिति यही होगी, जहां बड़ी मात्रा में मुकदमे लम्बित पड़े हुए हैं।

मान्यवर, आज पूरे देश में उच्च न्यायालयों में जजों की बहुत कमी है। उत्तर प्रदेश देश का सबसे बड़ा प्रदेश है, जहां पर वर्तमान में 160 जजों की नियुक्ति की गई है, जिसमें 68 जज ही कार्यरत हैं, शेष 92 जजों के पद रिक्त पड़े हुए हैं। उत्तर प्रदेश के इलाहाबाद उच्च न्यायालय में एक भी अनुसूचित जाति का जज नहीं है। मान्यवर, यू.पी.ए. सरकार जो कांग्रेस के नेतृत्व में चल रही है, एक तरफ तो दलितों की बात करती है, अनुसूचित जाति के लोगों के अधिकारों की बात करती है, लेकिन कितना गंभीर मामला है कि आज भी अनुसूचित जाति का एक भी जज उत्तर प्रदेश इलाहाबाद उच्च न्यायालय में नहीं है। ऐसा क्यों हो रहा है? क्यों अनुसूचित जाति के साथ अन्याय हो रहा है? क्या अनुसूचित जाति में पढ़े-लिखे लोग नहीं हैं? क्या अनुसूचित जाति में वकील लोग नहीं हैं? उत्तर प्रदेश के माननीय उच्च न्यायालय में एक भी जज अनुसूचित जाति का नहीं है और ऐसा क्यों हो रहा है? जैसे उत्तर प्रदेश की हालत है, इसी प्रकार से पूरे देश में भी यही हालत है। तो सरकार और माननीय मंत्री जी यह स्पष्ट करें कि क्यों नहीं आप उत्तर प्रदेश के अंदर और पूरे देश के अंदर अनुसूचित जाति के जजों की नियुक्ति नहीं कर पा रहे हैं? इसका क्या कारण है और इसका जवाब व स्पष्टीकरण अवश्य दें। यह बहुत गंभीर मामला है और इस कारण से पूरे देश में अनुसूचित जाति के साथ अन्याय हो रहा है। डा. भीमराव अम्बेडकर साहब ने भारतीय संविधान में जो आरक्षण दिया है, उस आरक्षण के आधार पर पूरे देश के अंदर अनुसूचित जाति के जजों की भी नियुक्ति होनी चाहिए, क्योंकि अनुसूचित जाति में बहुत-बहुत काबिल लोग पड़े हुए हैं और विद्वान भी हैं, लेकिन ऐसा जानबूझकर किया जा रहा है, यू.पी.ए. की सरकार ऐसा जानबूझकर कर रही है और खास कर उत्तर प्रदेश के साथ जो देश का सबसे बड़ा प्रदेश है।

मान्यवर, पूरे देश के रखरखाव के लिए केन्द्र सरकार के द्वारा 100 करोड़ रुपये से बढ़ाकर 500 करोड़ रुपये की व्यवस्था की गयी है, यह बहुत ही कम है। केन्द्र सरकार के द्वारा पूरे देश के उच्च न्यायालयों व जिला न्यायालयों को मॉडर्न बनाया जाये, उनको सुसज्जित किया जाये तथा जजों को पूर्ण सुविधा दी जाए और इसके साथ ही साथ जजों की संख्या बढ़ायी जाए। पूरे देश में उच्च न्यायालयों में जो जजों के पद रिक्त हैं उन्हें शीघ्र भरा जाए। पूरे देश में डा. भीमराव अम्बेडकर के द्वारा संविधान ने दिए गए अधिकारों के अनुसार आरक्षण कोटा पूरा किया जाए। तब हम पूरे देश में उच्च न्यायालयों व जिला न्यायालयों में भारी तादाद में लम्बित मुकदमों का निस्तारण कर सकेंगे।

मान्यवर, मेरा एक सुझाव और है। 21 नवम्बर, 2011 को उत्तर प्रदेश की मुख्य मंत्री, बहन कुमारी मायावती जी ने उत्तर प्रदेश को चार भागों में बांटकर अलग-अलग राज्यों का दर्जा देने का प्रस्ताव पास करके केन्द्र सरकार के पास भेज दिया है। यदि यह प्रस्ताव सदन में जल्दी स्वीकृत हो जाए और अलग-अलग राज्य स्थापित हो जाए तो अलग-अलग राज्यों में उच्च न्यायालय बनेंगे और इससे लोगों को न्याय पाने में सुविधा होगी।

मान्यवर, इसके साथ ही साथ मेरा यह कहना है कि भारतीय संविधान के अनुच्छेद 14 में सभी प्रकार के भेदभाव का विरोध किया गया है तथा इसका उद्देश्य सभी नागरिकों को समान अवसर प्रदान कर सामाजिक और आर्थिक असमानता को समाप्त करना है। भारत के संविधान प्रस्तावना और मूल अधिकारों तथा राज्य के नीति निर्देशक सिद्धांतों में विशेष रूप से अनुच्छेद 14, 15, 16, 21, 38, 39 और 46 में परिकल्पित सामाजिक और आर्थिक न्याय के अधिकार का उद्देश्य समाज के गरीब, पिछड़े और उपेक्षित नागरिकों के जीवन को सार्थक बनाना है। साथ ही साथ यह कानून के समक्ष समानता और कानून के संरक्षण की गारंटी देता है। इस विधान से वादियों के दो वर्ग बन जायेंगे, एक वह जिनके विवाद का मूल्य, आरम्भिक मूल्य अर्थात्

5 करोड़ रुपये से अधिक है जो सीधे उच्च न्यायालय जा सकता है और दूसरा वह जिसके विवाद का मूल्य विनिर्दिष्ट मूल्य से कम है और वह सिविल न्यायालय में ही जाएगा। हमारी बहुजन समाज पार्टी का सोचना है कि विधिक प्रणाली के प्रचालन से समान अवसर के आधार पर न्याय को बढ़ावा मिले और विशेष रूप से उपयुक्त विधान को सुनिश्चित करने के लिए निःशुल्क कानूनी सहायता उपलब्ध करायी जाए। ...**(समय की घंटी)**... जिससे कोई भी नागरिक आर्थिक या अन्य असमानताओं के कारण न्याय पाने के अवसरों से वंचित न हो सके। इस विधेयक के खंड 9 (5) के अनुसार वाणिज्यिक पीठ उसके पास आने वाले मामलों के संबंध में एक वर्ष के भीतर निर्णय सुनायेगी और बहस की समाप्ति के बाद 30 दिनों के भीतर न्याय प्रदान करेगी। अन्य मुकदमों के संबंध में ऐसा कोई प्रावधान नहीं है। अतः यह साफ तौर पर न्याय प्रदान करने की प्रक्रिया में भेदभाव का मामला है और मामलों को शीघ्र निपटान के मामले में देश के गरीब और दलित व पिछड़े वर्ग के लोगों के अधिकारों का हनन हो जाता है।

**श्री उपसभापति:** आप समाप्त कीजिए।

**श्री वीर सिंह:** इससे न्याय भी गम्भीर अवहेलना होगी क्योंकि देश में न्याय प्रणाली गरीबों के विरुद्ध है और सरकार संविधान के अनुसार अपने कर्तव्यों का निर्वहन नहीं कर पा रही है। इस विधेयक के प्रावधान गरीबों के न्याय मांगने के बचे हुए अवसर भी उनसे छीन लेंगे।

मान्यवर, हमारा मानना है कि यह विधेयक सर्वजन हिताय सर्वजन सुखाय के हितों के विपरीत है तथा अतर्कसंगत, असंवैधानिक और जनहित विरोधी है।...**(समय की घंटी)**... इस विधेयक को किसी भी तरह भारतीय विधिक प्रणाली में सुधार करने के लिए सरकार की ओर से किया गया संतुलित प्रयास नहीं माना जा सकता है, क्योंकि इससे मौजूदा खामियों जिनसे देश की न्याय प्रदान करने की प्रणाली ग्रस्त है, में और वृद्धि होगी।

**श्री उपसभापति:** वीर सिंह जी, आप समाप्त कीजिए।

**श्री वीर सिंह:** इस विधेयक में न्याय प्रदान करने में असमानता को स्थायी बना दिया है और डा. भीमराव अम्बेडकर द्वारा भारतीय संविधान में वर्णित समानता के सिद्धांतों का उल्लंघन किया गया है। यह कानून गरीब, शोषित, दलित आदमियों और धनाढ्य वर्ग, जो समान रूप से न्याय प्राप्त करने के लिए न्यायालयों में आते हैं, के बीच भेदभाव करता है तथा समानता के सिद्धान्तों के भी विरुद्ध है। समय की मांग है कि इस प्रकार के मामलों का शीघ्रता से निपटान करने हेतु सरकार एक नया “न्यायिक सुधार विधेयक” पुनः स्थापित करे। धन्यवाद।

SHRI T.K. RANGARAJAN (Tamil Nadu): Sir, the policies of the Government have changed radically since 1991, the year in which our economy was opened up to foreign investment in a big way. Privatization, liberalization and globalization have given a big boost to our economy. That may be true. To boost privatization, Government has opened up the defence industry, and now they want to open up retail trade. Their new guidelines say that corporate and non-banking finance companies could apply for licenses to set up banks. They have decided to amend the Banking Regulations Act. The Government is moving fast towards reform, but who has benefited? The rich became richer while the poor became poorer. It created two Indias, as correctly mentioned by our leader, Shri Sitaram Yechury, ‘Shining India’ and ‘Suffering India’.

This morning, there was a spirited reply by the Finance Minister. He wanted to mesmerize the entire House and spoke very well! I thought he would give some concessions to the poor and the needy. Hon. Member, Mr. Raja, referred to the SCs and STs. I thought the hon. Minister would give some concessions to the SCs and STs. Nothing of the sort happened and the Minister just concluded his speech.

Sir, the hon. Minister wants to extend the benefits and comforts of litigation to the 'shining India', the corporates and multi-nationals, through this Bill. This Bill has been brought to steal a march over the poor people of the country in the matter of early disposal of cases. This classification clearly discriminates the poor from the rich. The Bill goes against the Directive Principles of State Policy, as correctly mentioned by Shri Ravi Shankar Prasad. The Directive Principles say that equal opportunity to secure justice must be entitled to all. Let the Minister say how the Bill ensures equal opportunity to all. I say, this is not going to happen.

Sir, this Bill was passed in the Lok Sabha without discussion. We oppose this method. In a democracy, you must allow for a discussion. We oppose the Bill because it would create an unwarranted and uneven precedent. The rich may get justice but the ordinary citizens, the *am admi*, have to wait for a long time to get justice. It goes against the Directive Principles of the State, which say that equal opportunity must be given to all for securing justice. This Directive Principle has been given a go-by.

Sir, the Bill undermines and dilutes article 14 of the Constitution. Article 14 states, "the State shall not deny to any person equality before law". But, here they are constituting a separate court to deal with commercial disputes of five crores of rupees; where is the equality before law? In the Standing Committee, hon. Member, Mr. Rajeev of the Marxist Party, had submitted a detailed dissent note. There was a consensus that Rs. Five crores must be reduced to one crore. Even that was not accommodated. I would request the Minister to look into that. So, where is the equality? The spirit of Article 14 has been violated in this Bill.

Sir, according to me, the sole purpose of this Bill is to pave way for legal liberalization. It would give to the rich and the corporate a high-tech fast track commercial division in High Courts and high-tech facilities in each high court, so that they handle commercial cases of high threshold value on a fast track basis. So, what about the ordinary litigants? They have been waiting for 20 years and 30 years. Even in normal cases, it takes, at least, twelve years for a case to first go to the lower court, then the appellate court, and so on.

Sir, what this Bill will do is, it would take away even the existing judges who are dealing with ordinary cases. They will now deal with high-tech cases only. So, the ordinary litigant has to wait

for more than 30 years. Sir, what is happening today if courts do not give judgements in time? I can quote Tamil Nadu experience. Due to judicial delay, in Tamil Nadu, Katta Panchayat method is used. Katta Panchayat method is used for settling the dispute. It is a rustic mediation. No given rule, no norms, no logic. At least, tribal mediation has some logic. This Katta Panchayat has no logic. Only through rowdyism or with the help of local police things are settled. In other parts of the country, similar Katta Panchayats are prevailing. They may have different names. Sir, you are creating a jungle law which we cannot support. What is presently needed is more High Court benches. Today, there are even State capitals without High Court benches. Please create more High Court benches. Large number of vacancies are there in High Courts. Please fill up the vacancies immediately. By this way only you can solve the problem of delay in judiciary. You may show so many reasons for Commercial Courts. Karl Marx once said, "Reasons have always existed but not always in a reasonable form." About the lower courts less said the better. Hon'ble Minister is a lawyer, I am not a lawyer; Ravi Shankar is a lawyer. Common people approach the lower court to get their grievances redressed. But what are the conditions in lower courts. No basic infrastructure, overcrowded and very unhygienic. Nobody wants to enter the court. This is the situation. The perusal of the definition of 'Commercial Dispute' speaks that it is a dispute between the persons in creamy layer. Even though the Fast Track Courts have been established at district levels to dispose of the civil and criminal cases, their effectiveness has not been reviewed. Fast Track Court Judges are appointed on contract basis. They are not regular judges; they are appointed on contract basis. The effective functioning has not been taken into consideration. That should also be included. Sir, I would like to ask the Minister: Why don't you establish Supreme Court Bench in other parts of India? From Tamil Nadu there is a long-time demand to establish Supreme Court Bench in Chennai which naturally will benefit the southern States. The litigants need not travel up to Delhi. The Constitution of India allows setting up of Supreme Court benches. If establishing permanent bench may take time, I request the Minister why don't you establish circuit benches. Please think it over. Sir, in addition to my general opposition to the Bill, I will bring to the attention of the House some incongruities in the Bill. There is a Recovery of Debts Due to Banks and Financial Institution Act, 1993. There is also the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. These two Acts empower financial institutions to take over the immovable properties pledged to them as collateral security. The Court cannot stay the proceedings. But in the present Bill, under clause 2(1)(a) *Explanation*, it appears that such properties can also be litigated in the Commercial Division of High Court. I apprehend, there is going to be a serious confusion and unnecessary litigation regarding the jurisdiction of Debt Recovery Tribunal

3.00 P.M.

and Commercial Division of High Court. In Arbitration and Conciliation Act, 1996, International Commercial Arbitration and Domestic Arbitration, there will be overlapping. Sir, I would like to draw your attention to one more anomaly — the court fee. It was correctly pointed out by other hon. Members also. Sir, the courts are run with tax payers' money — tax paid by ordinary citizens. But, what is the court fee that the corporates are paying? It is merely Rs. 2,000. What is the value of a case of Rs. 5 crores? Litigants, filing cases of Rs.5 crores, are paying only Rs.2,000 as court fee. The court fee was determined in 1950, about 60 years back. There has been no revision of the court fee. The Law Ministry should take steps to revise this fee, at least, now. The Law Commission, in its 236th report, has recommended for revising the court fee. But, I do not know when it is going to be revised.

MR. DEPUTY CHAIRMAN: Please conclude now.

SHRI T.K. RANGARAJAN: Sir, according to me, about 50,000 cases are pending in the Supreme Court. The Supreme Court is working with 75 per cent less Judges than its total sanctioned strength. That is what I was told. Allahabad High Court is functioning with just 62 Judges, out of a total strength of 160. Gujarat High Court has 18 vacancies. Yesterday, I enquired about Punjab-Haryana High Court. They said that out of 68, only 46 Judges are available in the Punjab- Haryana High Court. Total number of posts in all the 21 High Courts in India is 895, and currently, only 610 posts are filled, thereby creating 285 vacancies.

Sir, if the court fee is low, it will be easy for corporates to approach the court even on trivial grounds. It will increase the vexation litigations. The Government is not coming forward to solve the problem.

Finally, Sir, we have 5-star and 7-star hotels. Here, you are going to establish a 7-star court. The name is 'Commercial Division of High Court'. You don't want to call it a 7-star Court. You are giving it a different name. Sorry, we don't agree to the Bill.

SHRI N.K. SINGH (Bihar): Sir, I think that very eminent lawyers have spoken on this Bill. Even more eminent lawyers are slated to speak on this Bill. So, as a student of Economics, there is a huge disadvantage for me to make any worthwhile significant contribution, particularly when the Bill is also being piloted by a very eminent lawyer. I will endeavour to make some very brief and some very general observations.

First, it is, no doubt, true, as my very good friend, Shri Ravi Shankar Prasad, has said that wherever we have travelled all over the world, India, as an investment destination, has always

been questioned by doubting investors saying that your legal system is, no doubt, outstanding; there is, no doubt, a question that eventually, the right thing will happen. Of course, it is not very clear whether it will happen in their lifetime, their children's lifetime, or, the lifetime of their grandchildren. So, there is no doubt that there is need to, obviously, expedite the process of delivery of justice. The question really is whether this is the right mode and this is the right approach to get that outcome. Many friends of mine have pointed to huge pendency in the High Courts. The figures vary. The figures, which are before me, point out that there were 254 vacancies out of 886 vacancies of Judges for High Courts in September, 2009. The number of cases pending in High Courts is over 40 lakhs. Therefore, this pendency, perhaps, was not taken into account when the 188th Law Commission had made a recommendation, without reference to the statistical data on the pendency, for the establishment of Commercial Division of High Courts. Therefore, the extent to which the establishment of these Commercial Divisions will mitigate the normal dispensation of justice is one aspect that the hon. Minister may wish to take into account.

My second point relates to domain knowledge. How many Judges have the domain knowledge to deal with commercial disputes? Sir, I will give you two critical examples where the issue of domain knowledge comes into play. The first, Sir, is an issue of how do you evaluate in today's international module, the embedded intellectual property rights. I had, Sir, the privilege of heading a Committee under the World Intellectual Property Rights Organization, which dealt with embedded intellectual property rights, and, the huge amount of prevarication which exists in the judicial verdicts all over the world on how do you evaluate properly to realize the embedded value of intellectual property rights in transactions of other kinds. I wonder, Sir, if there are enough people with domain knowledge who can really be assigned for commercial division.

Related to this, Sir, is this whole area of penumbra of uncertainty on the law of transfer pricing in India. This is one area, Mr. Minister, where our law on transfer pricing is exceedingly weak compared to what international benchmarking would be. How would the establishment, Sir, of Commercial Division be able to have people, which will establish norms both in regard to the evaluation of intellectual property rights and the evaluation of transfer pricing.

Sir, my third point is that the definition of 'commercial dispute' as contained in this Act seems to be exceedingly ambiguous. Please have a look, Mr. Minister, on what the definition of 'commercial dispute' is. It covers all kinds of disputes and this itself will really lead to ambiguous interpretation of various kinds. The scope, therefore, of 'commercial dispute', in my view, needs to be circumscribed and needs to be invested with a degree of clarity.

Sir, my next point really is, we know it and the Minister knows better than anybody else, that perhaps, in an average litigation, seventy per cent of cases, which reach a certain stage, Government is the principal litigant. The litigant role of the Government, therefore, is one of the very critical factors in regard to the level of pendency which has been reached. So, how does one really define 'commercial dispute' in a manner, which does not effect Government's right to become the principal litigant, or, would Government like to circumscribe the kind of cases in which it would like to play itself as the role of a litigant?

The issue relating to the ambiguity on Debt Recovery Tribunal and the conflict this may have with the working of Debt Recovery Tribunal is a point, which Mr. Rangarajan has raised, and, with which, I would really like to associate myself.

Finally, Sir, I think, my point is a moral point and the moral point is that you are creating a separate division to cover cases of Rs. 5 crore and above and assign Judges to do so. If you don't enlarge not only the pool of Judges but the domain knowledge of Judges, this would be at the grave expense of the administration of justice not only to the poor in normal cases but also the case of litigation and pendency is very large. By all means, Mr. Minister, do something to improve our image as an investment destination, improve our image that the dispensation of justice is time-bound, is quick, is efficacious and expeditious but we should not really do so in a manner which creates moral jeopardy of various kinds. Thank you, Sir.

DR. K.P. RAMALINGAM (Tamil Nadu): I thank the hon. Deputy Chairman for giving me the opportunity to speak on the Commercial Division of High Courts Bill, 2010. Sir, the idea mooted in August, 2009 is now in the form of a Bill within two years. This Bill is based on the recommendations of the Parliamentary Standing Committee on Law and Justice and also the Law Commission for high-tech fast track commercial division of High Courts. It has been reported that this is based on the models of UK, USA and some other countries.

Cost-effective and cost-efficient solution for companies is the motive behind this Bill. The obstacles in enforcing contracts in India and the capacity of our judicial system have been pointed out by the World Bank. The Law Ministry had also given an assurance in this regard. That is why this Bill is before us now.

In the age of liberalisation, privatisation, and globalisation (LPG), corporate sector gets more attention from the Government. Big moneyed business houses dictate terms. Some of them get justice easily, without any delay. The Bill aims at giving justice to corporates in cases worth Rs. five crore and more. That means those who have got cases less than that have to wait for many more years. In the Madras High Court alone, 4,06,958 cases are pending as on



May, 2007. In spite of arbitration bodies, it will still be more now. I want to urge upon the Minister that justice to the poor must also get your attention.

As you all know, agriculture is the backbone of our country. Some land disputes involving poor agricultural families are pending for 20 years, and in some cases even more than 30 years. Such agricultural land is not used for cultivation in some areas because of litigation. The failure of the judiciary affects our agro economy also. Justice delayed is justice denied.

The fate of civil disputes has wiped out many families in villages whereas our Government is running forward to help big corporate houses. The Government must be careful. We all know that corporate houses, big industrial houses, and trade houses contribute to corruption now. The very same people promote anti-corruption crusaders under the shadow of civil society. I repeat that the very same people promote anti-corruption crusaders under the shadow of civil society. They are like the mischievous mother who pinches her child and rocks the cradle too. So the Government must be balanced in its approach towards fast-track courts. Poor farmers and poor people in other sections of society are also waiting for justice for long in many of our civil courts all over the country. In their case also, justice must be fast-tracked.

Delay in disposing cases is caused because of non-availability of infrastructure, court buildings, sufficient number of judges, and also because of inadequate number of qualified lawyers. So we must open our eyes and provide all necessary facilities to our judicial system. There are more than 40 lakh cases pending before our High Courts all over the country. There are 254 vacancies out of 886 posts of judges in High Courts. With the passing of this Bill, when Commercial Division of High Courts are started, some of the existing judges will have to be spared to attend high profile cases of big corporates in the hi-tech fast track courts. This will further delay the justice for the poor. I would like to urge upon the Law Minister to introduce slab system for corporate cases, as has been stated by our elder Members. Different heavy fee structure must be there. From Rs. five crore onwards, for every additional crore, enormous fee must be fixed. A minimum of five per cent fee must be fixed. We know courts, the High Courts and the Supreme Court, are empowered to fix court fee. But the Government of India should give proper guidance for fixing court fee. That money must be used to compensate the poor farmers waiting for justice in our courts. This amount must be used to appoint more judges and set up special fast track courts for the poor. This money must be used to fund judiciary to appoint more judges and create arbitration bodies. This must be done in the Supreme Court also for high profile cases. Even labour disputes and cases relating to workmen must be settled fast. Creation of adequate mechanism to provide justice is a must. Our Government must not give an impression that corporate sector alone gets more patronage and protection. Our Government must not give an impression that corporate sector alone gets more patronage and protection.

We must collect more money from corporates who can pay more for speedy justice. That money must be used to reduce the backlog of pending cases involving the poorer sections of the society.

When we ensure that rich litigants need not wait, we must also ensure that poor litigants get justice within reasonable time. Cases involving workers, farmers, women and children must be handled with a spirit of social justice. All must be treated equal before law. Unfortunately, this Bill may create the need for more Judges to hear regular cases. That must be noted. We cannot allow our judicial system to help only the rich at the cost of the poor. It is said that laws kneel before rich and crush the poor. We must not allow that to happen. There is one good welcoming factor in this Bill, that is, only with necessary documents, trials will begin in the special Commercial Division. Similar method must be adopted in all cases. This will avoid the root cause of adjournments and delays. This highlight of the Bill is a welcoming factor. It is said that establishment of Commercial Courts in foreign countries is successful. We need success but we must also help our poor people to succeed ...(*Time-bell rings*)... especially the farmers who are the backbone of our agriculture. Anyhow, I appreciate the Government for considering, at least, the corporate sector's request. At the same time, some States have already constituted several special courts *suo motu*, without the knowledge of the Government of India, to take revenge against all the political opponents. But, sometime, the so-called law guarantors who constituted the special session courts, have been getting adjournments for 150 times in an illegal wealth case and not allowing the case to be tried for the past 15 years. This type of lacuna should not be raised in the commercial courts. This should be clarified.

MR. DEPUTY CHAIRMAN: Mr. Ramalingam, please conclude.

DR. K.P. RAMALINGAM: With these words of caution, I welcome the Bill and I conclude. Thank you.

SHRI SUKHENDU SEKHAR ROY (West Bengal): Sir, major areas of the Bill have already been travelled by distinguished Members who spoke before me. Even though I have certain observations to make. We all are aware about how the High Courts are over-burdened with cases. According to the figures that are made available on 5th December this year on the website, it appears that not only billions of cases are pending in different High Courts of the country but altogether, 268 vacancies are there in the High Courts out of the total approved strength of 895. This Commercial Division of High Courts is going to over-burden the High Courts even more. This Bill says that there shall be one or more Commercial Divisions in a High Court. I am just giving an example of our Calcutta High Court. Only 39 Judges are working. There are 19 vacancies. Out of 39 Judges, two Judges head the Circuit Bench at Port Blair on

rotation. There is a long-standing demand in the North Bengal region for establishment of a Circuit Bench of the High Court and after prolonged discussions and persuasions, the Central Government has approved for a Circuit Bench at Jalpaiguri in North Bengal. The State Government has provided all the infrastructure for court rooms and also for the residence of Judges. But, unfortunately, as I have come to know from the reply given by the hon. Minister for Law and Justice to one of my Unstarred Questions very recently that the Chief of the judiciary in our State has commented that, that infrastructure in North Bengal is not sufficient for running a Circuit Bench. Although the fact remains and we sincerely believe that no Judge wants to move from Kolkata to a distant place. That is the only reason. That is why the Circuit Bench has not yet started functioning. In this situation, when we are going to open another Commercial Division in a High Court like ours, this will actually cost the ordinary litigants. Therefore, my humble request to the hon. Law Minister would be that before giving effect to this Bill sufficient care should be taken so that the existing vacancies are filled up and the working strengths of various High Courts should be increased to a considerable extent keeping in view the growth of population, growth of court cases and the growth in the number of litigants.

My next point is as per provision of this Bill, the arbitration matters which are pending in High Courts shall be taken care of by the Commercial Division. It shows that these commercial disputes of high amount will get priority over all other matters which are pending in High Courts. Is it not discriminatory? Is it not greasing the oily heads?

Clause 5, sub-clause (8) of the Bill provides, *inter alia*, that cost will be ordered if any party to the dispute fails to file paper book within the time stipulated. On the other hand clause 9 sub-clause 5 of the Bill provides for commercial division, I am putting emphasis on the word 'shall', shall pronounce judgement within 30 days from the date of conclusion of arguments. Now, if the court does not pronounce judgement even after the expiry of 30 days from the date of conclusion of the arguments, what will be the consequence? The Bill is completely silent over that.

The next point is taking a cue from this provision; I am asking myself whether such provisions will be made in all cases, in all disputes, the pat comes the reply that there is no reply to my question. ...(*Time-bell rings*)... One minute, Sir.

Sir, the distinguished lawyer and former Speaker of the Lok Sabha, once commented "Justice is a purchasable commodity." Looking at this Bill, I pray to God that no Bill should turn to be a preferential Bill which is beneficial for the top echelons of the society, only for the richest who present the aircraft on the birthday of his wife, who build residences by spending Rs.5,000 crores for habitation of only four members of the family. This Bill should not be aimed for those

people. My submission is that there should be a proper equilibrium in justice rendering system.  
Thank you.

**श्री राजनीति प्रसाद (बिहार):** उपसभापति जी, बहुत-बहुत धन्यवाद। अभी जो माननीय सदस्य ने भाषण किया है, वह बहुत अच्छा भाषण किया है और बहुत अच्छा आर्गुमेंट दिया है कि यह जो कॉमर्शियल बेंच बनने जा रही है, इस कॉमर्शियल बेंच में पांच करोड़ से ऊपर के जितने लोग होंगे, उनका ही केस आएगा। इसका मतलब यह है कि जो कॉरपोरेट बॉडी के लोग होंगे, उनका ही इसमें आएगा। वैसे तो मैं इस बिल का समर्थन कर रहा हूँ, लेकिन मेरा यह कहना है कि जो गरीब लोगों के केस हैं, जैसे एक साधारण सी जमीन के लिए जिनका सिविल केस है, या जो क्रिमिनल केस हैं, वर्षों से लंबित हैं, उनके लिए भी कोई अलग से कानून बनना चाहिए। अगर आप इसके लिए कानून नहीं बनाते हैं, तो वे केसेज 15 साल, 20 साल, 25 सालों तक चलते रहते हैं। आपका ध्यान 5 करोड़ से अधिक रकम वाले मामलों की तरफ गया है, इसके लिए आपको धन्यवाद, लेकिन गरीब लोगों का क्या होगा? गरीब लोगों के लिए भी कुछ होना चाहिए। आपको पता होगा कि यहां पर मौत की सजा देने के बाद भी 10 साल, 15 साल या 20 सालों तक भी वह केस pending रहता है। उसका execution होगा या नहीं? इसके लिए अलग से कानून बनाने की जरूरत है। यदि आपने कॉमर्शियल डिस्प्यूट के लिए यह कानून बना ही दिया है, तो उसमें एक इजाफा करिए कि 5 करोड़ रुपये से ज्यादा रकम के केसेज के लिए कोर्ट फीस तय करिए। उसकी कोर्ट फीस कितनी होगी? अगर वह उस रकम का 5 परसेंट, कोर्ट फीस के तौर पर देता है, तो इससे जो पैसा आएगा, उससे गरीबों को मदद मिलेगी।

मैं एक बात और कहना चाहता हूँ कि आपने फास्ट ट्रैक कोर्ट बनाया है, उसके लिए पैसा कहां से आएगा? अगर आप इन 5 करोड़ रुपये से ऊपर के दावों में कुछ कोर्ट फीस फिक्स करेंगे, तो आपको फास्ट ट्रैक कोर्ट को पैसा देने में सहूलियत होगी। मैं एक बात और जानना चाहता हूँ कि आप यह बताइए कि विभिन्न हाई कोर्टों में कितने जजों की पोस्ट्स खाली पड़ी हैं? यह जो additional Commercial Division आप बना रहे हैं, उनकी ट्रेनिंग कहां से होगी? अगर वकीलों को कॉमर्शियल मामलों की जानकारी नहीं है, अगर जजों को कॉमर्शियल मामलों की जानकारी नहीं है, तो आप कैसे उनका सेलेक्शन करेंगे? इसके बारे में आपको विचार करना पड़ेगा और विचार करना चाहिए। इसलिए मेरा निवेदन है कि आप इसके बारे में जरूर विचार करिए। उन्होंने एक बात और कही है कि 30 दिनों में यह मामला निपट जाना चाहिए। मैं यह कहना चाहता हूँ कि बहुत सारे कानून ऐसे हैं, जिनमें लिखा है कि आप 6 महीनों में यह केस conclude कर दीजिए, लेकिन वे केसेज 2 साल, 4 साल, 10 सालों तक चलते हैं, लेकिन लिखा हुआ है कि आपको 6 महीने में कंप्लीट कर देना है। इसलिए ऐसा कोई कानून होना चाहिए कि अगर एक महीने में फैसला नहीं हुआ, तो आप क्या करेंगे? इस बारे में यह कानून silent है।

आप आज यहां यह बिल लाए हैं, यह कानून आज यहां पास होने जा रहा है, इसलिए मैं आपसे निवेदन करना चाहूंगा कि इसके बारे में जरूर विचार करिए और यह तय करिए कि हाई कोर्ट में जो कॉमर्शियल डिवीजन बनेगा, उसको कौन लोग चलाएंगे, कैसे उनकी ट्रेनिंग होगी, उस जज को आप कहां से लाएंगे, कैसे ये सब चीजें तय होंगी, क्योंकि अभी अलग से कॉमर्शियल डिवीजन नहीं है। इन सारी बातों को कहते हुए मैं आपसे आग्रह करता हूँ कि जो बातें दूसरे लोगों ने कहीं और मैंने जो बातें कहीं, उन पर विचार करते हुए आप जरूर इस कानून में सुधार करिए। धन्यवाद।

MR. DEPUTY CHAIRMAN: Shri Rama Jois. You take seven or eight minutes because the LOP also wants to speak.

SHRI M. RAMA JOIS (Karnataka): Mr. Deputy Chairman, our Constitution came into force on 26th January, 1950. Six decades have already elapsed. Even after six decades a uniform law relating to High Courts organisation and constitution has not been enacted. The very object of entry 78 in the Union List was to have a uniform law relating to High Courts. In fact, as an advocate, I had made several representations to the Government of India to make a law relating to High Courts because some three or four High Courts are called Chartered High Courts. The Charter was issued by the British Crown. It is really shameful that some of the High Courts are even today continuing in the name of the British Crown which the Government has not undone. Therefore, the first thing that should have been done by the Government of India was to bring a uniform law relating to High Courts for the entire country under entry 78. The Government of India has been sleeping for 60 years. Rip Van Winkle slept only for 20 years. This Government of India was sleeping three times more than the period Rip Van Winkle slept, that is, 60 years. Therefore, my first objection is this piecemeal legislation is uncalled for. You should have brought a common High Court Act removing all the letters patent or charters issued by the British Crown. Now as far as the High Courts are concerned, there is no uniformity at all. There is another thing called intra-court appeal. It is no appeal at all. Still this is being practised. If a single judge of a High Court delivers a judgement, he is as much a High Court. There is no provision of the constitution that an appeal shall lie to two judges. Two judges do not form a superior court. What is an appeal? A.I.R. 1970 Supreme Court, page 1, says, "An appeal from a lower court to a higher court is an appeal". Here single judge is not a lower court. But still things are going on. 'Nothing succeeds like excess'. That is what is happening. I had been an advocate in the Karnataka High Court for 20 years and then I had been a judge for 15 years. Never a suit has been filled in the High Court. The Karnataka High Court has no jurisdiction. Thereafter, I became Chief Justice of the Punjab High Court. There is also no original jurisdiction. This aspect, whether there should be original jurisdiction or not in the High Courts has been considered by two Committees, one Satish Chandra Committee, three Chief Justices and the second Malimath Committee. The Satish Chandra Committee said that in the nature of things, High Court is a court of appeal and revision and extraordinary jurisdiction is under Article 226. In fact, that is the real power of the High Court. Under Article 226, the type of relief, the extent of relief given by the High Court during the 60 years is enormous. Students, who could not get seat in Medical Engineering, they have got the seat. Those who could not get appointment, have got it. All types of reliefs have been made available. In the Karnataka High Court, the writ petition

number per year is 20,000 to 25,000. In addition to that, they have got other jurisdiction. Now you are adding this civil jurisdiction. In order to solve these civil court cases, City Civil Courts have been established at Ahmadabad, Bangalore, Mumbai and other places only to handle civil court cases. Then the Satish Chandra Committee recommended that the original civil jurisdiction in the High Courts should be removed. Subsequently, the Malmath report — he was Chief Justice of Karnataka and Kerala — all the three Chief Justices have said that original civil jurisdiction should not be there in the High Court. Then this is the Government of India's decision. The Government of India, Ministry of Home Affairs, addressed a communication to the Registrar of High Courts, dated 5th October, enclosing a summary of recommendations of the Satish Chandra Committee, as accepted by the Government of India. Accordingly, the Government of India have accepted the following amongst other recommendations: that civil jurisdiction of the High Courts of Delhi, Himachal Pradesh and Jammu and Kashmir be abolished. This is a decision of the Government of India. That decision is there on the file. Subsequently, following that, Maharashtra passed Act 15 of 1987 abolishing the original jurisdiction of the Bombay High Court. When its constitutional validity was challenged before the Supreme Court, the Supreme Court upheld the constitutionality, that is, 2005 (2) SCC 591 *N. Guzdar vs. State of Maharashtra and other*. Here, neither in the Statement of Objects, nor in the Law Commission Report, which recommended for original jurisdiction, they have not even considered the earlier Satish Chandra Report or Malmath Report or the decision of the Central Government taken on that. In spite of that the original jurisdiction is being added. In fact, trial of a case originally or hearing a writ petition or a civil revision or an appeal in the High Court is entirely different. Original jurisdiction involves hearing the statement of witnesses, recording deposition, documents, etc. All these things can be done by the experienced civil judge who can sit only singly. Here I do not know whether two judges will sit or one judge will sit in the High Court because a trial of a case is not practicable with two judges. Only one judge should do it. In Bangalore, there were no city civil courts. Twenty five or thirty City Civil Courts in Bangalore to take the burden. Now you are transferring these cases to the High Court. Then, the burden on the High courts becomes unbearable. Secondly, you will be putting a reverse gear. Therefore, I would like to say that the entire legislation is a retrograde step, and instead of taking away the original jurisdiction of the existing six High Courts, they are conferring it on others. Moreover, it is left to the decision of the Chief Justice of the respective High Court. If the Chief Justice wants, he can have the original division; otherwise, not. The law must be applied to all the High Courts uniformly. But leaving this decision to Chief Justices and introducing this Commercial Division in some chosen High courts alone is not correct. Moreover, the value has been kept at Rs. 5

crores. There can be noncommercial cases involving more than Rs.5 crores. Then, why should these cases be treated differently? When the minimum limit for original jurisdiction is Rs.5 crores, then, what is the difference between a commercial case and a non-commercial case whose value is more than Rs.5 crores? Therefore, my submission is that the best thing for the Government is to enact a uniform law and bring in a legislation after a thorough debate. In this case, there was no debate, nothing. Recommendations of the Chief Justices Committee had been totally ignored, and a decision has been taken. Sir, my submission is that this Bill is a highly retrograde step, and therefore, I appeal to the hon. Minister to withdraw this Bill and bring in a uniform legislation for all the High Courts, and it is high time that such a law was brought. Thank you.

SHRI BHUBANESWAR KALITA (Assam): Sir, I agree with my esteemed colleague that this Bill is the need of the hour, with the change in economic policy, with globalisation of our economy and with multiplicity of cases that have been coming on commercial matters. Sir, this Bill has given powers to the States and their respective High Courts to constitute a Commercial Division. So, the power lies with the respective High Courts and State Governments. But what we are very much concerned is about the pendency of a large number of cases. As we all know, justice delayed is justice denied. So, we have to think about the pendency of these cases. Why I am mentioning this point here is that with the Commercial Division of the High Courts, it will have the original jurisdiction. So, a large number of cases from the District Courts and Lower Courts will be transferred to the High Courts. And, as you know, Sir, there are only six High Courts which have got the original jurisdiction; we have to think about that. Several Members have mentioned about vacancies of Judges in almost every High Court. So, dealing with this large number of cases and pendency of a huge number of cases is a challenge before us. Here, I would request the hon. Minister to consider a few points which I want to submit here in a brief manner. Already, a number of points have been made by Members and the Select Committee also has done a very good job by considering almost all the important points. So, I am not going to repeat them. But here, I want to mention about the filling up of vacancies of High Court Judges. I want to repeat a request which we have earlier made, that is, setting up of High Courts in every States, particularly, in the North-Eastern region, where there are only one. The Law Ministry has taken an initiative in certain cases, and I want to repeat that request. Also, the situation will be the same in the case of the Supreme Court, and there will be huge pendency of cases and a huge transfer of appeals to the Supreme Court in due course. And there are vacancies in the Supreme Court as well. So, I would request the hon. Minister to consider setting up of Benches of Supreme Court in different States. We have been demanding a Supreme Court Bench particularly at Guwahati for a long time. I hope the hon. Minister, while

considering this Bill, will also consider this request of setting up a Supreme Court Bench at Guwahati.

Sir, a lot has been said about the pecuniary jurisdiction of the Commercial Division, which is proposed at five crore rupees. The Select Committee has reduced it to one crore rupees; that is a good step. I appreciate that. Also, pendency in these cases can be avoided and we can have desired results only if we proceed through the fast-track method. Hence, I appreciate the Bill and support it wholeheartedly.

SHRI SHASHI BHUSHAN BEHERA (Odisha): Sir, this Bill has come to the House for the second time. Earlier, it had been sent to the Select Committee. From the Select Committee it has now come back to the House. Sir, a lot has been discussed so far as this Bill is concerned.

Sir, we are a country of more than 120 crores of population and more than 70 per cent of the people live in rural areas; many live below the poverty line; they need justice. Justice must be delivered at their doorsteps. Instead, through this Bill, Government has preferred to give relief to the corporate sector, the big investors and reduce their problems, problems relating to their commercial aspirations.

Sir, a lot has been discussed here. Mr. Rangarajan has rightly mentioned that the Government is seeking to give relief to the corporate sector at the cost of the tax-payer's money. On the other hand, as rightly pointed out by Mr. Ravi Shankar Prasad, a lot of cases are pending in the High Courts and the Supreme Court. More than three crore cases are pending. There is a huge backlog and there are many vacancies in the judiciary. In such a situation, we are not thinking of the poor people, especially those belonging to the Scheduled Castes and Tribes, women. These people are being denied timely justice. They are not able to get justice in time also because of their financial conditions. The Government needs to devise a mechanism for giving quick relief to the poor. Though a lot of steps have been taken in this regard, the implementation has been very poor. Sir, because of the new economic policy of privatisation, liberalisation and globalisation since 1991, the Government has been under pressure from the investors, especially the foreign investors, to sort out problems relating to commercial matters. It was in that regard that the Joint Conference of the Chief Ministers of the States and the Chief Justices of High Courts was held and the Conference had made certain recommendations alongwith the recommendation of the Law Commission to the Government. The Government, then, decided to bring forward this Bill. The Bill was referred to the Select Committee and the Committee, after deliberating on the provisions, has brought it back before the House. Now, I have doubt—with the prevailing situation of the country, with a huge pendency of cases in this



country, with a huge vacancy of judges—how this country can think of having new Commercial Division in all High Courts? When there is pressure in many States demanding for new benches of the High Court to cater to the litigants who are living in distant places, the remote areas—who need to travel more than 500 kms. to reach to the High Court, who are not getting justice in civil suits, in their own disputes—how can you think of creating new Commercial Divisions? How can we think of reforms in the law only for a Commercial Division for the corporate people?

Sir, I would not take much time. This Bill aims at reducing the problems related to the corporate people. Let this be experimented in the States like Maharashtra, Punjab, West Bengal and Tamil Nadu in the corporate cities where the commercial problems are more. On experimentation, if you find that it reduces the problems there, then it can be extended to the other High Courts. This will help in clearing the doubts and it would help in the judicial reforms also.

Sir, we have reached such a state where we are forced to think of judicial reforms, to give justice to the common people, to the poorer people, to the Scheduled Castes and the Scheduled Tribes, women and children. For this, we need reforms. Instead of that, we are blindly bringing in reforms only for the investors, for the outsiders, for the commerce people. It may be experimented in the corporate cities, the cosmopolitan cities and those High Courts. If it gives good results, then you can extend it to the other High Courts.

Sir, there is a demand for a new bench of High Court in many States, not just in Orissa. When we fail to meet such a demand, the reform, by setting up a Commercial Division will help only the commerce people.

With these words, I conclude my views on the Bill. Thank you.

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair]

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, the Leader of the Opposition.

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Mr. Vice-Chairman, Sir, this is a Bill which the hon. Minister, Mr. Salman Khursheed, has inherited. I am not sure that if he had to initiate the drafting of this Bill, with his experience both in public affairs and law courts, he would have thought some of the provisions were at all required. Sir, this is a Bill which really has no political issues. Therefore, on the basis of political issues or ideologies or preferences, we cannot divide ourselves. It is a Bill which relates to the functioning of the judicial institution. What do we do about the commercial cases which are pending before the courts? Therefore, when we legislate, we must bear in mind that we do not bring about a legislation and pass it here; at the moment, it is notified, those on whom it will impact find that it is an unworkable piece of

legislation and you find that the recipients of this legislation start laughing at it. I would make good each one of these observations I am making.

This Bill is obviously motivated by one good desire that both the changing horizons of economy and technology have had a great impact, as far as the judicial institution is concerned. Litigation and the character of litigation has changed. People are looking at quicker disposals, people are looking at fairer jurisprudence, and people are looking for specialized courts. So, if you deal with Information Technology, you deal with intellectual property, you deal with joint-ventures, you deal with investment issues, you have specialized institutions which are able to expeditiously dispose of those cases, and, this perhaps may be the motivating desire of whoever conceived of this Bill and decided to go ahead with this Bill. Currently, Sir, this Bill intends to create in every High Court of the country a Commercial Division. The impact will be that there will be a separate division in every High Court of India which will deal with commercial cases. The kind of commercial cases in the original Bill, as approved by the Lok Sabha, was different. But the Select Committee has now narrowed it down, and, I am, therefore, only going to concern myself with what the Select Committee has done, with some of the amendments which the hon. Minister has accepted.

Currently, Sir, and Mr. Rama Jois just now mentioned, there was a Charter of the Presidency High Courts, which had an original side. The word 'original side' means that High Courts hear various kinds of cases — but civil disputes go by way of civil claims rather than appeals or revisions or constitutional claims or writ petitions, which are in the other jurisdiction of the court; though in the Bombay High Court, even writ petitions are considered on the original side — the original side of most High Courts already has in the original Presidency High Courts a Commercial Division, which was functioning. These were the Calcutta High Court, the Madras High Court and the Bombay High Court. The Delhi High Court which was created in the 1960s, after the division of the Punjab High Court, the original bench used to be in Shimla, the Punjab High Court did not have an original side. The Delhi High Court was given an original side, and because there was an off-shoot in Himachal Pradesh, when the State was created, that is the fifth High Court in the country which has an original side. I just heard Mr. Rama Jois said, probably, I am not sure, whether the Jammu and Kashmir High Court has one or not. But these are five High Courts which certainly have an original side which is functioning. Go to any practitioner on the original side; a judge or a lawyer or a litigant. The average life of a case when it goes to the city civil court could be two years, three years or four years at an outer limit. If the amended CPC is strictly applied, it could be finished within one year. If you go to the original sides of the High Courts, which are the functioning Commercial Divisions, the average life of a

case, in the first instance, is ten to fifteen to eighteen years. So, here is an amendment, conceived by somebody, to expedite important commercial cases, and the first limb of the amendment is, take it away from the fastest and the quickest layer of the judicial system and transfer it to the laziest layer of the judicial system. I am sure the hon. Minister is aware that on these original sides, when pleadings are completed and date for trial is given, you are lucky if you can get a date in the next two years. So, if in 2011, a date for trial is fixed, you will get a date in 2013, 2014. And if the trial does not conclude in 2014, your next hearing will be in 2017. So, the first thing that this law is going to do is, pick up all these cases of high commercial interests, because we want to be a very efficient economy, and cases of high commercial interests must be before a specialized court, the first thing that we have done is, we have placed these cases into the laziest and the slowest layer of the judicial system. Why do I say it is the slowest layer? If you look at the pendency of cases, the Supreme Court receives appeals from all over the country. The Minister will have the accurate figures. The pendency of cases before the Supreme Court at any given time is not more than 35, 40, 45,000. It is in that range. If you go to the civil courts in the country or the lower courts, civil and criminal courts and subordinate courts, where bulk of litigation is there and in two to three years a case gets over, you have close to about three crores cases pending. So, two-and-a-half crore to three crores are pending, two-and-a-half crores are filed every year. So, the filing is about two-and-a-half crore. Even that volume of cases which are filed, they are being disposed of. I remember when I was holding the responsibility which the hon. Minister is holding, at that time, I used to say that about thirty lakh cases are pending in the High Courts. That figure has gradually moved to fifty lakh. So, every High Court today has lakhs of cases which are pending and you can test it on the simple proposition, how many cases are filed in the subordinate civil courts, how many are disposed of, and the figure is broadly the same. So, they are maintaining the parity. How many are filed in the High Courts and how many are disposed of, you will find that the filing is much higher than the disposal. So, we are now transferring all commercial disputes to the slowest and the laziest layer of the Indian judicial system. That is the first defect that this Bill has. We are transferring it where the pendency is extremely high.

Thirdly, we are transferring it to a layer where the appointment process is the slowest. In every seminar you will find senior Judges saying that we must expedite and do something about the arrears. I know the Minister will not have a single file on his table with regard to judicial appointment and if a file does come to his table, it would not be there for more than 48 hours. The process of Judicial appointments in the High Courts is that the collegium of the High Court will initiate the name, it will go to the Ministry for processing, for collecting all information,

4.00 P.M.

through the Minister it goes to the Supreme Court, it will come back, from him it goes to the Prime Minister, then the President and then the appointment is notified or not notified. The biggest problem which Minister after Minister is facing is this. The High Courts which are supposed to initiate an appointment six months before the vacancy is created, because the date of birth of every Judge is known, so the date of his retirement is also known, so, it does not come to you as a surprise. If you know that, six months before his retirement start the appointment of his successor so that by the time he retires the successor is appointed. I do not recollect any case where the High Court has complied with this guideline and started this process six months before the retirement of a Judge. They do not follow this principle and the principal reason why thirty per cent vacancies are there in the High Court across the country, 268 out of 895, the figure was just now mentioned or 27 per cent, whatever is the percentage, because the process of appointments has not commenced. Within the pipeline of the appointment process only 60-70 cases would be pending. So, there would be over 200 cases where the first recommendation itself has not been made. Now you have a layer where there are vacancies, where there are delays. And I have one more objection and I say this out of experience because there was a decision that we took when we were in Government and please consider this. When these cases are decided in the districts, you will probably have litigants who belong to that district. Their spending capacity because of their earning capacity is limited. The moment this litigant finds his case transferred in the first instance to the High Court, from some district in Uttar Pradesh, some district in Karnataka or West Bengal, he has to travel to the city in which the High Court is located. The cost of travel, the cost of stay in that city, the cost of engaging a lawyer in that city who inevitably charges more than the lawyer in his district, at times is far beyond the paying capacity of this litigant. So, his litigation is going to become several times costlier. When three new States were created, Ranchi had a Bench. There was no difficulty. We created a High Court. In Chhattisgarh, the capital was Raipur. We put the High Court in Bilaspur for a balancing reason. In Uttarakhand, it was decided that since it is a hill State and the Capital is Dehradun, at least create an institution in the hills and therefore, in the Almora region, since the Capital was in Garhwal, we created in Nainital. Years later, when I happened to visit it, as an ordinary citizen and I met litigants there, some of them shared their experience and said, 'Sir, did you pick up the costliest city in our State because every time somebody has to reach the State, he has to travel 14 hours, he has to reach two days earlier. In Nainital, you have to stay in a hotel. The hotels are not like the plains in Roorkee or Haridwar. The hotels are costlier. So, the cost of approaching that High Court is several times more. So, what is your Bill

doing? You are now transferring all commercial cases to the slowest layer of Indian judicial system. You are transferring it in the name of early disposal to a layer which normally takes ten years to dispose of an original side case. You are transferring it to an institution where 30 per cent posts are always vacant and you are transferring it to a layer which is the costliest layer, amongst the costliest layers. The same principle applies to the Supreme Court and that is why my friend from Assam or my friend from Bhubaneswar were saying, 'Create a Benche in the North-East.' The Governments have repeatedly tried to create a Supreme Court Bench in the North-East. The Constitution provides for it. You can create but the Court does not agree. So, every time a litigant has to come from North-East to the Supreme Court, it costs. So, why are you transferring all these cases to an institution which is slow, an institution where there are vacancies and institutions which are costlier? Now, please look at what you have done. If you look at the provisions of this law, I am just referring to some provisions which at least I have found not very comprehensible. In your amendment that you have moved, in Clause 7 of the amendment, you have said, "at page 22 line 26 for the words, 'single judge', 'at least two judges'". Sir, this is the first time I have come across a proposition that commercial disputes will be heard by two judges. All over India at least in five High Courts you have an experience of commercial disputes of a certain value being heard by High Courts. These commercial disputes are uniformly heard by a single judge. Not only India, you see the international experience. You have the commercial courts functioning in the High Courts in England. It is headed by a single judge. Please name one jurisdiction anywhere that you can imagine which has our kind of a system where a commercial dispute is heard by a division bench of two judges. All over India it is one judge. What is the compulsion to say that we can't trust one judge? It must go before two judges. Now, the impact of two judges is that it delays it further. The impact is, now to get both those judges together, in any case there is inadequacy of judges in High Courts, you get two judges, the possibility of the two differing will also be there. Then, you will create a provision which will be referred to a third judge. I have at least in my limited experience never come across a precedent of original side of Commercial disputes being heard by the bench of two judges. There are appeals which are heard by two judges. Now what is the jurisprudential rationale that a commercial dispute should be heard by two judges and not by one judge? If at all, it will only delay further and create a possibility of conflict of opinion between two judges. You have two Judges hearing a commercial dispute. What are the kinds of disputes? If you take a practical view, 'commercial dispute' means, disputes relating to export/import, joint-venture, capital market, intellectual property, software, FDI, agreements providing international arbitrations, etc. Now, I have no doubt; you can work out percentage. But, overwhelmingly, a large percentage of

these cases are already between these four principal High Courts. Some of them may be in Bangalore or Hyderabad or Ahmedabad, because these are predominantly in areas where there is a greater economic activity. A number of these cases are such, and by its very character, that people prefer to file them in those High Courts which already have a Commercial Division or the original side. Now, take a case of intellectual property right. Over the last 20 years, you have flood of litigations on intellectual property rights. Now, this litigation, except a little bit in Bangalore and Ahmedabad, is essentially spread between Delhi, Mumbai and Chennai. I have no doubt that over 80 per cent to 90 per cent are already between the High Courts of these three States. So, what is the point in transferring cases of Bihar, Allahabad and UP and creating Commercial Divisions there? Joint-venture agreements will be where the economic activity is. In any case, in most joint-venture agreements, you have an arbitration clause. And, if you have an arbitration clause — inevitably that is the provision — and if it the international commercial arbitration, the venue may be outside India in most cases and in some cases it may be India. So, it again goes to these bigger metros. Capital markets and stocks would be mostly in Mumbai. And, as far as software and internet disputes are concerned, here the jurisdiction can be almost created, because wherever the computer head is located the jurisdiction would be there. So, litigants are going to prefer those areas where there is a Commercial Division. So, even if you do not have this Bill, bulk of these cases across the country, are already in those High Courts which have an original side. And, those High Courts have a great tradition of original side which has worked itself out. Now, you have, therefore, started, in the name of a problem, which does seriously exist, creating an original side in every High Court of the country itself.

Sir, you kindly see two other provisions. I find a lot which has to be desired in the drafting of this Bill. If the hon. Minister would kindly turn to Clause 9 of the original Bill which defines commonsense principles, besides defining the Code of Civil Procedure. How will a case work? It does not require the ingenuity of a lawyer. The case works when a litigant files a civil claim, the defendant files his reply, the judge will decide what are the disputed issues, ask the parties to file documents and lead evidence by Affidavit or otherwise. So, this is a simple procedure. It is not an ingenues process; it is a commonsense process. You have created a provision in 9(2) (a) which say that a plaintiff files a plaint. When the plaintiff files a plaint, he does not know what reply the other man is going to give. He does not know what are the contested issues, what the disputes are going to be raised by the other man. It is only on the contested issues that trial will go on. But, whoever has drafted this says, “...alongwith the plaint...” — in 9(2)(a) (iii) and (iv) — “...he will file an Affidavit of his Examination in Chief as his evidence...” What will he file

as evidence? He does not know what dispute the other man is going to raise. He will file an Affidavit giving statements of his entire witnesses. Now, the hon. Minister, Mr. Khursheed, has been a very experienced lawyer. I will sit down for a moment if the hon. Minister educate me whether it is possible in any jurisprudence for a person, alongwith the plaint to file detailed evidence for that reply has to come. He does not know what the contested issues are, what are the issues on which a person is at loggerheads. So, whoever has drafted it has to assume, must hallucinate what the other man is going to say and, in anticipation, file a reply to it. I can't understand how this Bill has been drafted. Similarly, please turn to clause 12(vi). What is the rationale behind saying that applications under article 226 and 227 of the Constitution, which deal with the orders of subordinate courts will be transferred to this commercial site? Ordinarily, the civil suits don't concern themselves with the writ petitions. A writ petition is really for the enforcement of a constitutional or an administrative right or against an injustice against a State. A writ petition has nothing to do with a commercial dispute between private businessmen. So, whoever has drafted this has done a hurried job. Similarly, if you see clause 19 on the last page of the original Bill, you have said that because there is a reference to the district courts and wherever there is a reference in the Arbitration Act to the district courts that should be taken as a reference to the Principal Civil Court; it should be taken as a reference to the High Courts. So, you are amending the Arbitration Act by this. There is no difficulty. But, then, by this Act, you are transferring all intellectual property disputes to the Commercial Division. Similarly, your Trade Mark Act, the Copyright Act, the Patent Act all have a reference to the district court, as a court of first instance where the cases are to be filed. So, if you only amend the Arbitration Act, you will leave out all the IPR Acts, and, then, you are going to have a situation where this Act says that go to the Commercial Division and the Trade Mark Act, the Patent Act and the Copyright Act will say that go to the city Civil Court. So, whoever has done it, has done it in a great hurry.

Sir, I conclude by just repeating what I said in the opening. Mr. Khursheed has inherited this Bill. It has come as a part of the legacy when he got this department. This Bill is, perhaps, a creation of a *bona fide* thought process: Let us transfer commercial cases to higher courts so that they are heard better. It is motivated by some kind of an enthusiasm, but it is completely misconceived, badly drafted and it is going to take from years to decades now, and would cost ten times more. I would urge upon the hon. Minister, and that's why I said that it is not a politically contentious issue, please pause over this Bill and think about it once again if you want to press this Bill, or, re-consider whether this Bill is at all required.

DR. E.M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Sir, I fully support this Bill because this gives new view on the commercial disputes. I fully agree with the Leader of the Opposition on many of the factual things and also on legal procedures. But, at the same time, we are in a position of having a very strong hierarchical legal system. When we participated in one of the seminars in Germany, the people were discussing as to what the difference is between China and India, on the business aspect. One thing they said was that whatever the highest position or the lowest position decides to start an industry that will be done by the Chinese Government, but in India there will be many barriers at every level. The second thing they said was that the Judicial system is very perfect in India, but in China they are still at the architectural stage, and they could not come up to the expectations of the world standard. Therefore, India is having a very strong judicial system. I fully agree that there are a huge number of pending cases. About more than two crore cases are pending, and more so, every High Court is overburdened. The appointment of judges is delayed because of various reasons, because the system has been taken over by the Judiciary itself. Judiciary itself appoints their own judges. Therefore, a lot of delay takes place. These are all managerial things which should be looked into by way of perfect discussion between the Executive and the Judiciary. In due course, it can be looked after properly. On the other hand, as the Leader of the Opposition said, coming forward with such a legislation is a *bona fide* effort of the Government to have a speedy disposal of commercial disputes. Sir, already, the quasi judicial system is available. When there is a dispute on patent or copyright, they go to the Appellate Tribunal, chaired by a retired judge of the High Court. Some other retired judges are looking after this. Anyhow, we are, again and again falling into the system of judges, whether they are serving judges or retired judges. Even in arbitration, we are not following the international pattern. There, it is the professional groups who become the arbitrators. We are choosing only the retired judges. Nowadays, when we talk with retired judges, they say: “we are very happy after retirement.” This is because, even after retirement, they are getting a lot of money for a sitting in arbitration. They charge even Rs.1 lakh for a sitting in arbitration. They even go to Singapore or Hong Kong to put a case. Since the company is a multinational company, they are ready to pay the money. Therefore, they are ready for that. Therefore, we should take into consideration the retired judges who have retired from the Supreme Court at the age of 65 or the judges who have retired from the High Court at the age of 62 — depending upon them — having their grand children around and playing with them in their own houses, they can put the arbitration cases also there. This can be stopped by way of perfecting the system with having more judges.



[Mr. DEPUTY CHAIRMAN in the Chair]

I am not saying that the present number is sufficient or the present infrastructure is sufficient; it is not sufficient. We have to look into it thoroughly. We have to come out with some remedy for that. For that, I would like to suggest that when you are creating a system of separate Benches, it should have some logic behind it. For example, even after the creation of this particular Commercial Bench, if the appeal goes to the Supreme Court, the stake may be of Rs.50,000 crores, but they will have to pay only Rs.250/- . How is it possible? An ordinary person has to wait for so many years at the doors of the Supreme Court to get a disposal on the death penalty or life imprisonment. They have to wait for the disposal of the cases which are now pending before the Commercial Benches. Therefore, we should have a separate system for the payment of court fee also. When they go for arbitration, they have to pay lakhs of rupees as arbitration fee for the Arbitrator and also the lawyers. At the same time, if it goes through the Court, they need not pay more than Rs.250/- as Court fee. It is much insufficient. Under article 145, the Government can request the Supreme Court to reframe their own system, and, if necessary, we can also come out with a procedural law, with the consent of both, the Supreme Court and the High Court, so that the Court fee is restructured according to that. We will be getting huge money on account of that. There is a recommendation in the Report of the Parliamentary Standing Committee on Law and Justice that separate levy should be given, court fee should be structured for the commercial disputes; so that, even the Supreme Court — at random, we can say that—earns per year more than Rs. 10,000 crores. Now, we are parting with more than Rs.90 crores per year for their expenditure. The income is only Rs.8 crores but the expenditure is more than that. If we allow the Commercial Dispute Benches to get the court fee on par with other expenditures, then, automatically, the Supreme Court will also have sufficient money. We can also appoint more judges in the Supreme Court and also in the High Courts. The surplus money can be circulated up to the level of the Judicial Magistrate or Munsif courts in villages. The infrastructure is starved of because of the scarcity of funds at the State level. All the mofussil courts, subordinate courts are starved of funds. There is no space even for a Judge to sit and decide the cases. There is lack of infrastructure in other ways also at all the State level courts. This problem can also be addressed if this particular Bill comes into force and if a proper approach is made towards that.

Regarding the procedural aspect, Sir, I feel that our Leader of Opposition is very right in saying as to why the Division Bench has to sit for these matters and the original suits should also be decided by the Division Bench. In certain chartered High Courts just like Chennai, etc., Sir,

there are some procedures where the evidence is taken by a Registrar or by a Single Judge if there is a dispute in admissibility of the evidence. The hon. Law Minister is also bringing in an amendment to this effect. If there is a dispute of admissibility of evidence, then that can be referred to the Division Bench. Therefore, referring it to the Division Bench means that the appeal is automatically going to the Supreme Court alone so that the matter is settled forever. We cannot have further proceedings. So, the years of dispute in pendency can be solved by way of this Division Bench. If there is a Single Bench, then it has first to go to the Division Bench; after that, it has to come to the same High Court and then it will go to the Supreme Court. It will take more time because of the hierarchy in the Judiciary. Therefore, I feel that when we would apply this particular enactment, which is a new enactment and which is a modern one, it needs a lot of inputs. We can work on the procedural aspects of it after having proper discussion with the Judiciary. They should not feel that we are trespassing into their field. There can be a forum in which both the Judiciary and Executive can sit together, and, under Article 145, it can formulate and come out with a procedure by which the commercial disputes can be settled very well. The number of Judges is to be increased and the infrastructure has to be upgraded. The financial aspect can be taken care of by the system itself. It can generate the money for looking after these issues.

With these observations, I feel, Sir, this is the right time when we are bringing in this Bill. When we would implement it, we may experience some teething trouble. But I think that can be addressed then and there and we can come out with certain remedies on those issues. Thank you, Sir.

SHRI D. RAJA (Tamil Nadu) Sir, I was a Member of the Select Committee which dealt with this Bill. I had given a dissent note also. I am not an eminent lawyer like Salman Khursheed or Arun Jaitley or Ravi Shankar Prasad. But as a political activist, how do I look at this Bill?

Sir, when this Bill came to public domain, it was opposed by none other than Justice Krishna Iyer. Justice Krishna Iyer has pointed out that this legislation is violative of Article 14 of the Constitution. It creates poor litigants and rich litigants, and this goes against the very spirit of the Directive Principles of the State Policy. So, this legislation is not a proper legislation but we discussed it. I do feel that this legislation is not in tune with the concept of justice we all believe in, trust in, and this creates two classes, *i.e.*, poor litigants and rich litigants. If you take Rs. 1 crore, which is the dispute benchmark, for a poor man, ten thousand rupees is a big money, but, for some rich people, even ten crores is a small money. It is relative. But justice must be common to all. That is why I think that even at this last minute, the hon. Law Minister, Shri Salman Khursheed, may think over taking it back. This Bill can be taken back and reconsidered

by the Government, without making it a prestige issue, because, there is nothing wrong in it. You are talking about consensus. That consensus cannot be a bipartite consensus. It can be the overall House consensus. You must try to build consensus. What we are saying is, try to find out whether there is any point in it or not. I agree with Mr. Arun Jaitley when he asks, where would we be taking up disputes on the Intellectual Property Rights or copyrights? I think, the time has come when you will have to strengthen judiciary and fill up all vacancies. Try to dispose of the pending cases that run into lakhs, try to build the infrastructure wherever it is necessary and expand the network of courts. For instance, the legislation on Gram Nyayalayas was passed. But, what about the functioning of the Gram Nyayalayas? We do not know where the Gram Nyayalayas are functioning and which are the States that are doing well in terms of the Gram Nyayalayas. So, we are trying to pass legislations, we are trying to create new courts, but on the ground the situation is very bad.

Therefore, I would request the hon. Minister to take the sense of the House, take the Bill back, take your time and come back to the House. We would consider it then, but right now, please do not try to push the Bill in a hurry and get the approval of the House. It is not fair. That is the final request I make to you. Please, take the Bill back.

SHRI SALMAN KHURSHEED: Hon. Deputy Chairman, Sir, I thank the hon. Leader of the Opposition and all the distinguished Members who have spoken with great passion and great involvement and commitment to the delivery of justice in this country. I also appreciate the words spoken from across the floor and by hon. Member, Mr. Raja, that there are certain aspects in this Bill that require perhaps further consideration and may be even some informal consultation before we move forward. I am very happy to consider that, but I do want to preface that first with a few very important points that I hope the Leader of the Opposition will keep in mind.

It is understandable that the purpose for which this Bill has been brought is shared by many Members in the House and some Members feel that, frankly, this is not a good purpose. I would want to refer to that in a moment.

The fact that I have inherited this Bill makes me feel proud that I have an inheritance from a very successful predecessor of mine, but certainly, if it is an inheritance, I must not only protect and preserve it, but I also should refine it, particularly, when we have such wonderful advice that is coming from across the floor from people who are vastly experienced in the field of law.

Sir, the essential issue is that we want to provide for a faster method and a simpler method of deciding commercial disputes in this country, and nobody should really object to that to the

extent that people feel that this is to be done at the cost of the average citizen, perhaps the marginalized poor citizens of our country. That is not true at all. The purpose is to move in tandem, just as we are concentrating on providing greater service to the common citizen, looking at how we can strengthen the National Legal Services Authority and the State Legal Services Authority, the footprint of legal aid, ensuring that we bring about the brightest minds that are working in some of our top legal institutions and universities of law that have brought about revolutions in the country in the last ten years, involve them more directly in the work of providing legal aid, educating people about legal rights and ensuring that when they get to the court, they have the confidence that they are not being taken for a ride, that they actually have the best possible assistance available to them. We are also totally committed to the enhancement of doorstep delivery of justice and, therefore, the Act that was passed for establishing Gram Nyayalayas is extremely important for us. We have provided funding for it. Of course, the States have taken a little bit of time. Some States have made a yeomen effort to move forward, but many of the States are lagging behind as far as the Gram Nyayalayas are concerned. There is also an issue and that, of course, is reflected in the learned Leader of the Opposition's speech as well, and that is an issue of quality of service and delivery of justice that is available at the lower level, at the subordinate court level and at the High Court level. A lot of people believe that the quality of service if it suffers at the subordinate court level it is largely because infrastructure is lacking. We have an extremely ambitious plan for providing infrastructure. We have an extremely important mission for justice delivery and for judicial reform — a mission that over the next five years will hopefully transform the entire landscape as far as justice delivery is concerned. And this mission is making, firstly, the most important effort which a lot of learned Members have mentioned. With the availability of specific statistics we can actually look at the impact that this or any other legislation will make. We have broad figures available. And those broad figures are available now on websites as well. I can give the latest figures that are available to us from the Supreme Court. But details are not available, the status of each case is not available, details regarding the kind of cases and sort of courts they are in are not available. Today we are providing computerization in all courts. In the next three years, we would be able to cover all the courts in this country and, therefore, would be able to keep real time actual track of what cases are being filed and what cases are being disposed of. And we would certainly be in a much better situation to be able to analyse the impact of any legislation of what would happen. For instance, when the legislation under the Negotiable Instruments Act was passed for bouncing of cheques, we all thought there was a beneficial legislation, but we also know now the Magistrate Courts are completely choked with those cases. Therefore, on

the suggestion that we should have shifts courts — we should have courts for morning and evening shifts — we should have courts on holidays, lawyers have some reluctance and difficulty in accepting that proposition. In the north east, lawyers are willing to work on holidays, but I do know in my own State and in my friend's State, lawyers are not willing to work in the evening. They don't want to come back and work in the evening in the second shift. And certainly they don't countenance the idea that another set of lawyers can come and work in the evening because they would rather like to keep all the work themselves. So, the purpose here is not only to help the rich. The purpose is to ensure that the marginalized get justice; the purpose also is to ensure that the world looks upon us as an effective legal system where there is a quick delivery of justice. And it is not only for people who are coming from abroad to invest in this country, but also for the growing Indian economy, the volumes that are now involved and the kind of transactions that take place that we should have quick delivery. It is understandable that people feel that quick delivery should not come at the cost to someone else. The issue of court fee was raised. Can't we charge more court fees? That aesthetically looks worse that somebody who has money can buy justice but somebody who doesn't have money can't buy justice. A person who is prepared to pay higher court fees can get fast track court, but a person who doesn't pay higher court fees can't get a fast track court. So, we have to balance the statistics with the substantive justice provisions that we have before you. Sir, as far as the specific issues that have been raised, I would like to urge the Leader of the Opposition to look not at the Bill that was passed by the Lok Sabha, but the Bill that has been reported upon and the Bill that is before you with amendments that we have suggested in that Bill where some of the issues that have been raised have been addressed. But I don't want going by the words of learned Member, Mr. Raja. I don't want to 'push it upon you' today. If you feel that this requires more reflection and you think that after more consultation and reflection we can come back to you, we have no problem. I am offering you a carrot but alongwith the carrot I must get something in return. What I want the House to reflect very seriously upon is that you should be willing to consider the total purpose of this Bill. This Bill is not to create a divide between the rich and the poor. This Bill is to provide an effective remedy for one important part of our economy today. Now, of course, there was talk about 5-star and 7-star hotels and that we are not willing to call it a 5-star court or a 7-star court; so, we are calling it Commercial Division. Commerce is a reality in our country today, and commerce is a reality in our country that is feeding and giving jobs to thousands and thousands and millions of people. And, we will have to develop commercial institutions and we will have to protect them. But, once again, I repeat, commercial institutions will not be developed in a manner that will exploit those who are marginalised, those who are weak and

those who cannot stand on their feet in the marketplace. That is the whole idea of how the UPA Government has developed this entire approach that we have a very-very specific approach towards social justice, providing a network for those, providing a safety net for those who cannot sustain or cannot stand up to the competition that is in the marketplace and helping them both, with education and with other services. So, gradually, over the years, they would be able to stand in the marketplace with confidence and also in a manner in which it could be said that there is true equality in our country.

This is not a departure from article 14. This is an attempt to give article 14 real substance. There must be a growing economy for us to be able to make the dream of article 14 come true. So, Sir, through you, I am submitting to the House that I respond and respect the sense of the House. It is not to withdraw the Bill but to consult with you. We have got some amendments. We would be able to bring some more amendments, if it is found necessary, to the satisfaction of the House. And, I hope that when I come back, as soon as I can, the House will be good enough next week to support me and help me move forward.

I will say in the end that I also get a sense today that the House needs to discuss the legal system — what we are doing in the legal system, what is happening with appointment of Judges, what is happening with creation of new institutions, what is happening in the legal aid, what is happening with justice at the doorstep, what is happening with legal education. I do think that the House deserves an opportunity not only to discover what the Government is doing in this entire field but also to share with the Government their own ideas, creative ideas, on how we can take this story further. I think, at an appropriate stage, this discussion would be a very useful discussion in the House.

Sir, with your permission, I seek only little more time so that I can come back with more amendments — Next week possibly, if the time permits — and then, the House can finally put its seal of approval on this Bill. Thank you very much.

MR. DEPUTY CHAIRMAN: Consideration of the Commercial Division of High Courts Bill, 2010, is deferred.

MR. DEPUTY CHAIRMAN: Now, we shall take up the Copyright (Amendment) Bill, 2010.

SHRI M.V. MYSURA REDDY: Sir, I have a Point of Order.

**श्री शिवानन्द तिवारी (बिहार):** सर, मेरा एक प्वाइंट ऑफ ऑर्डर है।...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: One minute please...*(Interruptions)*... I have to hear to the Point of Order...*(Interruptions)*.... क्या प्वाइंट ऑफ ऑर्डर है?...**(व्यवधान)**...

**श्री शिवानन्द तिवारी:** सर, मेरा प्वाइंट ऑफ ऑर्डर यह है कि मंत्री जी इस बिल को पेश नहीं कर सकते हैं, इसलिए कि इसमें इनका conflict of interest है। आपने देखा होगा, Ethics Committee की रिपोर्ट का 294 यह बताता है कि किसी भी मैम्बर का जिसमें conflict of interest हो, pecuniary interest ....

**श्री उपसभापति:** आप कौन से बिल के बारे में बोल रहे हैं?

**श्री शिवानन्द तिवारी:** सर, मैं कॉपीराइट बिल के बारे में बोल रहा हूँ।

**श्री उपसभापति:** अभी मंत्री जी नहीं बोले हैं... अभी तो बिल ही introduce नहीं हुआ।...(व्यवधान)...

**श्री शिवानन्द तिवारी:** ये introduce नहीं कर सकते हैं।...(व्यवधान)... मेरा कहना यह है कि ये कॉपीराइट बिल introduce नहीं कर सकते हैं क्योंकि इस मामले में इनका conflict of interest है। टी.सीरीज़ जिसका म्यूजिक वर्ल्ड में 80 परसेंट business पर कंट्रोल है... इनका बेटा उसका वकील है। इनका आर्थिक हित इस बिल के साथ जुड़ा हुआ है।...(व्यवधान)... ये पहले खुद उसमें वकील थे।...(व्यवधान)... इसलिए ये इस बिल को इंट्रोड्यूस नहीं कर सकते।...(व्यवधान)...

**श्री उपसभापति:** नहीं, नहीं। यह कैसे।...(व्यवधान)...

**श्री शिवानन्द तिवारी:** हम यह कहना चाहेंगे कि एथिक्स कमेटी की जो रिपोर्ट हैं, उसमें 294 को देखा जाए।...(व्यवधान)... कृपया 294 को पढ़ा जाए।...(व्यवधान)... “Whenever a Member has a personal or specific pecuniary interest (direct or indirect) in a matter being considered by the Council or a Committee thereof...” ...*(Interruptions)*...

SHRI M.V. MYSURA REDDY: Sir, he is appearing on behalf of...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: See, Rule 294 is relating to Declaration of Interest.

**श्री शिवानन्द तिवारी:** वे डिक्लेयर करें।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Rule 294 (1) says “whenever a Member has a personal or specific pecuniary interest, direct or indirect, in a matter being considered by the Council or a Committee thereof, he shall declare the nature of such interest notwithstanding any registration of his interests in the Register, and shall not participate in any debate taking place in the Council or its Committees before making such a declaration.” On this specific issue, if any Member has any interest, he has to declare, and, then only, he has to talk.

**श्री शिवानन्द तिवारी:** मिनिस्टर का ही है।...(व्यवधान)... हमने कहा है कि मिनिस्टर का इसमें pecuniary interest है।

**श्री उपसभापति:** कैसे है? आप बताइए।...(व्यवधान)...

**श्री शिवानन्द तिवारी:** इनका बेटा टी सीरीज़ का वकील है, जिसका म्यूजिक इंडस्ट्री में 80 परसेंट शेयर है और वह मामला इस बिल में है।...(व्यवधान)... ये पहले खुद इसके वकील थे।...(व्यवधान)... आप स्पष्टीकरण दें कि वह वकील नहीं है।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: The Minister of Parliamentary Affairs is here. Whatever you had to say, you have said. ...*(Interruptions)*...

संसदीय कार्य मंत्री (श्री पवन कुमार बंसल): सर, माननीय सदस्य...(व्यवधान)...

श्री शिवानन्द तिवारी: मिनिस्टर साहब इसका जवाब दें।...(व्यवधान)...

श्री उपसभापति: पार्लियामेंटरी अफेयर्स मिनिस्टर इंटरवीन कर रहे हैं।...(व्यवधान)...

श्री शिवानन्द तिवारी: ये कैसे देंगे?...(व्यवधान).... जवाब संबंधित मंत्री महोदय दें।...(व्यवधान)...

श्री उपसभापति: पार्लियामेंटरी अफेयर्स मिनिस्टर हैं...(व्यवधान).... One minute. ...*(Interruptions)*...

श्री पवन कुमार बंसल: सर, माननीय सदस्य...(व्यवधान)...

MR. DEPUTY CHAIRMAN: I will hear you also. ...*(Interruptions)*...

श्री पवन कुमार बंसल: सर, यह कोई तरीका नहीं है। वे बात ही नहीं करने दे रहे हैं।  
...(व्यवधान)...

SHRI M. VENKAIAH NAIDU (Karnataka): Sir, first of all, the Members, who have raised objection, have to be heard. ...*(Interruptions)*...

श्री शिवानन्द तिवारी: जवाब माननीय मंत्री जी को देना चाहिए।...(व्यवधान)...

श्री उपसभापति: आप बैठिए।...(व्यवधान).... I have heard you. ...*(Interruptions)*.... Tiwari ji, I have heard you. ...*(Interruptions)*...

श्री शिवानन्द तिवारी: इनका बेटा वकील है या नहीं?...(व्यवधान).... इनका बेटा टी सीरीज़ का वकील है या नहीं है।...(व्यवधान)...

MR. DEPUTY CHAIRMAN: I have heard you. ...*(Interruptions)*.... Let us hear Mr. Mysura Reddy.

SHRI M. VENKAIAH NAIDU: Sir, two three Members have raised objections. Please hear them. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: These are the two Members. ...*(Interruptions)*.... Hon. Members, please. ...*(Interruptions)*.... Yes, Mr. Mysura Reddy.

SHRI M.V. MYSURA REDDY (Andhra Pradesh): Sir, my submission is also relating to Rule 294. The Minister is piloting the Bill. One official amendment, that is, 31 D is there. There is a dispute between the TV broadcasters and the music companies. In this, T-Series has a prominent role, and, HT Media Limited filed a petition also. They went to court and the CCI also. They gave the judgement that it was a monopolistic tendency and they are investigating into the case also. For those seven, eight cases, I am having a record that his son is appearing on behalf of Super Cassettes Industries Limited. It is the name of the company. ...*(Interruptions)*.... His son is appearing. ...*(Interruptions)*...

श्री उपसभापति: आप बैठिए।...(व्यवधान)...

श्री शिवानन्द तिवारी: टी सीरीज़ कम्पनी को\*

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\*Not recorded.



**श्री पवन कुमार बंसल:** सर, इस तरह से इल्जाम लगाना गलत है। यह बात सही नहीं है।...**(व्यवधान)**...

**श्री उपसभापति:** तिवारी जी, आप बैठिए।...**(व्यवधान)**... आप बात मत कीजिए।...**(व्यवधान)**...

**श्री पवन कुमार बंसल:** आपका कहना सही नहीं है। आपको बोलने का अधिकार है, इसका मतलब यह नहीं है कि जो आपके मन में आए, वह आप कहेंगे।...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Nothing will go on record. ...**(Interruptions)**...

**श्री शिवानन्द तिवारी:** \*

**श्री पवन कुमार बंसल:** आप क्या बात कह रहे हैं? आप जानते हैं कि 18 साल का लड़का भी अपने आप अलग हो जाता है।...**(व्यवधान)**...

SHRI M.V. MYSURA REDDY: \*

MR. DEPUTY CHAIRMAN: Nothing will go on record. ...**(Interruptions)**...

SHRI PAWAN KUMAR BANSAL: Sir, it is very unfair. ...**(Interruptions)**...

**श्री उपसभापति:** आपने प्वाइंट ऑफ ऑर्डर रज किया, तिवारी जी ने बोला और मैसूरा रेड्डी साहब बोल रहे हैं। बोलने के बाद। I have to hear the other side also. ...**(Interruptions)**...

**श्री प्रकाश जावडेकर (महाराष्ट्र):** सर, हमारी भी साइड है।...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: You have not demanded that. प्वाइंट ऑफ ऑर्डर आपने डिमांड नहीं किया।...**(व्यवधान)**... ठीक है।...**(व्यवधान)**...

SHRI M.V. MYSURA REDDY: Sir, I was saying this. ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: Please sit down. ...**(Interruptions)**... You had said whatever you wanted to say. ...**(Interruptions)**...

SHRI M.V. MYSURA REDDY: Sir, you have to give your Ruling. ...**(Interruptions)**...

MR. DEPUTY CHAIRMAN: You have said that there is a case. I heard you. Now let the Parliamentary Affairs Minister say. ...**(Interruptions)**... After this if there is any clarification...**(Interruptions)**... तिवारी साहब, आप बैठिए। ...**(Interruptions)**... Don't make allegation. ...**(Interruptions)**... Unless you give a notice ...**(Interruptions)**... Don't make an allegation. ...**(Interruptions)**...

**श्री पवन कुमार बंसल:** तिवारी साहब, यह Parliamentary Affairs का ही मामला बनता है।...**(व्यवधान)**... आप रज कर रहे हैं।...**(व्यवधान)**...

MR. DEPUTY CHAIRMAN: Any Minister can intervene. ...**(Interruptions)**...

**श्री पवन कुमार बंसल:** आप मुझे बोलने का भी अधिकार नहीं देंगे?...**(व्यवधान)**...

**श्री उपसभापति:** बंसल जी, आप बोलिए।...**(व्यवधान)**...

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\*Not recorded.

श्री प्रकाश जावडेकर: सर, हमारा point भी तो सुनना चाहिए।...*(व्यवधान)*...

श्री उपसभापति: हां, सुनेंगे।...*(व्यवधान)*... पाणि जी, आप बैठिए,...*(व्यवधान)*... आप बोलिए।  
...*(व्यवधान)*... I heard you. ...*(Interruptions)*...

SHRI PRAKASH JAVADEKAR: Sir, give me only two minutes. ...*(Interruptions)*... मैं दो मिनट में नया प्वाइंट बतला रहा हूँ।...*(व्यवधान)*...

MR. DEPUTY CHAIRMAN: I have called the Minister. ...*(Interruptions)*... I will call you after the Minister. ...*(Interruptions)*... Don't make it an issue. ...*(Interruptions)*... आप बैठिए।...*(व्यवधान)*...

SHRI PRAKASH JAVADEKAR: Sir, I am not making it an issue. ...*(Interruptions)*... I have a point. ...*(Interruptions)*... Sir, I have new information. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I have called the Minister. First let us hear him, then you can speak. ...*(Interruptions)*... आप बैठिए...*(व्यवधान)*...

SHRI M. VENKAIAH NAIDU: Sir, he is not a Member of the House. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I have to hear him. ...*(Interruptions)*... He is the Parliamentary Affairs Minister. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Sir, this is about the proceedings of the House. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, he can participate. ...*(Interruptions)*... There are Rulings. He can participate, Mr. Venkaiah Naidu. ...*(Interruptions)*...

SHRI M. VENKAIAH NAIDU: Sir, this is about the proceedings of the House, not about the debate. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Even on clarification, he has the right to give clarification. ...*(Interruptions)*... He has got the right. ...*(Interruptions)*... There are Rulings. ...*(Interruptions)*...

SHRI PRAKASH JAVADEKAR: Sir, I have some information. ...*(Interruptions)*... After that the Minister can respond. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: What is there if he speaks? ...*(Interruptions)*...

SHRI PRAKASH JAVADEKAR: Sir, give me only one minute. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I can't understand why you are saying that you want to speak first. ...*(Interruptions)*... When a Minister intervenes, he will be given the preference. ...*(Interruptions)*... Why are you making this a big issue? ...*(Interruptions)*...

**श्री प्रकाश जावडेकर:** सर, मेरा प्वाइंट यह है कि मैं एच.आर.डी. कमेटी का मेम्बर हूँ, सर, इस बिल में...(व्यवधान)...

**श्री पवन कुमार बंसल:** सर, यह बिल बिल्कुल स्पष्ट है। माननीय सदस्य ने जिसने यह ऐतराज किया है उन्होंने यह नहीं कहा कि माननीय मंत्री के किसी डिपेंडेंट का...(व्यवधान)...

**श्री प्रकाश जावडेकर:** सर, मेरा प्वाइंट सुन तो लो, केवल एक मिनट की बात है।...(व्यवधान)...

**श्री पवन कुमार बंसल:** क्या जो माननीय नेता विपक्ष हैं, किसी न किसी के लिए कभी पेश नहीं हुए होंगे? क्या उसके बाद उनको यहां बोलने का मौका नहीं मिला होगा? क्यों उन्होंने उस पर यहां अपने विचार नहीं रखे होंगे? सवाल यह होता है कि मौके पर अगर आप किसी मंत्री पर इल्जाम लगा रहे हैं तो आपको भी अपने, अपने spouse और अपने डिपेंडेंट, चिल्ड्रन के बारे में यह स्पष्ट तौर पर बता देना चाहिए।...(व्यवधान)...

Sir, I am sure, we all understand that an advocate is a person who is on his own fee. ...*(Interruptions)*... He does not support the Minister. ...*(Interruptions)*...

**श्री शिवानन्द तिवारी:** बंसल जी, इसको पढ़िए।...(व्यवधान)...

**श्री पवन कुमार बंसल:** सर, यह इल्जाम सही नहीं है।...(व्यवधान)...

This is not in good taste. I would say that this is rather unparliamentary. This is not in good taste. ...*(Interruptions)*... आप पूछिए अपने नेता विपक्ष से कि वे किस-किस के लिए पेश हुए होंगे?...(व्यवधान)...

क्या किसी विषय पर बोलेंगे नहीं?...(व्यवधान)...

यह क्या बात है?...(व्यवधान)...

Sir, this decision is a decision of the Government of India. The decision is of the Cabinet. ...*(Interruptions)*... It's Cabinet's decision. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: The House is adjourned for fifteen minutes.

The House then adjourned at fifty-one minutes past four of the clock

The House re-assembled ten minutes past five of the clock,

MR. DEPUTY CHAIRMAN in the Chair.

**श्री प्रकाश जावडेकर:** सर, हमारा मुद्दा सुनिए, मेरा यह मुद्दा है, यह जो बात चल रही है कि क्या मिनिस्टर को बिल रखने से पहले डिक्लेयर करना चाहिए, यह सैक्शन 31 D, ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Will you allow me to speak for a minute? Please allow me. ...*(Interruptions)*... I have just called out ...*(Interruptions)*...

**श्री प्रकाश जावडेकर:** सर, रूलिंग देने से पहले...(व्यवधान)...

MR. DEPUTY CHAIRMAN: I am not giving any ruling. ...*(Interruptions)*... I am not giving any ruling. ...*(Interruptions)*... Please sit down. आप बैठिए। आप इतनी जल्दी क्यों करते हैं? ...*(व्यवधान)*... हमारे सामने यह सवाल है कि अभी बिल कंसीडरेशन के लिए लिया नहीं गया था, I have just called the Minister and the Minister has not yet got up also. At that time, objections were raised. So, there was no material before the Chair. On that subject there was no discussion whatsoever. We have not started the discussion at all. Before the Bill could be taken up for consideration you

have started raising objections. ...*(Interruptions)*... When I am talking ...*(Interruptions)*... जरा सुनिए...(व्यवधान)...

**श्री शिवानन्द तिवारी:** उपसभापति जी, यह प्वाइंट ऑफ ऑर्डर है...(व्यवधान)...

**श्री उपसभापति:** तिवारी जी...(व्यवधान)...

**श्री प्रकाश जावडेकर:** सर, एक मिनट...(व्यवधान)... Sir, give me one minute. ...*(Interruptions)*... Give me one minute. ...*(Interruptions)*...

**श्री उपसभापति:** मैं आपको टाइम दे रहा हूँ...(व्यवधान)... मैं आपको टाइम दे रहा हूँ, मगर...(व्यवधान)... It is my duty to clarify. ...*(Interruptions)*...

DR. V. MAITREYAN (Tamil Nadu): Sir, the Minister is going to discuss something else. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Maitreyan, don't you want to listen to me? ...*(Interruptions)*...

**श्री शिवानन्द तिवारी:** उपसभापति जी, मेरा प्वाइंट ऑफ ऑर्डर था...(व्यवधान)...

**श्री प्रकाश जावडेकर:** सिर्फ सुनने के लिए कह रहा हूँ...(व्यवधान)...

MR. DEPUTY CHAIRMAN: You are raising so many objections. ...*(Interruptions)*... Mr. Maitreyan, I am in the Chair. ...*(Interruptions)*... Please. ...*(Interruptions)*... I have to hear both the parties. ...*(Interruptions)*... It is not that just because you shout I should listen to you. ...*(Interruptions)*... I have to listen to both the sides. ...*(Interruptions)*... My request to all the Members is not to ask the Chair that I should listen only to this or that. ...*(Interruptions)*... मैं बोलने देता हूँ, आप बैठिए...(व्यवधान)... मैं कह रहा हूँ...(व्यवधान)...

**श्री प्रकाश जावडेकर:** वन मिनट सर,...(व्यवधान)...

SHRI BALBIR PUNJ (Odisha): Sir, you give him two minutes. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: You don't be his advocate. He can directly talk to me. ...*(Interruptions)*...

**श्री प्रकाश जावडेकर:** वन मिनट सर,...(व्यवधान)... सर, जब यह बिल आया...(व्यवधान)...

**श्री शिवानन्द तिवारी:** सर, मेरा प्वाइंट ऑफ ऑर्डर था...(व्यवधान)... मेरा प्वाइंट ऑफ ऑर्डर था...(व्यवधान)... मिनिस्टर इस बिल को ले नहीं कर सकते हैं...(व्यवधान)...

SHRI PRAKASH JAVADEKAR: He is allowing me. What is your objection? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: I am assuring him that I am going to listen to him. ...*(Interruptions)*... I assured him that I would listen to him. But in the meantime, you are not allowing me to speak also. ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): It is overriding the Chair himself. ...*(Interruptions)*... It is not fair. ...*(Interruptions)*...

श्री उपसभापति: आप बैठिए, आप बैठिए...(व्यवधान)... आप सभी बैठिए...(व्यवधान)...

श्री सत्यव्रत चतुर्वेदी (उत्तराखंड): अगर उनको अलाऊ करते हैं तो हमको भी अलाऊ करिए...(व्यवधान)...

श्री उपसभापति: आप बैठिए, आप बैठिए...(व्यवधान)... आप सभी बैठिए...(व्यवधान)... प्लीज़ आप भी बैठिए...(व्यवधान)... मैं किसी को नहीं...(व्यवधान)... आप बैठिए...(व्यवधान)...

श्री प्रकाश जावडेकर: सर, बिल इंट्रोड्यूस हुआ है...(व्यवधान)...

MR. DEPUTY CHAIRMAN: I am just bringing to the notice of the House that if you have any objection, you have every right to raise a point of order. My point is that the Bill or whatever it is, I have just called out the Copyright (Amendment) Bill. ...*(Interruptions)*... Listen to me. ...*(Interruptions)*... Why do you talk? ...*(Interruptions)*... How can you listen to me? ...*(Interruptions)*...

श्री प्रकाश जावडेकर: यह बिल स्टैंडिंग कमेटी के पास गया...(व्यवधान)...

MR. DEPUTY CHAIRMAN: Don't you have patience, at least, to wait for some time? ...*(Interruptions)*... Why do you go on making a running commentary? ...*(Interruptions)*... Now, I have just called out the Copyright Bill. Suddenly you got up and said, "a point of order". I listened to you and I listened to Mr. Mysura Reddy. I didn't see that he raised his hand because I was only looking towards you. Now he has raised his hand. So, I will give him time. But the point is that you have raised rule 294. ...*(Interruptions)*... मैं रूलिंग नहीं दे रहा हूँ, मैं बोल रहा हूँ, आप सुनिए...(व्यवधान)... आपने रूल 294 उठाया। Both of us read Rule 294. Whatever I have to say, I will say. When you raised your objection, you did not allow the Minister to say anything. In the meantime, the House was adjourned.

श्री शिवानन्द तिवारी: मिनिस्टर कह ही नहीं सकते...(व्यवधान)...

श्री उपसभापति: तिवारी जी, यह ज्यादाती है। प्लीज़, देखिए, यह हाउस है। Mr. Mysura Reddy, your point is under Rule 294! ...*(Interruptions)*...

श्री नरेश चन्द्र अग्रवाल (उत्तर प्रदेश): इनकी बात अभी सुनी नहीं गई।

SHRI M.V. MYSURA REDDY: Sir, Rule 294 says, "Whenever a Member has a personal or specific pecuniary interest, direct or indirect..." Here, it is indirect. The last line says, "Shall not participate in any debate taking place in the Council..."

MR. DEPUTY CHAIRMAN: Please read further.

SHRI M.V. MYSURA REDDY: "...or its Committees before making such a declaration." He did not declare it.

MR. DEPUTY CHAIRMAN: You did not allow him to do that. ...*(Interruptions)*...

SHRI M.V. MYSURA REDDY: How can he declare it now? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Let me make it clear. ...*(Interruptions)*...

**श्री प्रकाश जावडेकर:** सर, मंत्री महोदय ने पिछले सेशन में यह बिल introduce किया। जब उन्होंने इसे introduce किया, तब हमने objection नहीं किया था। अब objection करने के पीछे क्या बात हुई? तो बात यह हुई कि जब बिल introduce किया गया था, तो what was it saying?

**श्री उपसभापति:** देखिए, इसे गवर्नमेंट ने introduce किया है।...**(व्यवधान)**...

**श्री प्रकाश जावडेकर:** मैं वही बता रहा हूँ कि I am a Member of the Standing Committee. That Bill went to the Standing Committee. उसमें क्या लिखा था? Section 31 says....

**श्री उपसभापति:** आप इसे डिबेट में बोलिए न।...**(व्यवधान)**... Whatever you have to say, say it in the debate.

**श्री प्रकाश जावडेकर:** सर, यह लिखा था। अब क्या हो गया?

MR. DEPUTY CHAIRMAN: As far as Rule 294 is concerned, it only says that the Member who has interest, directly or indirectly, can participate in the debate but after declaring it. ...*(Interruptions)*...

The House is adjourned till 11 a.m. tomorrow.

The House then adjourned at seventeen minutes past five of the clock  
till eleven of the clock on Wednesday, the 14th December, 2011.

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