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Thursday
3 May, 2012
13th Vaisakha, 1934 (Saka)

PARLIAMENTARY DEBATES
RAJYA SABHA

OFFICIAL REPORT

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[P.T.O.]

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Matters raised with permission

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RAJYA SABHA

Thursday, the 3rd May, 2012/13th Vaisakha, 1934 (Saka)

The House met at eleven of the clock.

MR. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

Irregularities in road projects funded by World Bank

*381.SHRIMATI KUSUM RAI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the details of road projects funded by World Bank;
- (b) whether irregularities in NHAI's projects have been reported by World Bank in its report recently;
- (c) if so, the details thereof;
- (d) the details of funding received from World Bank for NHAI projects;
- (e) whether corruption and irregularities have been noticed in Lucknow-Muzaffarpur under East-West corridor; GT Road improvement project and NH Projects Phase-3;
- (f) if so, the details thereof;
- (g) whether Government has enquired into the matter and has fixed responsibility in the alleged irregularities;
- (h) if so, the details thereof; and
- (i) if not, the reasons thereof?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) to (i) A statement is laid on the Table of the House.

Statement

(a) This Ministry is primarily responsible for development and maintenance of National highways. The details of National Highway projects funded by World Bank are Give in the Statement-I (See below)

(b), (c), (e) and (f) Department of Economic Affairs, Ministry of Finance have forwarded a report of the World Bank's Institutional Integrity unit alleging that some companies excuting World Bank Funded projects have committed sanctionable practices.

(d) Details of World Bank loans for NHAI projects are given in the Statement-II (See below)

(g) and (h) Ministry has constituted a committee an enquiry in the matter.

(i) Does not arise.

Statement-I*Details of National Highway projects funded by World Bank*

Sl. No.	Name of the Project	Loan No.	Total Length (in km.)	Loan Amount U\$\$ Million	Loan Approval Date (Loan closing date)	States
1	2	3	4	5	6	7
1.	First National Highway Project	2534-IN	520	200.00	15.04.1985 (31.12.1994)	Packages located in six states, viz., Gujarat, Haryana, Punjab, Tamil Nadu, Uttar Pradesh and West Bengal
2.	Second National Highway Project	3470-IN 2365-IN	290	153.00 153.00	18.09.1992 (30.06.2001)	Packages located in six states, viz.; Haryana, Madhya Pradesh, Maharashtra, Orissa, Punjab and West Bengal
3.	Third National Highway Project	4559-IN	477	516.00	08.06.2000 (31.12.2007)	8 packages located on NH-2 in Uttar Pradesh

1	2	3	4	5	6	7
4.	Grand Trunk Road Improvement Project	4622-IN	420	58900	21.06.2001 (30.06.2008)	7 packages located on NH-2 in Uttar Pradesh
5.	Allahabad Bypass Project	4719-IN	84.7	240.00	14.10.2003 (31.10.2009)	3 packages located on NH- 2 in Uttar Pradesh
6.	Lucknow-Muzaffarpur National Highway Project	4764-IN	483	620.00	28.12.2005 (30.06.2012)	12 packages located on NH-28 in Uttar Pradesh and Bihar (4 projects WB-9, 10, 11 and 12 in Bihar were delinked from World Bank funding after restructuring of the loan by the Bank on 24.5.2010)

Statement-II

Details of World Bank loans for NHAI projects

Sl.No.	Name of the project	Loan amount in US \$ million
1.	Grand Trunk Road Improvement Project (GTRIP)	589
2.	Third National Highways Project (TNHP)	516
3.	Allahabad Bypass (ABP)	240
4.	Lucknow Muzafarpur National Highway Project (LMNHP)	620

श्रीमती कुसुम राय: माननीय सभापति जी, मीडिया रिपोर्ट के अनुसार सत्ताधारी दल के आन्ध्र प्रदेश के सांसद की कम्पनी, Progressive Construction Ltd. और PCL-MVR Joint Venture, जो विश्व बैंक के अनुसार तीन राष्ट्रीय मार्गों के निर्माण की अनियमितता में संलिप्त है, उसे NHAI ने blacklist भी किया था, परन्तु बाद में उसे काली सूची से निकाल दिया गया। मैं सरकार से यह जानना चाहूंगी कि किसने और किस आधार पर blacklisted company को blacklist से निकाल कर विश्व बैंक द्वारा funded इन तीन राजमार्ग

परियोजनाओं के ठेके आवंटित किये और सरकार ने NHAI के दोषी लोगों एवं कथित कम्पनी के खिलाफ अब तक क्या कार्रवाई की है?

श्री सी.पी. जोशी: सभापति महोदय, जो बात माननीय सदस्या ने कही, वह सही नहीं है। विभाग ने 2008 में गाइडलाइंस दीं, जिनमें कुछ कम्पनियों को 'non-performance' declare किया गया है। Non-performance declare करने का मतलब उनको blacklisted करना नहीं है। वे कम्पनियां बाद में जब ठीक ढंग से काम करती हैं, तो वापस उन्हें 'performance' की category में रखते हैं। 2008 में PCL, MVR, लेनको, मधुकॉन प्रोजेक्ट्स तथा रानी कंस्ट्रक्शंस आदि कम्पनियों को non-performance declare किया गया। जब बाद में वे दूसरे काम समय पर करती रहीं, तब उन्होंने 2010 में अपने आप यह कहा कि हमें non-performance से performance की category में लिया जाए। उनके काम की प्रोग्रेस को देखते हुए उन्हें non-performance category से performance category में लिया गया और इसलिए 2010 में इनको इस category में काम दिया गया, उसमें blacklist करने की कोई बात नहीं है। Non-performance का मतलब है कि विभाग उनको दूसरा bid करने के लिए debar करता है और blacklist करने का मतलब है कि अन्य किसी विभाग में वे काम नहीं कर सकते। यह विभाग का internal मामला है। उनकी कार्यप्रणाली को ठीक ढंग से लागू करने के लिए विभाग ने ये गाइडलाइंस लागू की थीं, इसलिए उनको 2008 में non-performance declare किया गया और 2010 में जब उनकी प्रोग्रेस satisfactory थी, तब उनको performance category में लिया गया।

श्री सभापति: थैंक्यू। दूसरा प्रश्न।

श्रीमती कुसुम राय: माननीय सभापति जी, मेरे प्रश्न का यह सही जवाब नहीं है। वैसे, जब बड़े-बड़े घोटालों का जवाब नहीं मिल पाया है, तो यह तो छोटा घोटाला है।...(व्यवधान)...

MR. CHAIRMAN: Silence please...(Interruptions)...

श्रीमती कुसुम राय: फिर भी मैं आपके द्वारा मंत्री जी को यह बताना चाहती हूँ कि विश्व बैंक की रिपोर्ट के मुताबिक, कम्पनी द्वारा NHAI के अधिकारियों को करीब दो करोड़ रुपये रिश्वत के रूप में दिए गए और NHAI के अफसरों के लिए होटल बुकिंग और उपहार पर करीब 9.88 लाख खर्च किए गए। यह बहुत ही गम्भीर मामला है। क्या सरकार इस मामले की जांच सी.बी.आई. या जे.पी.सी. से कराएगी, ताकि दोषी लोगों को सजा मिल सके, क्योंकि कथित रूप से सत्ताधारी दल के सांसद की कम्पनी के खिलाफ बिना निष्पक्ष जांच के सच्चाई सामने नहीं आने वाली है? यदि इसकी जांच जे.पी.सी. और सी.बी.आई. से करानी है...

श्री सभापति: आप सवाल पूछिए न।

श्रीमती कुसुम राय: यह सवाल ही है, सर।...(व्यवधान)....मैंने सवाल ही पूछा है, सर।...(व्यवधान)...

श्री नरेश अग्रवाल: सर, यह बहुत ही गम्भीर मामला है।...(व्यवधान)....माननीय सदस्या इस पर कुछ पूछ रही हैं।...(व्यवधान)...

श्री सभापति: आप उनको जरा बोलने दीजिए न।...**(व्यवधान)**...

एक माननीय सदस्य: सर, इसकी जांच आपसे करवा लें, हमें कोई आपत्ति नहीं है।...**(व्यवधान)**...

श्रीमती कुसुम राय: सर, आप इसकी जांच करवा लें।...**(व्यवधान)**...मंत्री जी अगर जे.पी.सी. और सी.बी.आई. से इसकी जांच कराएंगे, तो उसके ब्योरे की जानकारी हमको दें।

श्री सी.पी. जोशी: माननीय सभापति महोदय, 1 मार्च, 2012 को वर्ल्ड बैंक के रिजनल टीम लीडर, Integrity Vice President ने DA को एक पत्र लिखा। DA के पत्र का content था, 'sharing of investigative findings in relation to the World Bank financed Lucknow-Muzaffarnagar National Highway project'. उसमें उन्होंने बताया है कि PCL और PCL-MVR JV कम्पनी हैं, जिन्होंने Fraudulent practices को adopt किया है, जिसमें इनको sanctionable practices की category में रखा जा सकता है। जिसमें इनको सैंक्शनेबल प्रेक्टिसिज की केटेगरी में रखा जा सकता है। यह पत्र मंत्रालय को 19 मार्च को मिला। जैसे ही पत्र मिला, मंत्रालय ने इसके सम्बन्ध में जांच करने के लिए एक कमेटी बना दी। मंत्रालय ने डी.ए. को जो पत्र भेजा है, मैं उसका contents बतलाना चाहता हूँ। "It is requested that the Ministry of Road Transport and Highways examine the attached letter and the material in the appendix to the letter and take appropriate action in the matter, including the matter investigated by an appropriate investigative agency." विभाग ने उस पत्र के आधार पर एक कमेटी बनाई। विभाग के जो ए.एस.एफ. हैं, उनको उसका चेयर पर्सन बनाया। यह उसकी जांच कर रहे हैं। जांच करने के बाद उस पर जो भी कार्यवाही करनी है, उस कार्यवाही के बारे में हम डी.ए. को सूचित करेंगे। परन्तु यह कहना कि किसी सांसद को बचाया जा रहा है, यह उचित नहीं है। इसी पत्र के अन्तर्गत वे जो दो कम्पनियाँ हैं, वर्ल्ड बैंक ने उन दो कम्पनियों को 15 मार्च, 2012 को नोटिस दिया है कि आपने जो यह fraudulent practice की है, तो क्यों नहीं आपके खिलाफ कार्रवाई की जाए? यह कम्पनी अभी पत्र वर्ल्ड बैंक को देगी, उसके बाद वर्ल्ड बैंक उसको आइडेंटिफाई करेगा कि यह उस पर कल्ट्रिट है या नहीं है। आज suo motu किसी को कलप्रिट करना चाहते हैं, यह ठीक परम्परा नहीं है।

श्रीमती कुसुम राय: सर, ऐसे छोटे-छोटे मामलों की भी क्या सी.बी.आई. जांच करेगी?

श्री शिवानन्द तिवारी: सभापति महोदय, वर्ल्ड बैंक के हवाले से अखबारों में बिल्कुल साफ-साफ खबर छपी थी कि जो मुख्यालय है, नेशनल हाईवे आर्थोरिटी का या माननीय मंत्री जी के विभाग का, वह एक खास कांटेक्टर को मदद कर रहा है, जो कांटेक्टर सब-स्टैंडर्ड काम कर रहा है और काम में डिले भी कर रहा है। यह स्पेसिफिक खबर अखबारों में छपी थी। मैं माननीय मंत्री जी से यह जानना चाहता हूँ कि जब मंत्रालय के मुख्यालय पर ही यह आरोप लगाया जा रहा है कि उसके संरक्षण में खराब ठेकेदार को बार-बार काम दिया जा रहा है, तो मुख्यालय के अफसरों की कमेटी बनाकर आप कैसे जिम्मेदारी के साथ जांच के नतीजे की उम्मीद कर सकते हैं? इसलिए मैं माननीय मंत्री जी से जानना चाहता हूँ कि क्या उन आरोपों की जांच किसी स्वतंत्र एजेंसी से, जैसे सी.बी.आई. वगैरह से कराने के बारे में इनकी मंशा है?

श्री सी.पी. जोशी: माननीय सभापति महोदय, सरकार को सी.बी.आई. से जांच कराने में कोई तकलीफ नहीं है। लेकिन जो प्रोसीजर है उसको समझना पड़ेगा। इसमें टेंडरिंग हुआ है, टेंडरिंग में बिडिंग हुई है और बिडिंग होने के बाद इसको काम मिला है और यह काम समाप्त भी हो गया है। लेकिन वर्ल्ड बैंक की टीम ने जो आधार बनाया है, इसमें इन्होंने **fraudulent practice** की बात कही है। **fraudulent practice** का मतलब जब हम किसी को टेंडर देते हैं तो दो तरह के एडवांस होते हैं, एक एडवांस होता है मोबाइलाइजेशन एडवांस और दूसरा होता है मेटेरियल एडवांस। मोबाइलाइजेशन एडवांस में जब उसको काम एवार्ड करते हैं तब वह 5 परसेंट टी.पी.सी. का पैसा एडवांस ले सकता है। उसके बाद 10 परसेंट प्रोग्रेस करने के बाद 5 परसेंट पैसा और ले सकता है। यह जो मोबलाइजेशन एडवांस इस कंपनी ने लिया है, उसके सम्बंध में वर्ल्ड बैंक ने इनके द्वारा की गयी प्रेक्टिसेस के बारे में कहा है कि एक जगह के काम की जगह दूसरी जगह के काम की इनवॉयसेस को लेकर, आपने पैसा विद्द्रा कर लिया, यह **fraudulent practice** है। इस के सम्बंध में वर्ल्ड बैंक ने उस कम्पनी को लिखकर दिया है कि क्यों नहीं इसको मिस-कंडक्ट मानकर आपके खिलाफ कर्वाई करें। जब तक वर्ल्ड बैंक इस नतीजे पर नहीं पहुंचेगा, तब तक मंत्रालय यह काम नहीं कर सकता। लेकिन मैं आपको आश्वस्त करना चाहता हूँ कि इस संबंध में मंत्रालय ने जो टीम बनाई है, वह इस बात पर आश्वस्त हो जाएगी कि वर्ल्ड बैंक की टीम ने यह जो **fraudulent practice** और **corrupt practice** के बारे में कहा है, यदि यह सत्य है तो जिस एजेंसी से चाहेंगे उस एजेंसी से हम जांच करा लेंगे। हमें इसको किसी से छिपाने की आवश्यकता नहीं है।

SHRI PRAVEEN RASHTRAPAL: Sir, in annexure 'A' to the answer, the hon. Minister has given complete details regarding loan being taken from the World Bank. this amounts to a total of 2471 US dollars for construction of national highways project, all over the country. Last week, the hon. Minister has been to Gujarat for inauguration of such a road and an over-bridge over a river. Naturally, he gave details of the money being paid by the Central Government and other agencies for the construction of the road. You will appreciate that there is a *Pradhan Mantri Gram Sadak Yojana*. The name itself indicates that for that rural road money will be paid by the Central Government. There are State Highways; there are National Highways.

MR. CHAIRMAN: Question please.

SHRI PRAVEEN RASHTRAPAL: I am coming to the question, Sir. But, we have got a Chief Minister in Gujarat, who, every second day, criticizes the...*(Interruptions)*

MR. CHAIRMAN: No; no. That is not a question. *(Interruptions)* No; no. That's not a question. *(Interruptions)*

SHRI PRAVEEN RASHTRAPAL: Sir, I am coming to the question. I want...*(Interruptions)* Sit down. *(Interruptions)* Sit down. मैं बोलता हूँ, बैठ जाओ, बैठ

जाओ...*(Interruptions)* बैठ जाओ. You can't stop me. *(Interruptions)* You can't stop me. *(Interruptions)* Sir, they can't stop me. *(Interruptions)* They must allow me to put my question. *(Interruptions)*

MR. CHAIRMAN: That's not a question...*(Interruptions)*...

SHRI PRAVEEN RASHTRAPAL: Allow me to put a question...*(Interruptions)*...Allow me to put a question...*(Interruptions)*...

MR. CHAIRMAN: Just one minute. ...*(Interruptions)*...Just one minute. ...*(Interruptions)*...One Minute, please. ...*(Interruptions)*...Mr. Rashtrapal, please sit down...*(Interruptions)*...You have been given the privilege of asking a supplementary question, not making a statement. So, please ask a question...*(Interruptions)*...

SHRI PRAVEEN RASHTRAPAL: All others were making statements, Sir.

MR. CHAIRMAN: No...*(Interruptions)*...

SHRI PRAVEEN RASHTRAPAL: Let me put the question. ...*(Interruptions)*...Let me put the question...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, I have a point of order.

MR. CHAIRMAN: In Question Hour?...*(Interruptions)*...

SHRI ARUN JAITLEY: Sir, I will straightway come to the point of order. My point of order is: can the conduct of Chief Ministers be discussed in this House?

MR. CHAIRMAN: No...*(Interruptions)*...

SHRI PRAVEEN RASHTRAPAL: Yes, we can. You have discussed the Governors' conduct...*(Interruptions)*...

MR. CHAIRMAN: No, no...*(Interruptions)*...The question needs to be reframed.

SHRI PRAVEEN RASHTRAPAL: Sir, the Governors' conduct was discussed here...*(Interruptions)*...

MR. CHAIRMAN: All right; I will go to the next question...*(Interruptions)*...

SHRI PRAVEEN RASHTRAPAL: No, Sir. Let me put my question.

MR. CHAIRMAN: So, please put your question.

SHRI PRAVEEN RASHTRAPAL: Sir, I want to know from the hon. Minister

how much fund was given by the Central Government to the State of Gujarat during the last three years for construction of roads....(*Interruptions*)...

SHRI C.P. JOSHI: Sir, this question does not come under the purview of the main question.

MR. CHAIRMAN: All right. Fine. Shri P. Rajeeve....(*Interruptions*)...

SHRI BALBIR PUNJ: Mr. Chairman, Sir, reference to Gujarat should be expunged....(*Interruptions*)...

MR. CHAIRMAN: We will look into the records and take appropriate action.

SHRI P. RAJEEVE: Sir, actually, the answer given by the Minister is partly correct. The Minister has stated that these two Companies are only non-performers and after they have improved their performance, they have been given the contracts again. Sir, the Report prepared by the World Bank's Institutional Integrity Unit has listed 'fraudulent and corrupt practices' by private Indian contractors, 'Progressive Construction Limited and MVR JV.' The words used in the World Bank report are 'fraudulent and corrupt practices'. Now, the Government has stated that their performance has improved. Through you, Sir, I want to know from the hon. Minister what is this 'improved performance', *i.e.*, improvement in bribery amount! What action has been taken by the Minister on the Report and has any inquiry been conducted by the Ministry on the Report of the World Bank with regard to these two Companies on 'fraudulent and corrupt practices'?

SHRI C.P. JOSHI: Sir, the question is not relevant to the main question to an extent because the work award was given between 2005 and 2008. They have brought this fact just know. Let us ascertain the facts and, then, we can say whether they have entered into corrupt practices during that time or not. So, we are saying very categorically that...(*Interruptions*)...

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

SHRI C.P. JOSHI: Sir, they have brought it to our notice on 1st March, 2012. They have already given notice to these Companies. Let the facts be ascertained by the World Bank team. Once they ascertain it, then we will take action on it. But I would like to remind the hon. Member that the non-performance is not linked with this. That is a different project. So, don't link these two things together....(*Interruptions*)...

MR. CHAIRMAN: No supplementaries, Please.

SHRI C.P. JOSHI: These companies are having a number of projects in the NHAI. So, don't mix the two things together.

MR. CHAIRMAN: Question No. 382...(Interruptions)...No, no, please. This is over...(Interruptions)...

श्री नरेश अग्रवाल: सर, यह प्रश्न यू.पी. से जुड़ा है। एक प्रश्न पूछने दीजिए।

श्री सभापति: नरेश जी, बैठ जाइए। अब नहीं हो सकता है।

Launch of RISAT-I

*382. SHRI A. ELAVARASAN: Will the PRIME MINISTER of be pleased to state:

(a) whether India's first radar imaging satellite RISAT-I, the country's first micro-wave remote sensing satellite is ready for launch;

(b) if so, the details thereof;

(c) whether the indigenously designed and developed satellite is capable of imaging during day and night and in all weather conditions; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTRY'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) The country's first indigenously designed microwave imaging satellite, Radar Imaging Satellite (RISAT-I) was launched by Indian Space Research Organisation onboard India's Polar Satellite Launch Vehicle, PSLVC-19 on April, 26, 2012 from Sriharikota.

(c) Yes, Sir.

(d) The RISAT-I is an advanced C-band Synthetic Aperture Radar Satellite working in 5.35 Giga hertz frequency. This has cloud penetrating capability and also can image during day and night as well as all weather conditions. This facilitates cloud penetration and imaging even without sunlight. For RISAT-I, imaging sessions around both 6 AM and 6 PM are chosen.

SHRI A. ELAVARASAN: Sir, I want to know whether the Radar Imaging Satellite circles the earth 14 times a day and takes clear pictures of the earth surface, and whether these pictures can be used for many purposes such as crop prediction, the national security, etc.

SHRI V. NARAYANASAMY: Sir, I would like to submit that the hon. Member put this question before the Satellite was launched on the 26th of April, 2012. Sir,

with your kind permission, I made, in this august House, a statement regarding the successful launch of RISAT-I by our scientists. I would like to mention that this is a hundred per cent indigenously-built Satellite. It was put into the orbit. And, according to them, after the first manoeuvring, it started sending images. Sir, the hon. member has asked the number of circles it completes in a day. It is a 24/7 satellite, covering the Earth six times a day, and taking 130 minutes for one round. It clicks ten minutes' images continuously, from 6:00 a.m. to 6:00 p.m. in the evening.

Sir, I would like to share with this august House that when the first pictures were taken at 6:00 a.m. on 1st May, 2012, the images were very clear and it covered areas starting from the Himalayan glaciers to Karnataka via Bhopal. It took images in a radius of 25 km. It used a new technology. From optical remote sensing satellite technology, we had moved on to micro-wave remote sensing technology; and, now, we have moved on to adopting the latest technology, that is, the remote imagery satellite technology. Sir, scientists from ISRO deserve congratulations from this august House for the successful launch of such a large and indigenously-built satellite.

MR. CHAIRMAN: The House has already done that. Thank you.

SHRI A. ELAVARASAN: Sir, has India's rank in the world improved in satellite-launching technology after successfully launching this satellite as well as Agni-V? What steps have been taken to strengthen the satellite-launching infrastructure?

SHRI V. NARAYANASAMY: Sir, as far as Agni-V is concerned, it is being dealt with by the DRDO. So, I would not like to answer that question. But as far as satellite-launching technology is concerned, we are one of the leading countries along with the United States, Europe, China and Russia in this field. We are collaborating with various countries, especially Russia, in the field of improving our technologies in remote sensing, in launching satellites for transponder-use and in various other applications. Our scientists are second to none in the world and they have brought many laurels to our country. They have developed and used advanced technologies; they have done inventions. Sir, I feel very proud of our scientific community.

Compatibility of States' rules with the model Central rules

383. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of WOMAN AND CHILD DEVELOPMENT be pleased to state:

(a) the names of the States which have framed rules under the Central Dowry Prohibition Act compatible with model rules circulated by Government of India;

(b) whether Government has formulated any central or centrally sponsored scheme(s) for spreading awareness as well as monitoring enforcement under the Act on a massive scale;

(c) if not, whether Government would do so considering the fact that a significant part of corruption as well as violence against women are linked to the dowry system; and

(d) whether Government would give preference in assistance to States which have already framed the rules?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) The Government has Information that 19 States/UTs as given in the Statement-I (*See* below) have formulated Dowry Prohibition Rules compatible with model rules circulated by Government of India. information in respect of remaining States/UTs is being collected and will be laid on the Table of the House.

(b) and (c) No specific Central sector of Centrally sponsored scheme has been formulated nor there is any proposal to formulate any such scheme for spreading awareness as well as monitoring enforcement under the Act. however, Government undertakes awareness programmes through print and electronic media and reviews implementation of the Act with State Government from time to time. National Commission for Women (NCW) has also been organising seminars, workshops, conferences and public hearing on various issues concerning women including dowry. These efforts are also being supplemented by the State Governments at State level.

(d) Does not arise.

Statement

*Name of the States which have framed Rules under the
Central Dowry Prohibition Act compatible with Model Rules
circulated by Government of India*

Sl.No.	Name of State Governments
1.	Assam
2.	Bihar
3.	Chhattisgarh

Sl.No.	Name of State Governments
4.	Goa
5.	Gujarat
6.	Haryana
7.	Himachal Pradesh
8.	Karnataka
9.	Kerala
10.	Madhya Pradesh
11.	Manipur
12.	Odisha
13.	Rajasthan
14.	Tamil Nadu
15.	Tripura
16.	Uttar Pradesh
17.	West Bengal
18.	Andaman and Nicobar Islands
19.	Chandigarh

SHRI PYARIMOHAN MOHAPATRA: Sir, first of all, I would like to draw the attention of the Chair to the violation of the guidelines given by the Chair in this House the other day about writing the name 'Odisha' properly. This Department in this Question and in Question No. 387, has mentioned 'Orissa', which is no longer the name of the State. So, I suggest that this may kindly be taken up again.

MR. CHAIRMAN: Thank you for pointing that out.

SHRI PYARIMOHAN MOHAPATRA: Sir, my first supplementary is, the Ministry or the Minister does not seem to be serious about the biggest crime against womanhood, that is, dowry. It should be considered as being worse than AIDS, because it breeds not only corruption, but even violence, which sometimes goes up to bride-burning in several cases. I had asked whether awareness would be

spread about it, but there is no awareness in the Ministry itself. In the reply, it has been stated that there is no monitoring mechanism. This is a Central Act passed by parliament and monitoring of the implementation of this law is the duty of the Government. When will the Government recognize its duties and start monitoring it? In the reply, there is no mention about any scheme for monitoring.

श्रीमती कृष्णा तीरथ: सभापति जी, माननीय सदस्य का प्रश्न मैंने देखा है, इन्होंने अधिनियम के प्रवर्तन पर निगरानी रखने के बारे में पूछा है। यह राज्यों के अधिकार क्षेत्र में आता है और हमने जो मॉडल रूल्स बनाए हैं, जैसे Central Dowry Prohibition Act, 1961 compatible with the model Rules circulated by the Government of India, उसके आधार पर राज्यों ने अपने यहां Dowry Prohibition Officers and Chief Dowry Prohibition Officer बनाए हैं। इन Dowry Prohibition Officers का काम बहुत अहम है। इन DPOs के बहुत से काम हैं, जैसे complaint receive करना, उस पर action लेना, complaints को register करना, उनको maintain करना। इसके अतिरिक्त हमारे Dowry Prohibition Officers, Advisory Board के Convener भी हैं और वे Advisory Board के Members के साथ regular contact में रहते हैं। इसके अलावा District Magistrate को इस बारे में inform करना कि कहां-कहां इस तरह के केसेज आए हैं, इस ऐक्ट का use हो रहा है या नहीं हो रहा है, वह लिस्ट जो bride और bridegroom ने तैयार की है, उसे अपनी कस्टडी में रखना, अनेकों इस तरह के काम हैं। मैं मानती हूँ कि यह बहुत बड़ी सामाजिक बुराई है और इस बुराई को दूर करने के लिए बहुत से उपाय हैं। इसमें सबसे बड़ी बुराई है dowry. Dowry जो demand basis पर है, उसे हम prohibit करना चाहते हैं। दूसरा है स्त्रीधन, स्त्रीधन पर prohibition नहीं है और तीसरा है गिफ्ट, ये तीन तरह की चीजें हैं। Dowry को समाप्त करने के लिए CDPO का प्रावधान है और यह राज्य सरकारों की जिम्मेदारी है। CDPO जो complaint लेता है, उसकी Scrutiny की जाती है और अगर complaint section 3, section 4 या अगर section 4(A) के अंतर्गत है, तो उसकी enquiry conduct करके, parties से evidences इकट्ठे किए जाते हैं और उसके बाद ये evidences DPOs द्वारा CDPO को दिए जाते हैं। शिकायत करने वाली पार्टी तथा जिसके खिलाफ शिकायत है, उसको नोटिस देना, समय देना कि उनकी hearing कब करनी है, शिकायत मिलने के एक महीने के अंदर उस पर कार्यवाही करना, यह सारी जिम्मेदारी राज्य सरकारों की बनती है और जहां तक Central Monitoring Committee का सवाल है, वह अभी नहीं है। हमारा National Women Mission इस बारे में Awareness create करता है, सोसायटीज awareness create करती हैं, NGOs awareness create करती हैं और district Probation officer या Additional District Probation Officer या City Probation Officer का ध्यान अगर इस ओर नहीं होता है, तो वे इस ओर उनका ध्यान दिलाते हैं। इसके अलावा सरकारी कर्मचारी को शादी के बाद एक declaration देना पड़ता है कि उसने दहेज नहीं लिया है, उस पर उसके signature होते हैं, उसके father के signature होते हैं, उसकी wife and father-in-law के भी signature होते हैं।

SHRI PYARIMOHAN MOHAPATRA: Sir, I am aware of the Act and the

Rules. I don't know why the hon, Minister chose to read out provisions of the Act and the Rules. When I asked a question, I am expected to be aware of these. The Question has not been read properly. A considerable part of corruption comes out of this dowry system. Since girls have to be married off, all sections of society try to make extra money. That is how corruption is bred. I think there should be some studies of dowry and dowry-related corruption. Please ensure that all the studies are now analysed in your Ministry and schemes are formulated on that basis to spread awareness and enforce the Act or Rules properly because enforcement mechanism is very weak. We can't pass a law here and say that it is for States to enforce it. States will naturally enforce it. If a law has been passed by Parliament, the Centre has to watch as to what is happening. This responsibility cannot be thrown out by saying that the National Commission for Women or the State Government is to do certain things. Will the hon. Minister ensure studying all the reports which have come up on dowry-related violence and dowry-related corruption? Will the Minister come up either with Centrally-sponsored schemes to tackle this or advise the States for drawing plans at State level? Will the Minister Change the awareness programmes, which are producing no results, for better campaigns through better means?

श्रीमती कृष्णा तीरथ: सभापति महोदय, मैं आपके माध्यम से सदन को बताना चाहती हूँ कि Central Dowry Prohibition Act, 1961 है, यह बात आप जानते हैं और आपने इसे बताया। दूसरी बात यह है कि जहां तक इसके लिए monitoring system का सवाल है, मैं चाहती हूँ कि स्टेट की monitoring जरूर होनी चाहिए। NCW इसमें बहुत सारे काम कर रहा है, awareness create कर रहा है, समय-समय पर प्रिंट मीडिया द्वारा और अन्य माध्यमों से awareness कर रहा है और NCW इस स्टडी को analyze करे और State Women Commission के द्वारा भी इसको analyze किया जा रहा है। इसके बाद अगर जरूरत पड़े, तो Monitoring Committee सेंटर के स्तर पर बनाई जाए।

DR. BHALCHANDRA MUNGEKAR: Sir, taking into account all proclamations in the Indian Constitution on the right to Equality, it is not possible for this country to give a sense of dignity to women after independence. After listening to the reply of the hon. Minister, I am compelled to say that the entire issue of dowry, where hundreds of young women are killed, should be taken more seriously than how it is taken today. Sir, there is inter-transferability of various kinds of donations. I suggest that the Government should take serious view of this entire matter and prepare a comprehensive legislation without simply saying that the State Governments are responsible. The Centre must take initiative, as it has been taking in several other matters, and bring comprehensive legislation so that the stigma of dowry is removed. In simple meaning, It is like a slave being sold for money, and that is why, according to me, comprehensive legislation is called for.

MR. CHAIRMAN: That's a suggestion. Dr. Najma Heptulla. उन्होंने suggestion दिया है।

श्रीमती कृष्णा तीरथ: मैं मानती हूँ कि यह सुझाव अच्छा है, लेकिन हमारी बहुत सारी schemes हैं जैसे "सबला" है, उसमें भी इस तरह का एक environment बनाया जा रहा है, जिससे इस बुराई को दूर किया जा सके।

SHRI PRASANTA CHATTERJEE: How many meeting she has convened with the State Ministers?...*(Interruptions)*.

MR. CHAIRMAN: please, this is not your turn. Dr. Najma Heptulla.

डा. नजमा ए. हेपतुल्ला: सर, आपके जरिए मैं ऑनरेबल मिनिस्टर से पूछना चाहती हूँ कि बहुत सी State Governments ने महिलाओं के लिए positive schemes रखी हैं, जैसे मध्य प्रदेश में अगर सामूहिक विवाह होता है, तो वे पंद्रह हजार रुपए लड़की को देते हैं, ताकि उसके दहेज या जो भी सामान उसके घर के लिए जरूरी हो या कपड़े वगैरह, उसको वह खरीद सके और दो हजार रुपए वे उस समिति को देते हैं, जो शादी का arrangement करती है। तो क्या केंद्र सरकार के पास ऐसी कोई positive scheme है, जो दूसरे States में भी लागू हो सके, जैसे मध्य प्रदेश और भारतीय जनता पार्टी ruled States में है?

श्रीमती कृष्णा तीरथ: सभापति महोदय, मैं आपके माध्यम से बताना चाहती हूँ कि यह स्टेट मैटर है। जब इस तरह के सामूहिक विवाह होते हैं, तो स्टेट के पास जो अपना फंड होता है उसमें से दो हजार रुपए, पांच हजार रुपए, पंद्रह हजार रुपए वे देते हैं। वह "दहेज" नहीं कहलाता है, वह उसके लिए मदद होती है।

डा. नजमा ए. हेपतुल्ला: मैंने "दहेज" नहीं कहा, मैंने यह कहा कि महिलाओं के लिए क्या कोई ऐसी positive scheme आपके पास है कि जो गरीब महिलाएं हैं, जिनके माता-पिता के पास उनको कपड़े देने की भी सुविधा नहीं होती है, उनके लिए जैसा मध्य प्रदेश में हो रहा है, क्या दूसरे States में भी ऐसी स्कीम लागू करने का आप मशवरा देंगी?

श्रीमती कृष्णा तीरथ: विभिन्न राज्यों में ऐसी स्कीम हैं, जैसे दिल्ली में भी है कि उसको दो हजार या पांच हजार रुपए दिए जाते हैं। ऐसा अलग-अलग राज्यों में है। अगर इस तरह से राज्य सरकारें...*(व्यवधान)*...

डा. नजमा ए. हेपतुल्ला: कौन से राज्यों में है?

श्रीमती कृष्णा तीरथ: दिल्ली में भी है, जैसे आपने मध्य प्रदेश में बताया। तो विभिन्न राज्यों में सेंटर की अभी ऐसी कोई स्कीम नहीं है।...*(व्यवधान)*...

MR. CHAIRMAN: Silence, please. Shrimati Jaya Bachchan.

डा. नजमा ए. हेपतुल्ला: हम केंद्र से पूछ रहे हैं, State Governments तो कर ही रही हैं।

MR. CHAIRMAN: No cross talking, please.

डा. नजमा ए. हेपतुल्ला: हम आपसे पूछ रहे हैं, आप क्या कर रही हैं?

श्रीमती कृष्णा तीरथ: अभी सेंटर की ऐसी कोई स्कीम नहीं है।... (व्यवधान)...

MR. CHAIRMAN: Please, that is over. Yes, Shrimati Jaya Bachchan, go ahead please.

श्रीमती जया बच्चन: सर, मंत्री जी ने अभी अपने जवाब में कहा कि यह लागू है, सेंटर है, स्टेट है, ग्राम पंचायत है, छोटे शहर हैं, woman organizations हैं, तो I would like to ask her कि आप मुझे एक महीने का कोई एक ऐसा केस बता दीजिए where a person, who has committed the crime of dowry death, has been punished. आपके पास reports तो आती होंगी। आप मुझे किसी एक के बारे में बता दीजिए क्योंकि इतने सालों से हम अखबारों में dowry deaths के बारे में तो पढ़ते हैं, लेकिन जिनकी वजह से डेथ हुई है, जिन्होंने उसे डेथ की पनिशमेंट दी है, क्या आप लोगों ने उन्हें punish किया या Centre, State या Women Organizations ने उन्हें punish किया? I want to know that.

श्रीमती कृष्णा तीरथ: सभापति महोदय, इसकी एक लम्बी लिस्ट है, मैं इस लिस्ट को सदन के पटल पर रखूंगी। जहां-जहां इस तरह के dowry death के केसेज हुए हैं, which are punishable under section 304 (B) of the Indian Penal Code, और जिनको सजा मिली है, उसके संबंध में एक पेपर में जरूर दे दूंगी, वह मैं सदन के पटल पर रखूंगी। जहां-जहां पनिशमेंट दी गयी है, उनके संबंध में पेपर्स आपको मिल जाएंगे।

*384. [The Questioner (Shri Ramchandra Prasad Singh) has absent.]

गैर-सरकारी क्षेत्र को सौंपी गई सड़क परियोजनाएं

384. श्री रामचन्द्र प्रसाद सिंह: क्या सड़क परिवहन और राजमार्ग मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि वित्तीय वर्ष 2011-12 के अंतिम सप्ताह में 7,400 कि.मी. लम्बी सड़कों के निर्माण का उत्तरदायित्व गैर-सरकारी क्षेत्र को सौंपा गया है;

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है;

(ग) उक्त अवधि के दौरान सड़क निर्माण संबंधी परियोजनाओं की कुल कितनी निर्माण लागत तय की गई है; और

(घ) सड़क निर्माण का दायित्व कुल कितनी कंपनियों को सौंपा गया है?

सड़क परिवहन और राजमार्ग मंत्री (श्री सी.पी. जोशी): (क) से (घ) एक विवरण सदन के पटल पर रखा जाता है।

विवरण

(क) जी नहीं।

(ख) प्रश्न नहीं उठता।

(ग) निजी क्षेत्र को सौंपी जाने वाली सड़क परियोजनाओं के लिए वित्त वर्ष 2011-12 के अंतिम सप्ताह के दौरान कुल निर्माण 16,176 करोड़ रुपए आंकी गई है।

(घ) इन परियोजनाओं की जिम्मेदारी 11 निर्माण कंपनियों/रियायतग्राहियों को सौंपी जानी है।

Road projects entrusted to private sector

†*384. SHRI RAMCHANDRA PRASAD SINGH: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that the responsibility of constructing 7,400 km long roads has been entrusted to private sectors in the last week of the financial year 2011-12;

(b) if so, the details thereof;

(c) the total construction cost of road projects worked out during the said period; and

(d) the total number of companies entrusted with the responsibility of this road construction?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) to (d) A statement is laid on the Table of the House.

Statement

(a) No, Sir.

(b) Does not arise.

(c) The total construction cost of Rs. 16,176 cr. has been worked out during the last week of financial year 2011-12 for road projects to be entrusted to the private sector.

(d) 11 numbers of construction companies/concessionaires are to be entrusted with the responsibility for these projects.

MR. CHAIRMAN: Member not present. Any supplementary question? Yes, Mr. Javadekar.

श्री प्रकाश जावडेकर: सभापति महोदय, बजट की प्रक्रिया में 'last week of March' का phenomenon है। The answer says, "The total construction cost of Rs. 16,176 crore has been worked out during the last week of financial year 2011-12 for road projects

†Original notice of the question was received in Hindi.

to be entrusted to the private sector. मेरा प्रश्न है कि लास्ट वीक में यह सब रश क्यों होता है? That reflects the inefficiency throughout the year. Apart from that ...(*Interruptions*)...

MR. CHAIRMAN: Please put your question.

SHRI PRAKASH JAVADEKAR: My question is whether the projects worth Rs. 16,000 crore are taken up in PPP mode, and, if it is so, whether the Government has taken the experience of ten years on hand, and, what improvements have been made? If it is not PPP or ROT, and, if it is only a contract and the Government is paying full amount, then, based on the experiments of last five to seven years, what are the new improvements made?

SHRI C.P. JOSHI: Sir, at the outset, let me say that these are PPP projects. Total PPP projects जो लास्ट वीक के हैं, उनकी अमाउंट Rs. 16,000 करोड़ है। VGF is 40 percent. In PPP mode, we give 40 per cent VGF. Sir, Rs. 16,000 crore is the total cost of the projects, and, it is not from GBS; it is from the PPP mode. It should be very clear.

Sir, I am happy to announce that last year we could only award 5,166 kilometers while this year we could award 7,957 kilometers, and, I am happy to announce that for the first time, we got a premium of Rs. 3,000 crore, which, in terms of Net Present Value, comes to Rs. 30,000 crore. This is the intervention of e-tendering. I am happy to say that we have learnt from the past experience, and, we have introduced the concept of e-tendering. With e-tendering, a large number of bidders are participating, and, through bidding, we are getting premium. Don't confuse it. We spread the entire programme over the entire year. Only last fortnight, because of the 45-days' timeframe from PPP to CCI, we could make awards in the last week only in these three projects. Otherwise, everything in e-tendering is being done in a transparent manner, and, we are getting very good response. For the next year, we have a target of 8,800 kilometers.

DR. K.P. RAMALINGAM: Mr. Chairman, Sir, in the answer, the Minister has said that the construction cost worked out for the last year is Rs. 16,176 crore, and, for that, eleven private companies have been entrusted with the responsibility of these projects. I would like to request the Minister to kindly provide us the State-wise list of all these projects.

Sir, if we talk of BOT roads, the cars of the Members of Parliament can pass through without paying toll charges but there are so many hurdles and problems which are faced by the MPs. Can you give a separate pass?

MR. CHAIRMAN: What is your question? Does it relate to this question?

SHRI K.P. RAMALINGAM: Sir, it is also related. Sir, with regard to the BOT or PPP road projects, we are entrusting works to the private sector but they are not allowing even the cars of the Members of Parliament. There should be a separate pass for that. (*Interruptions*)

MR. CHAIRMAN: That is a separate subject. (*Interruptions*)

SHRI K. P. RAMALINGAM: Sir, my first question was regarding the State-wise list of the projects..

SHRI C.P. JOSHI: Sir, if the hon. Member wants a State-wise list, I can submit the same. There is no problem in this. I can assure you that if there is a problem of entry of the Member of Parliament, we will give directions to the Concessionaires, and, they will adhere to it.

श्री नरेन्द्र कुमार कश्यप : सभापति महोदय, मैं माननीय मंत्री जी को यह बताना चाहता हूँ कि NCR में आबादी का घनत्व लगातार बढ़ रहा है, जिसके कारण उत्तर प्रदेश और दिल्ली के बीच में आवागमन में बड़ी बाधा पैदा होती है। हमने माननीय मंत्री जी से व्यक्तिगत तौर पर मिलकर यह अनुरोध भी किया था कि निजामुद्दीन से डासना होते हुए मेरठ के लिए एक्सप्रेस-वे बनाया जाना चाहिए, जिस पर माननीय मंत्री जी ने भी स्वीकृति प्रदान की थी।

सभापति महोदय, मेरा माननीय मंत्री जी से यह सवाल है कि क्या निजामुद्दीन से डासना होते हुए मेरठ को जाने वाले रोड के निर्माण कार्य को इस योजना में रखा गया है? यदि रखा गया है, तो उसकी लागत क्या है और अगर नहीं रखा गया है, तो क्या इसको रखने का प्रस्ताव माननीय मंत्री जी रखेंगे, ताकि NCR में भीड़ से, जाम, से जनता को निजात मिल सके?

श्री सी.पी. जोशी : माननीय सभापति महोदय, माननीय सदस्य मुझे मिले थे। मैंने आज ही विभाग के अधिकारियों को कहा है, मेरे सेक्रेटरी और इंजीनियर उस रोड पर जायेंगे। यह सबसे important road है, इस रोड का alignment ठीक ढंग से हो, समय पर कंस्ट्रक्शन शुरू हो जाए, इस काम को हम प्राथमिकता के आधार पर ले रहे हैं। अगले 15-20 दिन के बाद मैं आपको इसके बारे में सूचित करने की स्थिति में हूंगा।

MR. CHAIRMAN: Any supplementary questions on Question No. 385? Question No. 386.

*385. [The questioner (Shri Dhiraj Prasad Sahu) was absent]

भूमि के आबंटन में एकरूपता का अभाव

*385. श्री धीरज प्रसाद साहू: क्या इस्पात मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या बोकारो इस्पात संयंत्र (सेल) द्वारा आवास पट्टा धाकों के पोटैटो लैण्ड (अतिरिक्त

निर्माण हेतु स्वीकृत भूमि) पर अतिरिक्त निर्माण हेतु आबंटित भूमि के आबंटन में एकरूपता का पालन नहीं किया गया है;

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है और इसके क्या कारण हैं;

(ग) क्या आवास पट्टाधारियों और भारतीय इस्पात प्राधिकरण लि. (सेल) के बीच हुए समझौते के अनुसार, अतिरिक्त निर्माण के लिए संस्वीकृत भूमि (प्रति वर्ग फुट में) का बकाया पचास प्रतिशत मूल्य नहीं लिया जा रहा है; और

(घ) यदि हां, तो तत्संबंधी ब्यौरा क्या है और इसके क्या कारण हैं?

इस्पात मंत्री (श्री बेनी प्रसाद वर्मा): (क) से (घ) एक विवरण सदन के पटल पर रख दिया गया है।

विवरण

(क) और (ख) स्टील अथॉरिटी ऑफ इंडिया लिमिटेड (सेल) के बोकारो स्टील प्लांट ने अपनी टाउनशिप में संबंधित क्वार्टरों के पट्टाधारकों द्वारा पोटेटे लैण्ड में अतिरिक्त निर्माण किए जाने की अनुमति प्रदान करने में एक समान प्रक्रिया अपनाई है। सितम्बर, 2002 में पोटेटो लैण्ड पर अतिरिक्त निर्माण कर अनुमति अपेक्षित प्रभारों के भुगतान करने पर दी गई थी। मार्च, 2003 में अनुमय सीमाओं से अधिक निर्माण के नियमितकरण की अनुमति एकमुश्त उपाय के रूप में केवल उन मामलों में प्रदान की गई थी जहां पट्टा करार 13-2-2003 तक निष्पन्न किए गए थे और निर्माण पिलिंथ एरिया की अधिकतम सीमा के अनुसार अपेक्षित प्रभारों के भुगतान करने पर किया गया था जैसा कि निम्नलिखित तालिका में उल्लेख किया गया है:

क्र.सं. क्वार्टर का प्रकार	सितम्बर, 2002 में दी गई अनुमति के अनुसार अधिकतम अनुमय पिलिंथ एरिया	मार्च, 2003 में दी गई अनुमति के अनुसार नियमितकरण का अतिरिक्त एरिया
1. ई ई एफ एफ	150 वर्ग फीट	75 वर्ग फीट
2. डी	196 वर्ग फीट	98 वर्ग फीट
3. सी	238 वर्ग फीट	119 वर्ग फीट

(ग) और (घ) टेके के अनुसार स्वीकृत भूमि का 50 प्रतिशत बकाया मूल्य प्रभारों के रूप में उन सभी पट्टाधारियों से लिया गया था जिन्होंने अतिरिक्त निर्माण और अनुमय सीमाओं से अधिक निर्माण के नियमितकरण का चयन किया था। वर्ष 2008 में अनुमय सीमाओं से अधिक निर्माण के नियमितकरण के लिए एक संशोधित एकमुश्त योजना, जो 9-1-2009 तक वैध थी, लाई गई थी। यह योजना हाउसिंग डेवलपमेंट फाइनेंस कॉरपोरेशन द्वारा नए सिरे से किए गए मूल्यांकन के अनुसार संशोधित दरों पर आधारित थी लेकिन संबंधित पट्टाधारियों से इस योजना पर कोई अनुक्रिया प्राप्त नहीं हुई थी।

No uniformity in allotment of land

†*385. SHRI DHIRAJ PRASAD SAHU: Will the Minister of STEEL be pleased to state:

(a) whether no uniformity has been followed by Bokaro Steel Plant (SAIL) in allotment of land for additional construction on Potato land (sanctioned land for additional construction) of residence by lease holders;

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

(c) whether as per the contract between residence lease holders and Steel Authority of India Ltd. (SAIL), 50 per cent outstanding value of the sanctioned and (per square feet) is not being collected for additional construction; and

(d) if so, the details thereof and the reasons therefor?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): A Statement is laid on the Table of the House.

Statement

(a) and (b) Bokaro Steel Plant (BSL) of the Steel Authority of India Limited (SAIL) has followed a uniform procedure in allowing additional construction on potato land by the lease holders of concerned quarters in its township. In September 2002, additional construction on potato land was permitted on payment of requisite charges. In March 2003, regularization of construction beyond permissible limits was allowed as a one-time measure only, in those cases where the agreement to lease had been executed up to 13.02.2003 and the construction was as per the maximum plinth area limits as mentioned in the following table, on payment of requisite charges:

Sl.No.	Type of Quarter	Maximum permissible plinth area allowed in Sept, 2002	Additional area of regularization allowed in March, 2003
1.	E/EF/F	150 Square feet	75 Sq. Ft.
2.	D	196 Square feet	98 Sq. Ft.
3.	C	238 square feet	119 Sq. Ft.

(c) and (d) As per the contract, 50% of the outstanding value of the

†Original notice of the question was received in Hindi.

sanctioned land as charges was collected from all those lessees who opted for additional construction and regularization of the construction beyond permissible limits. In 2008, a revised one-time scheme which was valid upto 09.012009, was floated for further regularization of construction beyond permissible limits. This scheme was based on revised rates as per fresh assessment made by the Housing Development Finance Corporation, but no response to this scheme was received from the concerned lessees.

Amendment to Dowry Prohibition Act, 1961

386. DR. PRABHAKAR KORE: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the National Commission for women has made recommendations to amend the Dowry Prohibition Act, 1961;

(b) if so, the details of the recommendations;

(c) whether Government has taken or/is taking any steps to implement the said recommendations; and

(d) if so; the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) and (b) The National Commission for Women (NCW) proposed amendments to the Dowry Prohibition Act, .1961 in 2009. The major recommendations include:-

(i) Amendment to definition of Dowry

(ii) Provision for registration of lists of gifts received at the time of marriage.

(iii) Provision for separate penalties for giving and taking of dowry.

(iv) Penalties for non-maintenance of lists of gifts received at the time of the marriage.

(v) Insertion of a new clause providing an opportunity to the woman to file a case at the place where the offence was committed or where she permanently/ temporarily resides.

(vi) Protection officers appointed under the Protection of Women from Domestic Violence Act, 2005 to carry out the duties of the Dowry Prohibition Officers.

(c) and (d) The recommendations made by the NCW were discussed in an Inter- Ministerial meeting and the Dowry Prohibition (Amendment) Bill 2010 was drafted in consultation with the Ministry of Law and Justice. As a number of representations were received against the proposed amendments, the NCW held further consultation at the request of the Ministry and provided the minutes of the same. Thereafter, the Ministry held a Regional Consultation on the 17th November 2011 and a National Consultation on 12th January 2012 with the representatives of State Governments, police, Legal Services Authorities etc. to discuss the issues in implementation of the Act and share best practices. The Ministry is currently examining the proposed amendments in the light of the deliberations made in these Consultations.

DR. PRABHAKAR KORE: Sir, in the Minister's reply, I don't see any seriousness on the part of the Government on this issue. I was deeply hurt when I read the news item 'one bride burnt every hour' which appeared in a national daily.. On the one hand, we worship women as goddess, and on the other hand, women are being killed for not bringing enough dowry. In fact, in Delhi...

MR. CHAIRMAN: Question please.

DR. PRABHAKAR KORE: Sir, crime against women in Delhi, the capital of this country, are high compared to any other big city. It is very painful to mention that in a place where the...

MR. CHAIRMAN: What is your question?

DR. PRABHAKAR KORE: am coming to the question, Sir. It is a very serious matter. The hon. President of India, the hon. Chairperson of the UPA...

MR. CHAIRMAN: Will you please ask the question?

DR. PRABHAKAR KORE: Sir, the hon. Speaker, the hon. Chief Minister of Delhi, the hon. Leader of the Opposition, all are ladies. But still, if you see the number of dowry deaths in Delhi...

MR. CHAIRMAN: I am afraid you don't have a question. Please don't read a statement. Just ask the question.

DR. PRABHAKAR KORE: Every month, 142 deaths are taking place in the

capital. It is a very serious matter, Sir. According to the National Crime Records Bureau, the total dowry deaths in 2000 were 6,995.

MR. CHAIRMAN: Please ask your question, Sir.

DR. PRABHAKAR KORE: Sir, total dowry deaths reported in the country in 2010 were 8,391. Given these unacceptably high numbers, Sir, I would like to know from the hon. Minister, through you, whether the Dowry Prohibition (Amendment) Bill, 2010, will be adequate to address this burning problem of Indian women. This is my question.

श्रीमती कृष्णा तीरथ: सभापति महोदय, मैं आपके माध्यम से बताना चाहती हूँ कि it is a social problem. Change in social mindset is needed. दूसरी बात, मैं यह बताना चाहती हूँ कि जो क्वेश्चन है, वह NCW के अमेंडमेंट से रिलेटिड है। सर, NCW के बारे में कुछ अमेंडमेंट्स आए हैं, उनके बारे में इन्होंने प्रश्न नहीं किया है, लेकिन मैं सदन को बता देना चाहती हूँ कि जो सिफारिश NCW ने की हैं, वे अभी अंडर कंसिडरेशन हैं, प्रिमेच्योर हैं, पूरी कंसिडरेशन के बाद, डिफरेंट मिनिस्टर्स के साथ इसके बारे में बात करके और एन.जी.ओज़. के साथ बात करके ही NCW की सिफारिशों को लागू करेंगे।

श्री सभापति: आप दूसरा सवाल पूछिए, but please don't make a statement. Otherwise, the question will be disallowed.

DR. PRABHAKAR KORE: *

MR. CHAIRMAN: None of this is going on record.

DR. PRABHAKAR KORE: Sir, my second supplementary question is this. How soon will the Government implement the Amended Act? I also want to know whether the Government has taken sufficient steps to prevent its misuse against husband's family when false complaints are filed followed by stringent punishment.

श्रीमती कृष्णा तीरथ: सभापति महोदय, जैसा कि मैंने पहले भी कहा है कि हमारे पास जो NCW की सिफारिशें आई हैं, वे pre-mature हैं और ये under consideration हैं। आपने यह कहा है क पति को न सताया जाए, तो वह इसमें नहीं आता है। लेकिन फिर भी जो इस प्रकार की समस्याएं हैं,...(व्यवधान).. अगर कोई समस्या पति को है, तो उसके लिए दूसरे प्रावधान हैं।

डा. कर्ण सिंह : सभापति महोदय, दहेज प्रथा हमारे समाज के ऊपर एक कलंक है। दुनिया में जहां भी जाते हैं और भारतीय दर्शन के बारे में भाषण देते हैं, तो लोग बहुत प्रभावित होते हैं। लेकिन अंत में कोई उठकर पूछता है कि डॉक्टर साहब, अगर आपका इतना बड़ा दर्शन है तो बहुओं को जलाया क्यों जाता है?

हमारे समाज के लिए यह बड़े शर्म की बात है। मैं मंत्री जी से यह कहना चाहता हूँ कि जैसा कहा गया है कि इस एक्ट के तहत जो लोग पकड़े गए हैं, उनके विरुद्ध सख्त से सख्त कार्यवाही होनी चाहिए। इसके अतिरिक्त जनसाधारण में लोगों की चित्तवृत्ति बदलने के लिए, मनः स्थिति बदलने के लिए क्या आप कोई educational programme कर रहे हैं? आपको यह प्रोग्राम औरतों में करना है क्योंकि औरत की सबसे बड़ी दुश्मन औरत होती है।...(व्यवधान).. अगर सासू जी ठीक रहेंगी तो सब ठीक रहेगा। क्या आप educational programme चलाने की कोशिश कर रहे हैं?

श्रीमती कृष्णा तीरथ : सभापति महोदय, डा. कर्ण सिंह जी ने बहुत अच्छा प्रश्न पूछा है। ये हमारे काफी सीनियर मेम्बर हैं और इनकी अगुवाई में भी बहुत से काम होते हैं, लेकिन मैं यह बताना चाहती हूँ कि इस काम के लिए NCW के माध्यम से बहुत से awareness प्रोग्राम्स हैं और जो हमारी अपनी सबला स्कीम है, उसके माध्यम से भी हैं। उनमें 11 साल से 18 साल की बच्चियों में इस बारे में awareness क्रिएट करें और जो आने वाली जनरेशन है, 18 साल के बाद जब वे विवाह के लायक होंगी तो उनके अंदर यह awareness आएगी और वे strengthen होंगी, economically empower होंगी, जिससे इस समस्या का समाधान किया जा सकता है। जैसा कि मैंने कहा है कि यह social evil है, सामाजिक बुराई है। इसको दूर करने के लिए यह स्कीम बहुत helpful होगी।...(व्यवधान)..

श्री बलवीर पुंज : सर, अभी डॉक्टर साहब ने कहा है कि औरत, औरत की सबसे बड़ी दुश्मन होती है, तो इसके बारे में सरकार का क्या विचार है?

श्रीमती कृष्णा तीरथ : इसीलिए सबला स्कीम में महिलाओं को ट्रेनिंग देते हैं और इसमें महिलाओं को लेते हैं।

SHRIMATI VASANTHI STANLEY: Sir, through you, I would like to know this from the Minister. Will the Ministry consider introducing a provision on income-linked cap on marriage expenditure as recommended by the Planning Commission's Working Group on Women's Agency and Empowerment?

श्रीमती कृष्णा तीरथ : सभापति महोदय, मैं आपके माध्यम से यह बताना चाहती हूँ कि जो NCW की कुछ सिफारिशें आई हैं, वे premature हैं और उनमें इस तरह की सिफारिशें हैं। जब वे maturity पर आएंगी तब ये सभी चीजें शामिल कर ली जाएंगी।

SHRIMATI SMRITI ZUBIN IRANI: Sir, it is quite distressing that the NCW had made recommendations in 2009 which are still being considered after three years. One of the recommendations, according to the Minister's response, is, Protection Officers appointed under the Protection of Women from Domestic Violence Act. Sir, the Minister in her response has said that these are still under consideration. The NGOs have highlighted numbers to the Ministry stating that 44 per cent of the women in urban India and 36 per cent of the women in rural India are victims of domestic violence and most of these cases stem from dowry demands. So,

I would like to know this from the Minister. While you consider the recommendations of the NCW, what is the budget that you have allocated so that the Protection of Women from Domestic Violence Act, 2005 is implemented and most of these women, who are victims of dowry demands, are helped?

श्रीमती कृष्णा तीरथ : सभापति महोदय, मैं आपके माध्यम से फिर बताना चाहती हूँ कि बहुत सी सिफारिशों की हैं, जिनमें उनके अग्रेस्ट भी कुछ NGOs ने, सोशल सोसाइटीज़ और एक्टिविस्ट के खिलाफ कुछ बातें कही हैं। जैसे हमारा गृह मंत्रालय है और दूसरे जो डिपार्टमेंट्स हैं, पुलिस डिपार्टमेंट हैं, इनसे सिफारिशें तय की जा रही हैं। ये premature लेवल पर है इसलिए मैं सदन को बता नहीं सकती हूँ।...**(व्यवधान)**...इसमें प्रोटेक्शन ऑफीसर्स की जो बात कही गई है, वह ऑलरेडी इसमें है...**(व्यवधान)**...

SHRIMATI SMRITI ZUBIN IRANI: Madam, what is your Budget allocated...**(Interruptions)**...

श्रीमती कृष्णा तीरथ : अभी सिफारिशें ही लागू नहीं की गई हैं...**(व्यवधान)**..

SHRIMATI SMRITI ZUBIN IRANI: Madam, what is your Budget allocated for protection of women under Domestic Violence Act, 2005. I am sure you are unable to respond because you have not allocated sufficient Budget under this Act.

श्रीमती कृष्णा तीरथ : आप पर्याप्त की बात कर रही हैं...**(व्यवधान)**...मैंने कहा है कि जब एन.सी.डब्ल्यू. की सिफारिशें लागू करेंगे, उस समय ये सारे प्रोजेक्ट्स होंगे कि...**(व्यवधान)**...बजट कितना होगा, सिफारिशें क्या हैं और इसमें क्या करना है।...**(व्यवधान)**...

Indira Gandhi Matritva Sahyog Yojna

387. **SHRIMATI MAYA SINGH:** Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) at what stage is the Indira Gandhi Matritva Sahyog Yojana (IGMSY) the conditional Maternity Benefit Scheme launched in 2010 in 52 districts across the nation;

(b) the number of districts that have done the initial work of implementation of the scheme;

(c) whether Government has any feedback about it;

(d) if so, the details thereof; and

(e) if not, the reason therefor?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (e) A statement is laid on the Table of the House.

Statement

(a) **Indira Gandhi Matritva Sahyog Yojana (IGMSY)** is a centrally sponsored/conditional maternity benefit scheme which is operational since October 2010, in 52 districts of all States/UTs across the country on pilot basis to improve the health and nutrition status of Pregnant and Lactating women and their young infants. IGMSY is being implemented through State Governments/UT administrations using the platform of Integrated Child Development Scheme (ICDS). The Scheme has completed one year of its implementation and preparatory work such as tie up with the Banks/Post offices for cash transfer to the beneficiaries, opening of banks/post office accounts for the beneficiaries, training of ICDS functionaries etc., have already been completed in most of the states.

(b) As reported by the States/UTs, forty one districts have done the initial work of the implementation of the scheme.

(c) to (e) As per the feedback received from the States/UTs, 1.88 lakhs beneficiaries have already been covered under the scheme. Rs. 411.78 crore were released during 2010-11 and 2011-12 out of which by the States/UTs have reported utilization of Rs.71.53crore. State-wise details are give in Statement-1.

Statement-1*State-wise funds released and utilised under IGMSY*

							(Rs.in lakh)
S.No.	States/UTs	No. of districts covered	Fund released in 2010-11	Fund utilized in 2010-11	Fund released in 2011-12	Fund utilization reported in 2011-12 (as on 31.3.2012)	
1	2	3	4	5	6	7	
1.	Andhra Pradesh	2	1021.11	0	2451.79	468.97	
2.	Arunachal Pradesh	1	15.8	0	416	21.15	
3.	Assam	2	674.85	0	1751.53	11.63	
4.	Bihar	2	983.53	0	2420.89	72.09	
5.	Chattisath	2	435.73	NR	1069.62	132	

1	2	3	4	5	6	7
6.	Goa	1	68.87	0	170.34	0.58
7.	Gujarat	2	276.09	NP	689.79	723.87
8.	Haryana	1	50.01	0	130.3	135.43
9.	Himachal Pradesh	1	64.93	NR	173.24	169.08
10.	Jammu and Kashmir	2	148.08	NR	378.46	186.71
11.	Jharkhand	2	502.52	0	1174.25	NR
12.	Karnataka	2	740.61	0	1884.22	317.57
13.	Kerala	1	357.69	NR	862.72	292.54
14.	Madhya Pradesh	2	770.55	0	1931.14	2975.03
15.	Maharashtra	2	456.895	0	1121.18	0
16.	Manipur	1	48.61	NR	131.88	55.5
17.	Meghalaya	1	61.16	15	158.92	3.39
18.	Mizoram	1	31.43	0	84.88	0.52
19.	Nagaland	1	26.99	NR	70.26	26.99
20.	Odisha	2	557.81	0	1258.35	251.69
21.	Punjab	2	373.41	NR	982.3	0
22.	Rajasthan	2	884.82	0	2300.22	493.35
23.	Sikkim	1	13.86	NR	39.34	36.37
24.	Tamil Nadu	2	449.085	0	1150.07	NR
25.	Triura	1	85.59	0	213.81	38.63
26.	Uttar Pradesh	2	901.81	NR	2294.67	476.54
27.	Uttaranchal	1	134.45	0	297.43	98.06
28.	West Bengal	2	1023.05	NR	2517.43	NR
29.	Andaman and Nicobar	1	24.02	8.05	63.51	62.90
30.	Chandigarh	1	114.64	0	283.58	9.0

1	2	3	4	5	6	7
31.	Daman and Diu	1	7.33	0	24.04	NR
32.	Dadra and Nagar Haveli	1	35.8	0	88.30	NR
33.	Delhi	2	426.56	0	1104.53	55.20
34.	Lakshdweep	1	22.24	NR	50.52	NR
35.	Puducherry	1	5.76	0	18.76	15.40
TOTAL		52	11795.89	23.05	29383.87	7130.39

NR: Not Reported.

श्रीमती माया सिंह: सभापति जी, मेरा सवाल इंदिरा गांधी मातृत्व सहयोग योजना से सम्बन्धित है। यह योजना 2010 में शुरू हुई थी। 52 जिलों में गर्भवती महिलाओं एवम् छोटे शिशुओं के स्वास्थ्य और पोषण सुधार के लिए यह योजना शुरू की गई थी। मैं मंत्री महोदया से जानना चाहती हूँ कि लाभार्थियों के लिए बैंक और डाकघरों में खाता खोले जाने की जो बात है, अभी इन 52 जिलों में से ऐसे कितने स्थान बाकी हैं, जहां पर अभी तक ये व्यवस्थाएं नहीं हो पाई हैं? इसके साथ ही साथ इन 52 जिलों में से ऐसे कौन से जिले हैं, जहां पर अभी तक इस योजना का काम शुरू नहीं किया है? आपके जवाब में बताया गया है कि 41 जिलों में स्कीम के क्रियान्वयन का प्रारम्भिक कार्य चल रहा है, तो वे ऐसे कौन से 10 जिले हैं, जहां अभी तक प्रारम्भिक कार्य शुरू ही नहीं हुआ है?

श्रीमती कृष्णा तीरथ: सभापति जी, 52 जिलों में हमारी यह पायलट स्कीम शुरू की गई है और उसमें दस राज्य उत्तर प्रदेश, बिहार, झारखंड, उत्तराखंड, मध्य प्रदेश, छत्तीसगढ़, राजस्थान, ओडिशा, असम और जम्मू एवं कश्मीर हैं, जहां पर लो परफॉर्मिंग स्टेट्स हैं। अभी यह इन स्थानों पर शुरू नहीं की गई है।...**(व्यवधान)**...

श्रीमती माया सिंह: आपने इस योजना के लिए 52 जिले सिलेक्ट किए हैं, लेकिन अभी आपने अपने जवाब में स्टेट गिना दिए हैं। सभापति महोदय, मंत्री महोदया ने मेरे पहले सवाल का जवाब तो नहीं दिया है, लेकिन मेरा दूसरा सवाल यह है कि इन्होंने जो फंड रिलीज किया था, इस संदर्भ में मैं एक स्टेट का उदाहरण देना चाहती हूँ, जैसे महाराष्ट्र में नम्बर ऑफ डिस्ट्रिक्ट 2 कवर्ड हैं, इन्होंने 456.895 लाख का राशि फंड रिलीज किया है और 2010-11 में फंड यूटिलाइजेशन 0 है, फिर 2011-12 में आपने 1121.18 लाख का फंड रिलीज किया है, लेकिन 2011-12 में भी फंड यूटिलाइजेशन 0 है। यह महाराष्ट्र की फंड स्टेटमेंट है। मैं मंत्री महोदया से यह जानना चाहती हूँ कि आप राशि रिलीज कर रहे हैं और 2010 से यह योजना शुरू है, लेकिन इसकी मॉनिटरिंग का सिस्टम क्या है? आपने फंड पहले रिलीज किया, महाराष्ट्र गवर्नमेंट ने उसका 0 परसेंट भी इस्तेमाल नहीं किया, इसके बाद आपने इस फंड को दुगना बढ़ाकर दिया, लेकिन फिर भी 0 यूटिलाइजेशन आया है। जो राज्य अच्छा काम कर रहे हैं, वहां पर कम फंड है...**(व्यवधान)**...मंत्री महोदया से मेरा यह सवाल है कि जो

राज्य यह फंड इस्तेमाल नहीं कर रहे हैं, जिन विहित जिलों में यह योजना शुरू होने वाली है, आपने इसके लिए अभी तक क्या कदम उठाए हैं और इस पर आपकी क्या प्रतिक्रिया है?...*(व्यवधान)*...

MR. CHAIRMAN: Thank you. *(Interruptions)* Silence Please. *(Interruptions)*
Let the question be answered. *(Interruptions)*.

श्रीमती माया सिंह: सभापति जी...*(व्यवधान)*...

श्री सभापति: आपने पूछ लिया है...*(व्यवधान)*...आप एक सवाल पूछिए...*(व्यवधान)*...

श्रीमती माया सिंह: सभापति जी, इस योजना के तहत, जो कि एक खास योजना शुरू की है, क्या मंत्री महोदया ने इसका आकलन किया है यह नहीं किया है कि इसमें शिशु मृत्यु दर और मातृ मृत्यु दर में क्या कमी आई है? आप इसका उत्तर देने की कृपा करें।

श्रीमती कृष्णा तीरथ: सभापति जी, मैं आपके माध्यम से माननीय सदस्या को बताना चाहती हूँ कि इन्होंने जो पहली बात कही है, उसके उत्तर में मैं इनको डिस्ट्रिक्ट वाइज लिस्ट दे सकती हूँ, जो मेरे पास उपलब्ध भी है। दूसरी बात, इन्होंने कही कि जो फंड दिए गए, उस संदर्भ में मैं बताना चाहती हूँ कि यह पायलट स्कीम है, इसमें विभिन्न राज्यों के 52 जिलों को विहित किया गया है। उनको यह डिलीवरी के समय पैसा दिया जाता है। उनको 1500, 1500 और फिर 1000 रुपये दिए जाते हैं। 1,500 रुपए 6 महीने की pregnancy के बाद और 1,500 रुपए, जब बच्चा 3 महीने का हो, तब दिए जाते हैं। उसकी कुछ formlities हैं, जैसे उसने immunization कराया है, टीकाकरण कराया है और उसका स्वास्थ्य ठीक है। उसके बाद lactating mother के लिए, जब वह दूध पिलाने वाली मां है, तो 6 महीने के भीतर उसे 1,000 रुपए दिए जाते हैं। जब-जब स्टेट्स हमें लिस्ट देती हैं, तो हम उनको यहां से पैसा release कर देते हैं। उन्होंने जो पैसा खर्च किया...*(व्यवधान)*...

श्रीमती माया सिंह: सर, मैंने सवाल दूसरा पूछा था।

श्रीमती कृष्णा तीरथ: मैं अभी जवाब दे रही हूँ। जिस राज्य ने जितना पैसा खर्च कर दिया, अगर इसके बाद उन्हें जरूरत पड़ती है कि हमारे पास इतने केसेज और हैं, तो हम उन्हें सीधे पैसा देते हैं। यह पैसा उसके एकाउंट में जाता है। वह पोस्ट ऑफिस या बैंक में जीरो बैलेंस से एकाउंट खोल सकता है। हम उस पैसे को उस बैंक में दे देते हैं, जिसका लाभ उस महिला को...*(व्यवधान)*...

MR. CHAIRMAN: Please.

श्रीमती माया सिंह: सर, महाराष्ट्र गवर्नमेंट ने 2010-11 में जो फंड उसे release किया गया था, उसमें से जीरो खर्च किया। फिर आपने उसके लिए डबल से ज्यादा किया, तो भी उसने जीरो खर्च किया। मैं मंत्री महोदया से जानना चाह रही हूँ कि जहां...*(व्यवधान)*...

MR. CHAIRMAN: All right, one person please. prof. Anil Kumar Sahani.

डा. नजमा ए. हेपतुल्ला: सर, जवाब तो दिलवा दीजिए।...*(व्यवधान)*...

डा. चंदन मित्रा: सर, मंत्री जी को जवाब देना चाहिए।...**(व्यवधान)**...वे admit करें कि उनके पास जवाब नहीं है।...**(व्यवधान)**...

श्रीमती माया सिंह: सर, सवाल पूछने का मतलब क्या है, जब सवाल का जवाब सही नहीं मिलता है।...**(व्यवधान)**...जब सवाल का जवाब सही नहीं मिले, तो सवाल पूछने से...**(व्यवधान)**...

MR. CHAIRMAN: Mayaji. please.

प्रो. अनिल कुमार साहनी: सभापति महोदय, मैं आपके माध्यम से मंत्री महोदया से कहना चाहता हूँ कि आपने हर स्टेट में इंदिरा गांधी मातृत्व सहयोग योजना दी है और उसमें एक-दो, एक-दो जिले का नाम आया है। क्या एक-दो जिले में ही बच्चे पैदा होते हैं या महिलाएं है? आप और जिलों को वंचित क्यों रखे हुए है? अगर आप इंदिरा गांधी के नाम पर योजना चलाते हैं, तो सभी गरीबों को इसे देने का काम कीजिए। इससे न केवल इंदिरा गांधी का नाम....

श्री सभापति: आप प्रश्न पूछिए।

प्रो. अनिल कुमार साहनी: सर, मैं प्रश्न ही पूछ रहा हूँ। आप सभी जिलों में यह काम कब करेगी, सभी गरीबों को यह मातृत्व सेवा कब देंगी?*

MR. CHAIRMAN: This is not going on record. What is your question? Do you have a question? I will go to the next. Please...**(Interruptions)**...

प्रो. अनिल कुमार साहनी: *

MR. CHAIRMAN: None of this is going on record...**(Interruptions)**...आप बैठ जाइए।

श्रीमती कृष्णा तीरथ: सभापति महोदय, मैं आपके माध्यम से बताना चाहती हूँ कि यह pilot scheme है। यह अभी pilot stage पर है। इसलिए जो selected जिले लिए गए थे, उनका selection किया गया था। इसके बाद जब इस pilot basis के स्कीम का आकलन होगा, अगर यह बहुत अच्छे तरीके से चलेगी, तो पूरे देश में हर राज्य के हर जिले को शामिल किया जाएगा।

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

श्री नरेश अग्रवाल: माननीय सभापति जी, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहता हूँ कि आपने जो pilot project दिया है, इसमें जब लाभार्थी अपना बैंक एकाउंट खोलने जाता है, तो बैंक एकाउंट नहीं खोलता है। डाकखाने और बैंक इसमें असहयोग करते हैं। उनका एकाउंट न खुलने के कारण उनको तमाम जगह भागना पड़ता है और राज्य सरकारें उस योजना को सही तरीके से लागू नहीं कर पा रही हैं। क्या आप वित्त विभाग से बात करके कोई ऐसा जी.ओ. जारी कराएंगी, कोई ऐसा निर्देश जारी कराएंगी कि जो लाभार्थी हो, उसका बैंक एकाउंट खोलना बैंक के लिए आवश्यक हो?

श्रीमती कृष्णा तीरथ: सभापति महोदय, मैं माननीय सदस्य को बताना चाहती हूँ कि already यह निर्देश जारी किया गया है कि जीरो बैलेंस से उनका एकाउंट खुलेगा, उसमें कोई बैलेंस नहीं जमा करना है। जो हमारे सभी बैंक्स और पोस्ट ऑफिसेज हैं, उनमें एकाउंट खुलेगा, यह निर्देश already जारी किया गया है। जब वे वहां जाएंगे, तो उन्हें एकाउंट खोलना चाहिए। राज्य सरकारों के जो ऑफिसेज हैं, वे इसमें मदद करेंगे।

श्री नरेश अग्रवाल: यह लागू नहीं हो रहा है। सभापति जी, हमने प्रश्न इस बारे में उठाया है कि आपने जी.ओ. जारी कर दिया होगा, लेकिन यह लागू नहीं हो रहा है। हमने आपसे यह बात कही है, तो हमारी बात को गम्भीरता से लेते हुए क्या आप गवर्नमेंट ऑफ इंडिया से कोई ऐसा निर्देश जारी कराएंगी?

श्रीमती कृष्णा तीरथ: राज्य सरकारों को ऐसा निर्देश दोबारा से जारी किया जाएगा।

श्री नरेश अग्रवाल: राज्य सरकार बैंकों के बारे में कुछ नहीं कर सकती। राज्य सरकार का बैंकों से कोई मतलब नहीं है। यह फाइनांस का मामला है। बैंक राज्य सरकार के अधीन नहीं आते और राज्य सरकार की बात नहीं मानते।

MR. CHAIRMAN: Thank you.

श्रीमती कृष्णा तीरथ: जो आंगवाड़ी के सी.डी.पी.ओ.ज. हैं, वे इसमें जरूर मदद करते हैं। अगर उनके नोटिस में आ जाए कि एकाउंट नहीं खुला है, तो वे जा कर एकाउंट खुलवाते हैं...(व्यवधान)

श्री नरेश अग्रवाल: माननीय मंत्री जी नाबालिग जवाब दे रही हैं।

श्री सभापति: देखिए, समय बहुत कम है...(व्यवधान)

श्री पुरुषोत्तम खोडाभाई रूपाला: सभापति महोदय, मैं यह जानना चाहता हूँ कि महाराष्ट्र सरकार ने भारत सरकार के दिए हुए पैसे पर शून्य खर्च किया, तो उनको दूसरे साल दोबारा डबल खर्च करने के लिए ग्रांट भेजने की क्या वजह है?

श्रीमती कृष्णा तीरथ: देखिए, चूंकि जब कोई शून्य खर्च करता है, उसके पास दोबारा ग्रांट नहीं जाती है, इसलिए कहीं न कहीं आपको इसमें कोई गलतफहमी जरूर है। मैं इसकी इक्वायरी करके आपको बताऊंगी।

श्री पुरुषोत्तम खोडाभाई रूपाला: गलतफहमी हमको नहीं है...(व्यवधान)

एयर इंडिया के कर्मचारियों और अधिकारियों को वेतन का भुगतान

*388. डा. राम प्रकाश : क्या नागर विमानन मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या एअर इंडिया के कर्मचारियों और अधिकारियों को मासिक वेतन समय पर मिल रहा है;

(ख) यदि नहीं, तो उन्हें कितने समय से नियमित रूप से पूरा वेतन नहीं मिला है;

(ग) इनके वेतन की कितनी धनराशि बकाया है; और

(घ) मासिक वेतन का नियमित रूप से भुगतान कब से कर दिए जाने की संभावना है?

नागर विमानन मंत्री (श्री अजित सिंह): (क) से (घ) एक विवरण सभा पटल पर रख दिया गया है।

विवरण

(क) गम्भीर वित्तीय संकट की वजह से, एअर इंडिया के कर्मचारियों को वेतन का भुगतान किए जाने में विलम्ब हुआ है।

(ख) कभी कर्मचारियों को फरवरी 2012 तक वेतन का भुगतान किया जा चुका है।

(ग) मार्च, 2012 मास के लिए बकाया वेतन की राशि 123.54 करोड़ रुपये है।

(घ) एअर इंडिया के हाल के महीनों के दौरान बेहतर नकदी प्रवाह दर्शाया है, साथ ही यह अपनी लागत में कटौती करने और वित्तीय निष्पादन में सुधार के लिए अनेक उपाय कर रही है। सरकार ने 12 अप्रैल 2012 को आयोजित सी.सी.ई.ए. की बैठक में एअर इंडिया की कायाकल्प योजना (टी.ए.पी.) और वित्तीय पुनर्संरचना योजना (एफ.आर.पी.) को भी अनुमोदित कर दिया है। एफ.आर.पी. के अनुमोदन के परिणाम स्वरूप, एअर इंडिया को टी.ए.पी. और एफ.आर.पी. की अवधि के दौरान नया इक्विटी निवेश प्राप्त होना है। वित्तीय स्थिति में सुधार होने से, आशा है कि वेतन का भुगतान नियमित होगा।

Payment of salary to employees and officers of Air India

†*388. DR. RAM PRAKASH: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether the employees and the officers of Air India are getting monthly salary on time;

(b) if not, the time since when they have not got regular full payment;

(c) the outstanding amount of their salary; and

(d) by when the regular monthly salary is likely to be disbursed?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) Due to severe financial crunch, there has been a delay in payment of salaries to the employees of Air India.

(b) Salaries of all employees have been paid up to February, 2012.

(c) The outstanding salary for the month of March, 2012 is Rs.123.54 crores.

†Original notice of the question was received in Hindi.

(d) Air India has shown a better cash flow during recent months, besides It is taking several measures to cut its cost and improve financial performance. The Government has also approved its Turn Around Plan (TAP) and Financial Restructuring Plan (FRP) in the Cabinet Committee on Economic Affairs meeting held on 12th April, 2012. As a result of approval of FRP, Air India is to receive fresh equity infusion over the period of the TAP and FRP. With these improved financials, salary payments is expected to be regular.

श्री सभापति: क्वेश्चन 388...(व्यवधान) साइलेंस प्लीज...(व्यवधान) नहीं, नहीं, प्लीज...(व्यवधान)

श्री प्रकाश जावडेकर: सर, महाराष्ट्र सरकार खर्च नहीं कर रही है तो...(व्यवधान)

MR. CHAIRMAN: Silence, please. (*Interruptions*)...No, please. A question is being asked. (*Interruptions*)...

SHRI BALBIR K. PUNJ: Sir, just give me one minute. (*Interruptions*)...

MR. CHAIRMAN: No. I am afraid, I can't. Not at this time. (*Interruptions*)...Not at this time. (*Interruptions*)...Please. (*Interruptions*)...

डा. राम प्रकाश: सभापति महोदय, मेरा प्रश्न यह है...(व्यवधान)

श्री सभापति: आप सप्लीमेंट्री पूछिए...(व्यवधान)

डा. राम प्रकाश: सभापति महोदय, मैं आपके माध्यम से माननीय मंत्री जी से जानना चाहूंगा...(व्यवधान)

श्री प्रकाश जावडेकर: सर, महाराष्ट्र ने खर्च नहीं किया, यह जवाब उन्होंने स्वयं दिया है...(व्यवधान)

MR. CHAIRMAN: Will you please sit down? (*Interruptions*)...

डा. राम प्रकाश : महोदय, मैं माननीय मंत्री जी से ...(व्यवधान)

MR. CHAIRMAN: There has been too much of interference. (*Interruptions*)...Please sit down. (*Interruptions*)...

DR. RAM PRAKASH: Sir, I am not yielding. (*Interruptions*)...I want to put my question. (*Interruptions*)...

MR. CHAIRMAN: Please, just one minute. Hon. Members, everybody knows the procedures. If a wrong answer is given, you are at liberty to take it up specifically. But agitation in the House is not going to help matters. You are depriving the other Members of their opportunity to ask question. (*Interruptions*)...

SHRI BALBIR K. PUNJ: The Minister has given a wrong reply.

MR. CHAIRMAN: Please take it up. (*Interruptions*)...(*Interruptions*)...

SHRI BALBIR K. PUNJ: She has given a wrong answer. (*Interruptions*)...

डा. राम प्रकाश: सर, मेरे सवाल का समय जा रहा है...(व्यवधान)

MR. CHAIRMAN: No. Please take it up. (*Interruptions*)...आप बैठ जाइए, प्लीज...(व्यवधान)

डा. राम प्रकाश: सर, मैं आपके माध्यम से माननीय मंत्री जी से कहना चाहूंगा कि मेरे प्रश्न का आधा उत्तर मुझे नहीं मिला...(व्यवधान)

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

डा. राम प्रकाश: सर, मेरा बहुत इम्पोर्टेंट प्वाइंट है...(व्यवधान)

MR. CHAIRMAN: Please resume your places. (*Interruptions*)...

डा. राम प्रकाश: सर. एअरलाइंस के बारे में मेरा बहुत इम्पोर्टेंट प्वाइंट है...(व्यवधान)

SHRI BALBIR K. PUNJ : She has given a wrong answer. (*Interruptions*)...

डा. राम प्रकाश: ये हमारा सवाल ही नहीं आने देते...(व्यवधान)

MR. CHAIRMAN: The right of a Member to ask a question is being denied. (*Interruptions*)...

DR. RAM PRAKASH: I seek your protection, Sir. (*Interruptions*)... Sir, I seek your protection. (*Interruptions*)...

MR. CHAIRMAN: No. I am afraid, I can't. Please resume your places. बैठ जाइए आप...(व्यवधान)

डा. राम प्रकाश: माननीय सभापति जी...(व्यवधान) मेरे सवाल के बीच में ये कैसे बोल रहे हैं...(व्यवधान)

MR. CHAIRMAN: Question Hour is over. (*Interruptions*)...

AN HON. MEMBER: There is still time. (*Interruptions*)...

MR. CHAIRMAN: I know that. No question can be asked in the din. (*Interruptions*)...Please. (*Interruptions*)...

WRITTEN ANSWERS TO STARRED QUESTIONS**Bailout plan for Air India**

*389. SHRIMATI MOHSINA KIDWAI: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government has recently taken a number of decisions aimed at pulling out ailing Air India from its financial mess and putting it on the road to profitability;

(b) if so, the details thereof;

(c) whether Government has decided to infuse additional funds into the airlines to the tune of Rs.30,000 crore in the next few years and also decided to induct new planes; and

(d) If so, to what extent such a bailout plan for Air India has been approved by Government?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (d) Yes, Sir. The Government has approved the following financial package for Air India in order to improve its financial condition:-

- (i) Induction of upfront equity of Rs 6,750 crore, including Rs.1,200 crore provided in the budget of 2011-12 and already released, in FY 2011-12.
- (ii) Equity for Cash deficit support of Rs. 4,552 crore till FY 2021.
- (iii) Equity for already guaranteed aircraft loan of Rs.18,929 crore till FY2021.
- (iv) GOI Guarantee for repayment of Principal amount and payment of interest on the Non Convertible Debentures of Rs.7400 crore proposed to be issued to financial institutions, Banks, LIC, EPFO etc. which will be used to repay part of Working capital loans.
- (v) Government has also approved induction of 27 numbers Boeing 787 and 3 Boeing 777 aircraft on Sale and Lease Back basis, orders for which are already been placed with Boeing In the year 2005-06.

Adherence to rules for Aadhar Cards

*390. DR. K.V.P. RAMACHANDRA RAO: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that some agencies that were involved in preparing Aadhaar cards did not follow the rules;

(b) whether it is also a fact that those agencies did not take the fingerprints and the iris scan; and

(c) if so, the action that is proposed to be taken in such cases?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) The enrolment of residents under the Aadhaar Project is undertaken in partnership with Registrars, who are State and Central Government Ministries/Departments/Public Sector Ranks, etc. Memorandum of Understanding (MOU) has been signed with each of the State and Central Registrars. As per the MOU containing guidelines for collection of data, UIDAI shall, among other things, develop and prescribe standards for recording data fields, data verification and biometric field, prescribe a process for enrolment of residents, while the Registrars shall identify and appoint enrolment agencies, who in turn must follow the standards and processes prescribed by UIDAI at the time of recording the residents' data. The enrolment process guidelines also list out comprehensive Roles and Responsibilities of each of the stakeholder namely; Registrars, Enrolments agencies, Verifiers, Introducers, Operators and Supervisors.

Reports of non-compliance of prescribed processes/guidelines have been received against some agencies, *e.g.* M/s Infrastructure Leasing and Financial Services Ltd., M/s 4 G Identity Solutions (P) Ltd., M/s Alankit Assignments Ltd., M/s Madras Security Printers Ltd., M/s Techsmart India (P) Ltd., M/s Tera Software, M/s Vakrangee Software Ltd., M/s Smart Chips Ltd. etc. Enrolment of residents as 'biometric exception' has also been detected. As and when such instances are detected or brought to the notice of UIDAI, action against such erring operators/supervisors/ enrolment agencies and concerned Registrars are taken from time to time.

The Roles and Responsibilities of the Registrars are to collect demographic and biometric data from residents directly or through Enrolment Agencies. Registrars have the flexibility to collect additional data, which will be referred to as 'KYR+' fields for the various applications they have in mind.

UIDAI has issued show cause notices and temporarily suspended enrolment operation etc. of some of these agencies such as M/s Infrastructure Leasing and Financial Services Ltd., M/s 4 G Identity Solutions (P) Ltd., M/s Alankit Assignments Ltd., M/s Madras Security Printers Ltd., M/s Techsmart India (p) Ltd., M/s Tera Software, M/s Vakrangee Software Ltd., M/s Smart Chips Ltd. etc. for non-compliance of prescribed process/guidelines till corrective measures are put in place. UIDAI has introduced a number of measures to deal with the problem. These

include demographic data quality check, formulating a suspension policy, under which erring operators/supervisors can be blacklisted and debarred from undertaking further enrolments, Further, the UIDAI has firmed up an Enrolment centre monitoring process by empanelling monitors, who can conduct surprise visits of these centres periodically to check compliance of all process/guidelines. UIDAI has also decided to carry out 100% manual check of all 'Biometric Exception' cases before taking up the processing of the resident data packet for Aadhaar generation. To dis-incentivize the laissez faire approach of partners towards demographic data quality, UIDAI has decided to impose financial penalty of Rs 150/- per error packet and a penalty of Rs. 500/- per packet for process violation or process non-compliance. Process violation will also invite strict criminal proceedings against the concerned enrolment operator and EA in addition to the financial penalty A Fraud Analytics module is also being deployed at the Central Identity Data Repository (CIDR) to track attempts to fraud.

Four laning at NH-32

*391 SHRI PANKAJ BORA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) when the project of four laning of Numaligarh to Dibrugarh NH-32 was sanctioned;

(b) whether it is a fact that four-laning project work has not yet started;

(c) if so, by when the project is expected to start; and

(d) the reasons for such delay in four laning in view of importance of this National Highway in North-Eastern Region?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) to (d) The work of 4 laning of NH-37 from Numaligarh to Dibrugarh (178 km) has not been sanctioned yet.

Construction of roads assigned to private contractors

†*392. SHRI SHIVANAND TIWARI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that during last years, the quantum of responsibility of construction of roads assigned to the private sector has not been fulfilled within the stipulated period;

(b) if so, the length of roads assigned for construction to private sector

†Original notice of the question was received in Hindi.

during each year from 2005-06 to 2011-12 and the quantum of actual construction carried out each year; and

(c) the reasons for the difference in the target and achievement in the said case?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) and (b) In highway projects, the completion schedule is mentioned in the respective contract. A status of projects assigned to the private sector for construction of roads during 2005-06 to 2011-12 is given in the Statement (*See below*).

(c) The reasons for delay in some cases are land acquisition, utility shifting, forest and environment clearance and poor performance of concessionaire.

Statement

Status of projects assigned to the private sector for construction of roads during 2005-06 to 2011-12

Year	Target (kms.)	Achievement (kms.)
2005-06	1099	724
2006-07	817	636
2007-08	2885	1682
2008-09	3519	2205
2009-10	3165	2693
2010-11	2616	1881
2011-12	2500	2248

Getting back the social security money

*393. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether it is a fact that engineers, doctors, professionals and other workers who are working in USA and European Countries are not getting back their social security money deposited by them when they return to India;

(b) whether Government has taken up this issue with USA, UK and other European Countries; and

(c) if so, the details thereof?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI):

(a) Engineers, doctors, professionals and other workers get their social security contributions back when they return to India from some of the European Countries with which India has signed and operationalized bilateral Social Security Agreements. So far India has signed and operationalized such Agreements with Belgium, France, Germany (Social Insurance), Switzerland, Luxembourg, Netherlands and Denmark among the European countries and South Korea.

(b) and (c) Ministry of Overseas Indian Affairs has taken up this issue with the USA, UK and some more European Countries also. The bilateral Social Security Agreements with Hungary, the Czech Republic, Germany (Comprehensive SSA) and Norway which have signed will be operationlized soon. Further the bilateral Social Security Agreements with Finland, Portugal, Austria, Sweden and Canada have been finalized, while the negotiations with Japan and Australia are under process.

Sensitive post in Kendriya Bhandar

*394. PROF. ANIL KUMAR SAHANI: Will the PRIME MINISTER be pleased to state:

(a) whether as per CVC Circular No.98/VGL/60 dated 15.4.1999, the post of Managing Director, Kendriya Bhandar falls within the category of sensitive post since he approves purchase and sale of goods worth hundreds of crores of rupees per annum;

(b) whether he is holding the post since 2002-03;

(c) whether Chief Vigilance Commissioner, CVC has received complaints in this regard from MP; and

(d) if so, the action taken by him thereon?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) Central Vigilance Commission (CVC) vide its Circular dated 15.4,1999 had asked the Chief Vigilance Officers of Ministries/Departments/Organizations to identify the sensitive posts in their organizations and also to send to the Commission, the list of posts so identified. Further Chief Vigilance Officers were also asked to ensure in consultation

with the Chief Executive Officers (CEOs) that officials posted on sensitive posts were rotated every two/three years to avoid developing vested interest. In accordance with these instructions, Vigilance Officer, Kendriya Bhandar (KB) identified following posts as sensitive posts.

- (i) Purchase and Sales Executives
- (ii) Stationery Counter Incharges.
- (iii) Head Cashier/Cashier.
- (iv) Godown Incharge.
- (v) Incharge Institutional supply Unit.

The post of Managing Director does not fall within the category of posts identified as sensitive posts by Kendriya Bhandar. Moreover, Chief Executive (Managing Director in KB) is a single post and it is not practically possible to rotate the incumbent among other areas of work.

- (b) He is holding the post since September, 2003.

(c) and (d) CVC has received a complaint dated 30.3.2012 from Shri Puranmasi Ram, Member of Parliament (Lok Sabha) against the Managing Director of Kendriya Bhandar alleging that he has been holding post of Managing Director, Kendriya Bhandar for the last 9-10 years which is a sensitive post. The Commission has decided to send the complaint for investigation and report on 27.4.2012 and is being processed further. Earlier the CVC had received three complaints dated 30.12.2011 from Shri Puranmasi Ram, MP (Lok Sabha) regarding irregularities in Kendriya Bhandar. In one of these complaints it has been alleged that the post of Managing Director is a sensitive post and that as per CVC's direction he is liable to be removed from the post of Managing Director. The same were forwarded to the Vigilance Officer, Kendriya Bhandar for taking necessary action on 25.1.2012. The Vigilance Officer of Kendriya Bhandar has submitted report on these complaints to CVC on 7.4.2012 stating that the complaints made by the Hon'ble member are at variance with the facts on record and unsubstantiated.

Funds spent in Bihar

*395 SHRI SABIR ALI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the details of hinds /amounts given/spent in Bihar by the Ministry and its various organizations during the last three years and the current year, so far;

(b) the purpose for which these amounts were given/spent; and

(c) the steps being taken to increase those funds?

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI C.P. JOSHI): (a) and (b) Details of funds/amount given and spent in Bihar during last three years and current financial year (apart from NHAI's works) are given in the Statement-I (*See* below). No State-wise allocation is made by NHAI. Expenditure is made as per progress of development and maintenance work. Expenditure made by NHAI in Bihar for the last three years and current financial year is given in the Statement-II (*See* below).

(c) The Ministry takes up the matter from time to time with Ministry of Finance and Planning Commission for enhancement of annual outlay. Release/ allocation of fund is made keeping in view the utilization of funds by State Government on the sanctioned works and the availability of funds.

Statement-I

Details of funds/amount given and spent in Bihar

State	Year	NH (O)		Maintenance and repairs		CRF		EI and ISC		LWE	
		Allocation	Expenditure	Allocation	Expenditure	Allocation	Expenditure	Allocation	Expenditure	Allocation	Expenditure
Bihar	2009-10	245.45	245.45	69.51	50.92	54.04	50.49	6.44	3.356	0.00	0.00
	2010-11	199.15	199.15	93.84	79.06	48.30	48.30	4.97	0	160.00	169.93
	2011-12	247.54	232.31	80.79	50.62	60.89	20.17	0.27	0	200.00	205.00
	2012-13#	40.67	0	12.32	0	0	0	0	0	33.00	1.25
	TOTAL	732.81	676.91	256.46	180.6	163.23	118.96	11.68	3.356	393.00	376.18

#Allocation for the month of April and May 2012 only.

Written Answers to

[3 MAY 2012]

Starred Questions 43

Statement-II*Expenditure made by NHAI in Bihar*

(Amount Rs. in crore)

State	Year	Expenditure
Bihar	2009-10	1246.15
	2010-11	1324.82
	2011-12	2005.01
	2012-13	0.00
TOTAL		4575.98

PM's meeting with Chinese President

*396. SHRI K.E. ISMAIL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the Indian Prime Minister and the Chinese President met separately during the recently held Brazil, Russia, India, China and South Africa (BRICS) summit meeting in New Delhi;

(b) if so, the details thereof;

(c) whether the disputed border issues figured in the meeting; and

(d) if so, the details thereof?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) to (d) The Prime Minister held bilateral talks with President of the People's Republic of China Hu Jintao on 29 March, 2012 on the sidelines of the 4th BRICS Summit held in New Delhi. The two leaders discussed bilateral, regional and global issues. They inaugurated the Year of India-China Friendship and Cooperation and agreed to further strengthen bilateral dialogue mechanisms. The two sides also reiterated their commitment to maintain peace and tranquility along the Line of Actual Control in the India-China border areas, pending a final settlement of the Boundary Question.

Diversion of funds for ST Sub-Plan

*397. SHRIMATI GUNDU SUDHARANI: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether it has come to the notice of the Ministry that some States have diverted funds meant for Scheduled Tribes Sub-Plan;

(b) if so, the details of States which have diverted funds meant for Scheduled Tribes Sub-Plan during the last ten years; and

(c) the remedial measures, the Ministry has taken in this regard?

THE MINISTER OF TRIBAL AFFAIRS (SHRI V. KISHORE CHANDRA DEO):

(a) No, Sir. No instance of any State having diverted funds meant for Scheduled Tribes Sub-Plan has come to the notice of this Ministry.

(b) and (c) Do not arise in view of reply to part (a) above.

Mega tourist circuit in Himachal Pradesh

*398. SHRIMATI BIMLA KASHYAP SOOD: Will the Minister of TOURISM be pleased to state:

(a) whether the fund of Rs. 5000 crore for the Integrated Development of Kullu-Manali as a 'Mega Tourist Circuit in Himachal Pradesh' is still pending with Government since 2010;

(b) if so, by when Government is going to release the said amount/fund to the State Government; and

(c) if not, the reasons for delay and fill details thereof?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) to (c) Development, promotion, implementation and monitoring of tourism projects is primarily undertaken by the State Governments/UTs. However, Ministry of Tourism provides Central Financial Assistance (CFA) for tourism projects, which are prioritized in consultation with the State Governments/UTs.

The project proposal for Integrated Development of Kullu-Manali as a "Mega Tourist Circuit in Himachal Pradesh" was received in the Ministry for an amount of Rs. 5000 crores. The proposal was appraised in the Ministry as per the Scheme Guidelines. Based on the appraisal, observations were communicated to the State Government seeking clarifications. The State Government has submitted its clarifications to the Ministry recently.

The project proposals submitted by the State Governments/UT Administrations including those related to mega circuits/destinations are examined as per scheme guidelines for sanction and funds are released subject to their adherence to the scheme guidelines, availability of funds under the relevant schemes and submission of utilization certificates for CFA released earlier.

Ministry of Tourism has sanctioned 45 projects for Rs. 128.79 crore in

Eleventh Plan (upto 31.12.2011) for development and promotion of tourism in Himachal Pradesh.

Setting-up of casinos to promote tourism in the country

†*399. SHRI NARESH AGRAWAL: Will the Minister of TOURISM be pleased to state:

(a) whether several States have sent their recommendation for setting up of casinos in their States with a view to promote tourism in the country;

(b) whether it is a fact that due to Section 13 of the Gambling Act, these recommendations are not being approved and therefor the State Governments have recommended the proposal of Section 13-A in the Gambling Act; and

(c) if so, the reasons for not approving them?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAI): (a) to (c) The Ministry of Tourism has not received any proposal for setting up of casinos. The Ministry is also not concerned with the administration of the Gambling Act.

Efficiency of steel industry

*400 SHRIMATI T. RATNA BAI: Will the Minister of STEEL be pleased to state:

(a) whether Indian steel industry is less efficient and there is a need for improvement:

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

(c) the steps taken in this direction so far?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) to (c) Production of finished steel for sale in the country has been consistently higher than the real consumption of steel. As such, functioning of the Indian Steel Industry has been generally satisfactory. However, in some of the steel units which were installed decades ago, there is a need to adopt latest technologies for their upgradation/modernization so as to make them more efficient and viable. Recently, new techno-economic benchmarks on international pattern have been evolved for improvement in performance of steel public sector enterprises and its implementation is monitored on a regular basis. A roadmap for Research and Development for steel industry has been finalized and adopted with a special focus on beneficiation, coal ash reduction and promotion of production of high grade value added steel in the country. Steel making companies like SAIL and RINL both have launched massive expansion! modernization programmes with a view to adopt modern technology

†Original notice of the question was received in Hindi.

which is energy efficient, cost effective and environment friendly. Similarly, majority of Indian Steel Industry in private sector has also shown keenness to adopt latest technologies to make existing steel manufacturing processes more efficient and productive.

WRITTEN ANSWERS TO UNSTARRED QUESTIONS

Criteria for selecting atomic energy plants

2946. SHRI VP. SINGH BADNORE: Will the PRIME MINISTER be pleased to state:

- (a) the criteria for selection of new atomic energy plants;
- (b) the number of sites that have been selected and the location thereof; and
- (c) the progress of establishing a Nuclear Power Plant in those sites which are selected?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) The criteria for selection of a site for setting up of Atomic Power Plants are laid down in the Atomic Energy Regulatory Board's (AERS) Code of Practice on Safety in Nuclear Power Plant Siting. These *inter-alia* include seismicity, location of faults, geology, foundation conditions, meteorology, potential of flooding (from tsunami, storm surge, etc. at coastal sites and from rain, upstream dam break etc. at inland sites), proximity to airports, military installations, facilities for storing explosives and toxic substances, etc. In addition availability of land, water, demand of electricity in the region and availability of other energy option also form the basis for evaluation of potential sites.

(b) Presently, nuclear power plants are in operation/under construction at seven sites in the country. The Central Government has accorded 'in principle' approval for 8 new sites and additional units at some of the existing sites for locating future nuclear power plants. The details are as under:

Site and Location	Capacity (MW)		
	In operation	Under Construction	Future Plan
1	2	3	4

Existing Sites

Tarapur, Maharashtra	(2×160) + (2×540)		
Rawatbhata, Rajasthan	100+200 + (4×220)	2×700	

1	2	3	4
Kalpakkam, Tamil Nadu	2×220	1×500	2×500
Narora, Uttar Pradesh	2×220		
Kakrapar, Gujarat	2×220	2×700	
Kaiga, Karnataka	4×220		2×700
Kudankulam, Tamil Nadu		2×1000	4×1000
New Sites			
Gorakhpur, Haryana			4×700
Chutka, Madhya Pradesh			2×700
Mahi Banswara, Rajasthan			4×700
Bhimpur, Madhya Pradesh			4×700
Jaitapur, Maharashtra			6×1650
Kovvada, Andhra Pradesh			6×1000*
Chhaya Mithi Virdi, Gujarat			6×1000*
Haripur, West Bengal			6×1000

*Nominal capacity.

(c) Following the in-principle approval of the site by the Central Government, pre-project activities, which broadly include acquisition of land, obtaining statutory clearances from the Ministry of Environment and Forests and the Atomic Energy Regulatory Board, carrying out various investigations/studies and finalization of the detailed project proposals are taken up. The detailed project proposal is considered by the Central Government for according administrative and financial sanction, after which work on the project is commenced. Currently, pre-project activities are at various stages at sites where in-principle approval has been accorded. Start of work on new projects at the sites is proposed in the Twelfth Five Year Plan, except at Haripur and Bhimpur sites, where the pre-project activities are planned to be completed in the Twelfth Five Year Plan.

PMO's view of NGOs

2947. SHRI SALIM ANSARI: Will the PRIME MINISTER be pleased to state:

(a) whether Prime Minister's Office have charged that there are NGOs that are not appreciative of India's development requirement;

(b) whether it is also a fact that the charge is related to on-going protest and controversy over commissioning of Kudankulam Atomic Power Station in Tamil Nadu; and

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

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): There were reports in the press to the effect.

(b) and (c) Preliminary reports have been received regarding foreign funding of the NGOs protesting against the nuclear power project at Kudankulam, CBI enquiry has been initiated against two NGOs and criminal cases have been referred in respect of two NGOs to Tamil Nadu Police.

Power generation from nuclear plants

2948. SHRI K.N. BALAGOPAL: Will the PRIME MINISTER be pleased to state:

(a) the estimated power generation from new nuclear plants in the coming twenty years;

(b) the number of plants that were expected to commence as per this estimate;

(c) whether the plan to establish nuclear plants is proceeding as per estimates; and

(d) if not, the alternatives drawn for power generation?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) The Integrated Energy Policy of the country has projected a possibility of reaching a nuclear power generation of 63,000 MW by 2032 by progressive addition of nuclear power capacity through a mix of Light Water Reactors (LWRs) each of 1000 MW and higher capacity based on international technical cooperation, indigenous 700 MW Pressurised Heavy Water Reactors (PHWRs) and Fast Breeder Reactors (FBRs).

(b) The Eleventh Five Year Plan envisaged start of work on eight PHWRs and ten LWRs based on international technical cooperation, of which work on four PHWRs at the existing sites – Kakrapar Atomic Power Plant (KAPP 3 and 4 - 2×700 MW) at Kakrapar in Gujarat and Rajasthan Atomic Power Plant (RAPP 7 and 8 - 2×700 MW) at Rawatbhata in Rajasthan has commenced. Work on other four PHWRs proposed to be located at new greenfield sites could not start due to delay in acquisition of land. The delay in fruition of international cooperation resulted in postponement of launch of LWRs.

(c) Despite initial delays in launch of new nuclear power projects in the Eleventh Five Year Plan period, the plan to establish nuclear plants to meet the target of 63,000 MW nuclear power capacity by 2032 is on course.

(d) Does not arise.

Loss of land due to UCIL project

2949. SHRIMATI GUNDU SUDHARANI: Will the PRIME MINISTER be pleased to state:

(a) whether five villages have lost their land in Pulivendula area of Cuddapah district of Andhra Pradesh due to Uranium Corporation of India Ltd. (UCIL) project;

(b) whether a meeting of the Grievance Redressal Committee was held at Pulivendula recently;

(c) if so, the details thereof;

(d) the details of compensation paid so far to the villagers who have lost their land due to UCIL's project;

(e) whether Grievance Redressal Committee also met on earlier occasions; and

(f) if so, the number of meetings held, assurances given and details of assurances fulfilled so far?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Uranium Corporation of India Limited (UCIL), a Public Sector Undertaking under the Department of Atomic Energy (DAE), has acquired land from four villages in Pulivendula area of Kadapa (YSR) district of Andhra Pradesh. The villages are Tummalapalle (322.73 acres), Mabuchintalapalle (96.74 acres), Rachkuntapalle (269.99 acres) and KK. Kottala (11.56 acres)

(b) Yes Sir.

(c) The meeting was held on 17.03.2012. However, the meeting was adjourned/suspended due to protest by some members over constitution of the committee.

(d) An amount of Rs. 965,05,960/- (Rupees nine crore sixty five lakh five thousand nine hundred and sixty only) has been paid as compensation to the land owners of the four villages so far. In addition, 204 nominees of such land losers have been provided employment as on 31.03.2012 in UCIL.

(e) Yes Sir.

(f) Five meetings were held earlier by the Grievance Redress Committee on 02.07.2011, 09.12.2011, 11.01.2012, 01.02.2012 and 17.03.2012 where the following issues were raised:

- (a) Examination of water quality and ground water level
- (b) Employment to nominees of land displaced persons
- (c) Acquisition of additional land.

UCIL is exploring the possibilities to address the above.

Sri Lankan concern over Kudankulam plant

2950. SHRI M.P. ACHUTHAN:

SHRI D. RAJA:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the Sri Lanka has expressed its concern over the impact of disaster in the Kudankulam nuclear power plant which could affect the island nation; and

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

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) There have been reports in the press and media that Sri Lanka has expressed concern over the impact of a disaster in Kudankulam Nuclear Power Plant, Tamil Nadu.

(b) The nuclear power reactors at Kudankulam are generation III+ reactors with advanced safety features employing four safety trains against one required. The reactors have a unique Passive Heat Removal System (PHRS), which would ensure cooling of the reactor core by natural air circulation even in the worst case scenario of total loss of power supply and cooling water sources as it happened in Fukushima (Japan). Post Fukushima, safety reviews of the Kudankulam reactors have found that they are totally safe and have margins and features in design to withstand extreme natural events like earthquakes and tsunamis.

Assessment of requirement of thorium

2951. SHRI RAJIV PRATAP RUDY: Will the PRIME MINISTER be pleased to state:

(a) whether the Government has assessed the requirement of thorium during the Twelfth Five Year Plan period:

(b) if so, the details thereof;

(c) whether there are adequate thorium reserves available in the country; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) Yes, Sir. Construction of Advanced Heavy Water Reactor (AHWR) will be launched towards the end of Twelfth Five Year Plan period. The quantity of ThO_2 required for the initial core is 52 tones, The annual requirement of ThO_2 for refueling is 4.7 tones. Department of Atomic Energy (DAE) has taken action to see that this quantity made available at the scheduled time.

(c) and (d) Yes, Sir. India has vast reserves of Thorium. Total estimated reserves of monazite in India are about 10.7 million tones (containing about 0.84 million tones of thorium metal) occurring in beach and river sands in association with other heavy minerals, Out of nearly 100 deposits of the heavy minerals, at present only 17 deposits containing about ~4 million tones of monazite have been identified as exploitable. Mineable reserves are ~70% of identified exploitable resources. Therefore, about 2,25000 tones of thorium metal is available for nuclear power programme.

Making of AERB a statutory body

2952. SHRI N. K. SINGH: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Government is proposing to make the Atomic Energy Regulatory Board (AERB) a statutory body;

(b) if so, the details thereof;

(c) if not, the reasons therefor; and

(d) the steps being taken by Government to make nuclear regulation and safety more transparent?

THE MINISTER OF STATE IN THE PRIME MINISTERS OFFICE (SHRI V. NARAYANASAMY): (a) and (b) Yes Sir. Government of India attaches the highest importance to nuclear safety and that the Government will take all the necessary measures to ensure the safety of our plants. Work is underway in the Department of Atomic Energy towards further strengthening Indias national nuclear safety regulatory authority. Accordingly, Government has introduced the Nuclear Safety Regulatory Authority Bill, 2011 in Lok Sabha on 07 September 2011.

(c) Does not arise.

(d) Creation of a statutory nuclear safety authority through introduction of

The Nuclear Safety Regulatory Authority (NSRA) Bill will ensure greater degree of independence and transparency.

Proposal for National Aviation University

2953. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government proposes to set up a National Aviation University to deal with the problem of skill shortage in the civil aviation sector;

(b) if so, the objectives sought to be achieved by this exercise;

(c) the estimated cost therein; and

(d) by when such a University would be established?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) One of the proposals recommended by the Working Group on Civil Aviation for Formulation of Twelfth Five Year Plan is to consider setting up of a National Aviation University to cater to the growing educational and training requirement of civil aviation sector.

(c) and (d) Details on these aspects are not available as of now.

Development of Gwalior airport

2954. SHRI ANIL MADHAV DAVE: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the steps being taken for development of Gwalior airport;

(b) whether Government has set any time limit for the project; and

(c) the expected expenditure for development of airport at Gwalior?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) Gwalior airport belongs to Indian Air Force and Airports Authority of India (AAI) owns a civil enclave. The present infrastructure at Gwalior airport is sufficient to handle current passenger traffic. Further developments for any future requirement is subject to traffic growth, demand by airlines and economic viability of enhanced airport operations.

Change in the aviation policy

2955. SHRI BALWINDER SINGH BHUNDER: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether there is a need for change in the aviation policy in the view of the recent crisis in the aviation sector;

(b) if so, the details in this regard and the probable changes contemplated by Government; and

(c) by when the new aviation policy will be framed?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) To have a sustainable orderly growth of the aviation sector, the ministry has felt the need to spell out a long term Civil Aviation Policy. Accordingly on 22.12.2011, a Committee has been constituted under the Chairmanship of Secretary, Civil Aviation to formulate a Civil Aviation Policy so as to provide a road map for development. Government has identified focus areas and a consultation paper has been placed on the website of the Ministry (www.civilaviation.nic.in) inviting comments from all stakeholders. The comments received from various organization are under examination.

Foreign airlines investment in Airlines in India

2956. SHRI RAJKUMAR DHOOT: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that foreign airlines are not coming forward for investment in Airlines in India due to high tax regime in particular on ATF, Airport use and other taxes;

(b) if so, the details thereof; and

(c) the remedial measures Government propose to take in this regard?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) At present no foreign airlines are allowed to participate in the equity of domestic carriers. The proposal to allow investment by foreign airlines in the domestic carriers is under examination of the Department of Industrial Policy and Promotion (DIPP).

Profitability of Air India

2957. SHRI T.M. SELVAGANAPATHI: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Government has decided to infuse into Air India a sum of Rs. 30,000 crore till 2020;

(b) whether it is a fact that many steps have been proposed to improve the profitability of Air India;

(c) if so, the details thereof;

(d) whether it is a fact that Government has decided to make Air India separate entity away from Government; and

(e) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) Yes, Sir.

(b) and (c) In order to improve its operating and financial performance, Air India has already taken various steps which include (i) Complete route rationalization of erstwhile Air India and Indian Airlines routes and elimination of route network involving parallel operations; (ii) Rationalization of certain loss 'making routes; (iii) induction of brand new aircraft on several domestic and international routes to increase passengers appeal; (iv) Phasing out of old fleet and consequential reduction of maintenance and engineering costs; (v) Return of leased aircraft at the end of their tenure or prematurely; (vi) Freezing of employment In non- operational areas; (vii) Redeployment of staff to cut in-fructuous expenditure; (viii) Grounding of ageing fleet including B747-400 which would be used only for certain lines of operations and for operating VVIP flights; (ix) Relocation of EDs/IBOs from abroad back to India; (x) Closure of overseas offline offices at certain locations; (xi) Dismantling of the Frankfurt hub and establishment of the Delhi hub resulting in substantial saving due to restructuring of routes; (xii) Establishment of an Integrated Operations Control Centres.

(d) and (e) Yes, Sir. The Turn Around Plan (TAP) approved by the Cabinet Committee on Economic Affairs in its meeting held on 12.4.2012 envisages a business model that includes Independent ground handling and MRO operations from the main airlines business.

Expansion of aviation market in India

2958. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether India needs more aircraft in view of the increase and expansion of aviation market;

(b) whether Government has any initiative for manufacturing bigger indigenous aircraft in India so that the job is not shifted to France, USA, Singapore and other countries; and

(c) whether India has no workshop for the maintenance of aircrafts flying in India?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) Yes Sir. The passenger traffic has grown at the rate of 17%-18% in the last few years. According to an assessment of the overall outlook of the sector, the fleet of the commercial airlines is expected to touch approx. 1000 aircraft in 2020. However, the projected number of new aircraft required in the next ten years would depend upon various factors including, *inter-alia*, growth of passenger traffic, growth rate of GOP, foreign tourist arrivals, index of Industrial Production (IIP) and prospects of the growth of other modes of transport etc.

(b) The Ministry of Civil Aviation has proposed formation of a Civil Aviation Aerospace Promotion Advisory Council (CAAPAC), which will have members from the regulatory agencies and the aerospace industry. The council will take necessary action to promote aerospace manufacturing activities, review the National Civil Aeronautics Policy, review regulatory framework and recommend medium and long-term measures for promotion of Civil Aeronautics Industry. It will help in identifying areas for development of manufacturing technology and for indigenization of aircraft parts for Indian and global markets.

(c) Some airlines and aircraft operators in India have their own organization for the maintenance of aircraft. Air India and Jet Airways have their own hangar facilities for maintenance. There are also MROs available in India for providing maintenance facilities to aircraft. However, the existing facilities are not able to fully meet the requirements of the airlines. As a result most of the airlines have to send their aircraft to foreign maintenance organisations.

Financial status of Air India

2959. SHRI RAM KRIPAL YADAV: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the actual financial status of Air India as on 31st March, 2012;

(b) whether Air India can be revived in future;

(c) what types of help are being provided by Government to Air India till now and proposal for further support; and

(d) the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) As per the provisional estimates for the financial year 2011-12, Air India is likely to incur a loss of Rs.7,853.00 crore. As on March, 2012, the company has working capital borrowing of around Rs.23,250 crore.

(b) to (d) The Government has approved the following financial package for Air India in order to improve its financial condition:

- (i) Induction of upfront equity of Rs.6,750 crore, including Rs.1,200 crore provided in the budget of 2011-12 and already released, in FY 2011-12.
- (ii) Equity for Cash deficit support of Rs.4,552 crore till FY 2021.
- (iii) Equity for already guaranteed aircraft loan of Rs.18,929 crore till FY 2021.
- (iv) GOI Guarantee for repayment of Principal amount and payment of interest on the Non Convertible Debentures of Rs. 7400 crore proposed to be issued to financial institutions, Banks, LIC, EPFO etc. which will be used to repay part of working capital loans.

Land given to Airport Authority of India in Rajasthan

2960. DR. GYAN PRAKASH PILANIA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) the names of airports for whose development State Government of Rajasthan has given land to Airports Authority of India (AAI);

(b) whether the development work on those airports has been completed, if so, the details thereof;

(c) the number of airports of AAI in Rajasthan;

(d) the number of airports out of these proposed to be made of international standard and the action taken in this regard;

(e) whether the State Government of Rajasthan has requested for increasing air facilities in the State; and

(f) if so, the details thereof?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) Airports at Jaipur and Udaipur.

(b) Yes, Sir. At Jaipur airport construction of new aerodrome control tower cum technical block, construction of a new apron to park 3 AB-340-600, 38-767,6 AB-321 and 2 ATR-72 type of aircraft along with link taxiway and part parallel taxi track, a new international terminal building for 600 passengers have been completed.

At Udaipur Airport construction of new terminal building for 600 passengers, expansion of Apron to augment parking capacity and to park 'D' type of aircraft,

(2 B-767-300 and 3 AB-321), extension and strengthening of runway to 9000 ft for operation of wide bodied aircraft, provision of Simple Approach Lighting System (SALS) on runway 08 and Cat-I Approach Lighting System (APLS) on runway 26 and construction of New control tower cum technical block have been completed.

(c) There are four airports in Rajasthan which are owned and managed by Airports Authority of India (AAI). In addition, AAI also managed Civil Enclaves at Jaisalmer, Jodhpur and Bikaner.

(d) Both Jaipur and Udaipur airports have been provided with state-of-the-art passenger facilities.

(e) and (f) Yes, Sir. Various requests have been received from State Government of Rajasthan for increase of frequency of air services on Jaipur-Udaipur and Jaipur-Jodhpur route, for additional air connectivity from Jaipur with Delhi, Mumbai, Kolkata, Hyderabad, Chennai and Bangalore and also from Dubai, London Washington, New York, Paris, Bangkok during the period of 01.01.2012 to 15.01.2012 due to "Pravasi Bhartiya Day from 7-9.01.2012.

However, operations in domestic sector have been deregulated and flights are being operated by concerned airlines on the basis of commercial viability subject to adherence to Route Dispersal Guidelines. Government has laid down Route Dispersal Guidelines with a view to achieve better regulation of air transport services taking into account the need for air transport services of different regions of the country including North-East Region. It is, however, up to the airlines to provide air services to specific places depending upon the traffic demand and commercial viability while complying with Route Dispersal Guidelines (RDG).

Drunk Pilots on Airlines

2961. SHRI ISHWAR SINGH:

SHRI N.K. SINGH:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) the details of total number of drunk pilots on airlines for the past three years;

(b) whether it is a fact that the DGCA has implemented a new policy to penalise drunk pilots;

(c) if so, the details of this new policy and the date for its implementation;
and

(d) the details of action proposed against guilty pilots, in the aforementioned policy?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) The details of total number of Pilots found drunk on airlines for the last three years are given in the Statement (*See* below).

(b) to (d) Yes Sir,

DGCA has amended Civil Aviation Requirements (CAR) section 5, Series 'F', Part III dated 30th November 2010 which provides for suspension of license for three months for first time and for five years in case a pilot is detected positive during pre-flight medical examination for the second time. This regulation requires airlines to conduct the test before all domestic flights and after every 15 days at foreign airports. This shall be supplemented by post medical flight checkup. It shall be ensured that all flights originating from outstation are covered by post flight medical checkup within a period of 10 days, *i.e.*, three times in a calendar month.

Statement

Details of the pilots tested alcohol positive

Sl.No.	Year	No. of Pilots
1.	2009	17
2.	2010	23
3.	2011	17

Bribe-scandal in purchase of aircraft

2962. SHRI JAI PRAKASH NARAYAN SINGH: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Central Bureau of Investigation (CBI) is investigating the dubious role of several officials of the Ministry of Civil Aviation in the purchase of aircrafts from Boeing Company and Airbus Industries;

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

(c) whether some of the senior officials of Boeing Company and Airbus Industries based in India are also involved in bribe scandal; and

(d) if so, the names of such officials?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (d) The matter under investigation by the CBI against officials/ex-officials of erstwhile Indian Airlines relates to the investments that are to be made/facilitated in India by M/s. Airbus industries.

Kingfisher's default on payment to oil companies

2963. SHRI TARIQ ANWAR: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Kingfisher airlines has defaulted on payments to oil companies and also airports;

(b) if so, the details thereof; and

(c) the steps taken so that the airlines should pay the amount due to department concerned?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) Yes, Sir. Kingfisher owes dues of Rs. 279.52 crores towards landing and parking, RNFC, Licence Fee etc. to Airport Authority of India (AAI).

Continuous monitoring is done by AAI to ensure that the airlines pay their dues in time. In case of default in payment by the airlines, measures like charging of penal interest, withdrawal of credit facility are taken and the airlines are put on a "Cash and Carry" policy.

The information with regard to dues of Oil companies is being collected.

Budget aircrafts operated by unsuccessful pilots

†2964. SHRI PRABHAT JHA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that it has been disclosed by Directorate of Civil Aviation in its investigation report that budget aircrafts are being operated by those pilots, who have been unsuccessful in necessary training while operating small aircrafts;

(b) if so, the details thereof;

(c) whether any action has been taken against guilty persons in this matter;

(d) if so, the details thereof; and

†Original notice of the question was received in Hindi.

(e) if not, the reasons therefor?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) No such investigation was carried out by Air Safety Directorate of DGCA.

(b) to (e) Do not arise.

Rescheduling the Surat-Delhi flights

2965. SHRI PARSHOTTAM KHODABHAI RUPALA:

SHRI BHARATSINH PRABHATSINH PARMAR:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) what action has been taken by Air India to change its flight schedule on route of Surat-New Delhi, as other flight operator has also started its operation on the same route with little change in time so it may not badly affect passenger load traffic of Air India on this route; and

(b) whether Air India intend to reschedule its flight from Surat to New Delhi to early morning and return from New Delhi to Surat at evening so the above said problem may be solved?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) Air India currently does not have the resources to operate flights to other destinations from Surat. However, Air India's subsidiary, Alliance Air, operates on Delhi-Surat-Delhi with CRJ-700 aircraft on thrice a week as per following schedule:

Delhi-Surat	1440	1620
Surat-Delhi	1650	1830

The current capacity available with the airline and its operating resources are committed to the present and planned schedule. At present, due to scheduling constraints arising out of limited aircraft availability it is difficult to change the existing schedule. The possibility of rescheduling of flights to/from Surat can be considered once the operational resources are augmented.

Violation of DGCA guidelines for pilot

2966. SHRI NAND KUMAR SAI: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether a large number of pilots are found violating the DGCA guidelines in various parts of the country;

(b) if so, the details of the cases reported in various parts of the country;

(c) whether Air India has removed Training Captain Status which includes status of Check Pilot, Examiner and Instructor of its pilot and initiated action in the recent past; and

(d) if so, the details thereof along with the details of the allegations against each of such pilots?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) No, Sir. Pilots follow DGCA Rules and Regulations. If any pilot is found violating DGCA norms, then action is initiated as per Rules and Regulations. During October 2011 to March 2012, a total of 19 pilots were found positive during Pre-flight medical checks.

(c) and (d) Yes Sir. There have been three such cases. The details are given in the Statement.

Statement

*Name of the pilot against whom action has been taken
and reason for the same*

Sl. No.	Name	Status	Reason for Suspension/ withdrawal
1.	Capt. Pankul Mathur	B777 Check Pilot	Incident on 17.07.2011
2.	Capt. X.M. Mistry	B744 Check Pilot	Failure of PPC/IR
3.	Capt. R. Bhasin	B777 Examiner	Complaint from Union

Non-payment of regular salary

2967. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether good salary, regular payment, skill update of pilots and better maintenance of aircrafts are the key area of the security and safety in aviation industry which almost all airlines are violating;

(b) whether it is a fact that most of the pilots, crews, technical staffs, traffic and signal staff have not been paid their salary and arrear wages since six months; and

(c) if so, the action taken in this regard?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (c) DGCA ensures safety of aircraft operations in accordance with various provisions of Aircraft Rules, CARs, etc which cover skill level of pilots and their training standards, continued airworthiness of aircrafts etc.

Reports have been received that employees of Air India and Kingfisher Airlines have not been paid salary regularly. However the Ministry has no information on the current status and extent to which salary and wages to the employees of private airlines have been paid.

Nation-wide survey for crucial airports

†2968. SHRI RAGHUNANDAN SHARMA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Directorate General of Civil Aviation (DGCA) has conducted a nation-wide survey to identify crucial airports;

(b) if so, the details thereof;

(c) the suggestions made by this survey; and

(d) the actions proposed to be taken on these suggestions?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) to (d) DGCA has not conducted country wide survey to identify crucial airport. However, post Mangalore crash, 11 airports, which were considered critical airports from flight operations point of view have been inspected. As a part of safety reassurance drive, the airport systems, facilities and procedures were thoroughly reviewed by DGCA to enhance the safety of aircraft operations at Leh, Kullu, Simla, Port Blair, Agartala, Lengpui, Calicut, Manglore, Jammu, Patna and Latur. On the basis of suggestions in the inspections following actions have been taken to enhance the safety at the aerodromes with the aerodrome operators:

- Provision of Runway End Safety Area
- Ensure proper marking on runway.
- Proper maintenance of Basic strip and ensuring Frangibility area.
- Periodic calibration of Nay- aids.
- Maintenance of runway surface within appropriate friction level.
- Removal of obstruction and proper marking and lighting of permissible obstacles.
- Safety risk assessment in respect of non-compliance.

†Original notice of the question was received in Hindi.

Diversion of Kolkata-Nagpur Indigo flight

2969. SHRI SANJAY RAUT: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the Kolkata-Nagpur flight of Indigo Airlines was diverted to Raipur on 29 March, 2012 after a pig strayed on to the runway at Dr. Babasaheb Ambedkar International Airport;

(b) if so, the reasons thereof; and

(c) what appropriate action Government is taking to scrupulously keep domestic/wild animals off the runway?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) No, Sir.

(b) Question does not arise.

(c) Major steps taken by Government to keep domestic/wild animals off the runway are as under:

(i) A high power National Bird Control Committee (NBCC) has been set up by the Government of India to monitor and adopt policy decision for bird/wildlife strikes prevention.

(ii) Airfield Environment Management Committees have been constituted at every airport where scheduled flights operate, to identify sources of stray animals/bird attraction at the airport and take necessary steps for bird strike prevention.

(iii) Aircraft Rules 1937, Rule 90 (Penalties) have been amended and a fine of Rs. one lakh or imprisonment for a term not exceeding three months or with both, have been imposed for leaving any animal object or bird in the movement area of an aerodrome.

(iv) Inspection/Safety Audit of airports are carried out by a team consisting officers from DGCA, Airport Operator and all other stakeholders.

Incentive to carriers

2970. SHRI N.K. SINGH: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether most airlines, Government and private, in the Indian civil aviation industry have been posting losses over the past financial year;

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

(c) the details of measures taken or proposed to be taken by Government to provide an incentive to carriers in the sector?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) and (b) Based on returns filed by airlines with Directorate General of Civil Aviation, all scheduled airlines operating in the country except IndiGo are incurring losses. The total operational losses for all the airlines for the period 2008-09, 2009-10 and 2010-11 are Rs. 19,000 cr. approx. and Rs. 10,000 cr. loss is anticipated in 2011-12. The losses incurred by Air India during the last three years are as under:

Year	Profit/Loss (Rs. in crore)
2008-09	(-) 5548.26
2009-10	(-) 5552.44
2010-11	(-) 6865.17

(c) There is no proposal to provide incentives to private airlines. However, an Inter Ministerial Working Group has been constituted under the Chairmanship of Secretary, Civil Aviation to identify the factors causing stress in civil aviation and suggest solutions to the same. Finance Secretary; Secretary, M/o Petroleum and Natural Gas; Director General of Foreign Trade and Joint Secretary (Civil Aviation) are members of this Working Group. The Working Group held its first meeting on 21.12.2011. The recommendations made by the Working Group, *inter-alia*, include rationalization of the VAT on ATF, permission to foreign airlines to invest in the domestic airlines undertakings, allow airlines to import ATF directly for their own consumption, revision of fare structure by airlines so that costs of operations are covered.

Airports in Rajasthan

2971. DR. GYAN PRAKASH PILANIA: Will the Minister of CIVIL AVIATION be pleased to state:

(a) details and status of existing airports in Rajasthan;

(b) places in Rajasthan, where small airports are proposed to be constructed during the Eleventh and Twelfth Plan period with the present status, where work has already been started;

(c) whether more such places are proposed to be identified as per suggestions of the State Government; and

(d) the details of proposals and plans for expansion and development of aviation facilities in the State?

THE MINISTER OF CIVIL AVIATION (SHRI AJIT SINGH): (a) There are 4 airports of Airports Authority of India (AAI) in the State of Rajasthan and 3 Civil Enclaves. Details and status of the development works undertaken at these airports are as follows:

Jaipur airport: Construction of new aerodrome control tower cum technical block, new apron with link taxiway and new international terminal building have been completed.

Udaipur airport: Construction of new terminal building, expansion of Apron, extension and strengthening of runway, provision of Simple Approach Lighting System (SALS) and new control tower cum technical block have been completed.

Jaisalmer (Civil Enclave): Construction of new civil apron with link taxi track has been completed.

(b) Development of Kishangarh airstrip into full fledged airport is subject to handing over 442 acres of additional land by State Government.

(c) and (d) No such proposal has yet been received from State Government of Rajasthan by AAI.

Pending projects in NER

2972. SHRI PANKAJ BORA: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

(a) the number of projects undertaken by Government for the Development of North Eastern Region (NER) during the last three years;

(b) if so, the numbers of projects that are still pending;

(c) if so, the details thereof along with the reasons therefor, project-wise;

(d) whether there is any proposal on the part of Government for the completion of these projects in a time bound manner; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI PABAN SINGH GHATOWAR): (a) to (e) Number of projects sanctioned and number of projects delayed out of sanctioned projects under Non-Lapsable Central Pool of Resources (NLCPR) Scheme and Special BTC

Package from 2009-10 to 2011-12 is in Table 1. Number of projects sanctioned and number of projects delayed out of sanctioned projects under various schemes of North Eastern Council from 2009-10 to 2011-12 is in Table 2.

Table 1

Year	No. of projects sanctioned	No. of projects where completion is delayed
2009-10	99	65
2010-11	161	18
2011-12	111	0
TOTAL	371	83

Table 2

Year	No. of projects sanctioned	No. of projects where completion is delayed
2009-10	116	29
2010-11	104	6
2011-12	68	0
TOTAL	288	35

Reasons for delay/incompletion of projects *inter alia* are delay in utilization of funds by State Governments, slow execution of work, law and order concerns in some areas, short working season and difficult terrain in Region. To expedite completion of projects, review meetings are held with State Governments regularly. State Governments are advised to review progress of all projects on quarterly basis at level of Chief Secretary and officers of Ministry of Development of North Eastern Region and State Governments visit sites for expediting progress of works and removal of bottlenecks.

Proposals on infrastructural and development issues

2973. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

(a) whether it is a fact that number of proposals on infrastructural as well as

other development issues, which have been forwarded by the State Governments of the North East region to be funded through Non-Lapsable Central Pool of Resources (NLCPR) and North Eastern Council (NEC) are delayed to get final approval and sanction;

(b) if so, the details thereof and along-with details of pending proposals with the Ministry and steps taken for disposal of proposals, State-wise for last three years; and

(c) whether Government has adopted any criteria for fast dispersal of funds?

THE MINISTER OF STATE IN THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI PABAN SINGH GHATOWAR): (a) and (b) Under Non-Lapsable Central Pool of Resources (NLCPR) Scheme, each State Government of North Eastern Region submits priority list of projects every year for retention and funding. NLCPR Committee, which administers NLCPR Scheme, considers these priority lists and retains some of the projects for detailed examination. Detailed Projects Reports (DPRs) of retained projects submitted by State Governments are examined in consultation with concerned line Departments/Ministries of Government of India and after vetting of DPRs by line Department/Ministries, projects are recommended for sanction by NLCPR Committee. Details of projects retained from priority lists of 2009-10, 2010-11 and 2011-12, number of projects out of them sanctioned, dropped/withdrawn by the State Governments, under examination in line Departments/Ministries and Ministry of Development of North Eastern Region and projects pending with the State Governments for submission of original and revised DPR is given in the table below.

(Rs. in crore)

Year of Priority List	Project retained		Projects sanctioned		Projects dropped/ withdrawn		Projects under examination in line Ministries and DoNER		Projects pending with State Govts. (Original and revised)	
	No.	Cost	Sanctioned							
			No.	Cost	No.	Cost	No.	Cost	No.	Cost
2009-10	163	1623.74	73	773.09	4	29.93	27	321.84	59	523.90
2010-11	108	1652.28	43	646.67	2	9.27	30	371.40	35	533.47
2011-12	116	1993.08	8	219.22	0	0	41	755.43	60	952.59
TOTAL	387	5269.10	124	1638.98	6	39.20	98	1448.67	154	2009.96

Written Answers to

[3 MAY 2012]

Unstarred Questions 69

For sanction of projects, State Governments in North Eastern Region are advised to submit DPRs of retained projects within two months of their retention. To reduce the time taken in vetting of DPRs, Ministry of Development of North Eastern Region has established a small Technical Wing for preliminary examination of DPRs, before sending DPRs to line Departments/Ministries for final vetting.

Likewise, North Eastern Council (NEC) has been making efforts to approve developmental projects posed to it by State Governments of North Eastern Region at the earliest, subject to constraints of availability of funds and receipt of comments from line Ministries. NEC has a system of firming up Shelves of Projects to be taken up after due consideration of *inter se* priorities accorded to project proposed by State Governments, PMO Guidelines, availability of concept paper/DPRs, overall Sectoral and General guidelines and fund availability (subject to condition that on-going projects are fully funded). Proposals that are included in Shelves of Projects (with in-principle approval of the Competent Authority) are either sanctioned or rejected, without any delay, once deficient information is furnished by concerned Implementing Agencies.

(c) For early dispersal of funds to State Governments, release of funds under NLCPR Scheme in approved projects have been restricted to 3 installments of 40%, 40% and 20% and State Governments have been advised to transmit funds to implementing agencies within 15 days of release by this Ministry.

Funds released for development in North East States

2974. SHRI ANIL MADHAV DAVE: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased

(a) the details of the total funds granted, released and utilised for developmental works in North East States during last three years, the details thereof, State-wise;

(b) whether Government has sanctioned or proposed new projects/industries for development and employment generation in these States; and

(c) if so, the details thereof and expected financial assistance likely to be incurred on them?

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI PABAN SINGLI GHATOWAR): (a) to (c) Total funds sanctioned for North Eastern States and Utilisation Certificates submitted by them from 2009-10 to 2011-12 under Non-Lapsable Central Pool of Resources Scheme of Ministry of Development of North Eastern Region and Special Bodoland

Territorial Council (BTC) Package, are in Table 1. Details of funds released by North Eastern Council to North Eastern States from 2009-10 to 2011-12 are in Table 2.

Table 1

Funds released, utilisation certificates received from 2009-10 to 2011-12 under NLCPR scheme and special BTC Package

(Rs. in crore)

State	Funds released during 2009-12	*Utilization certificates received during 2009-12
Arunachal Pradesh	499.39	364.26
Assam	398.56	262.10
Manipur	264.22	214.46
Meghalaya	223.42	191.76
Mizoram	153.28	58.31
Nagaland	337.65	307.62
Sikkim	129.83	123.90
Tripura	267.03	185.76
TOTAL NLCPR SCHEME	2273.38	1708.17
Special BTC Package	103.15	124.3

*The amount of utilization certificates received does not relate to funds released during the same period only.

Table 2

Details of the total funds released by North Eastern Council from 2009-10 to 2011-12 to North East States

(Rs. in crore)

Sl.No.	State	Years			Total
		2009-10	2010-11	2011-12	
1	2	3	4	5	6
1.	Arunachal Pradesh	91.81	113.87	107.12	312.80
2.	Assam	115.33	88.35	57.16	260.84

1	2	3	4	5	6
3.	Manipur	14.64	46.14	44.82	105.60
4.	Meghalaya	65.78	71.86	56.24	193.88
5.	Mizoram	28.04	43.95	74.03	146.02
6.	Nagaland	32.25	48.57	84.55	165.37
7.	Sikkim	45.41	32.33	53.40	131.14
8.	Tripura	77.05	42.10	52.75	171.90
	SUB TOTAL (of States)	470.31	487.17	530.07	1487.55
9.	*Other agencies	150.69	191.45	164.55	506.69
	GRAND TOTAL	621.00	678.62	694.62	1994.24

*Other agencies include Central Government Organisations and other Organisations such as Border Road Organization, Airports Authority of India.

Implementation of sanctioned projects by States and other agencies will provide socio-economic benefits to the community and *inter alia* generate employment opportunities. Sanction of developmental projects under NLCPR scheme and NEC to North Eastern States is a continuous process and implementation of these developmental projects, *inter-alia*, result in direct or indirect job creation, which is not always quantifiable/measurable. In order to support implementation of development projects under NLCPR and NEC, Rs. 18,572.38 crore has been projected to Planning Commission for Twelfth Five Year Plan.

Detaining of Indians at US Airport

2975. SHRI K. N. BALAGOPAL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether renowned Bollywood filmstar Shri Shahrukh Khan was detained in US at airport recently;

(b) if so, the details of Ministry level interventions performed by Government in this regard;

(c) whether any permanent mechanism is sought by Government from the US for avoiding such incidence in the future; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) The Government is aware that Shri Shahrukh Khan faced delay in immigration clearance at the White Plains Airport, New York on 12 April 2012. However, the U.S. Customs and Border Protection officials took immediate steps to clear Mr. Khan following intervention by the Consulate General of India in New York and also conveyed their sincere apologies for the inconvenience caused to Mr. Khan.

(b) The Embassy of India in Washington raised the incident with the U.S. Department of State, which expressed apologies for any discomfort or inconvenience suffered by Mr. Khan due to the incident. The Ministry of External Affairs also conveyed to the U.S. Embassy in New Delhi its concerns over the incident. On 13 April 2012, the U.S. Embassy spokesperson apologised for any inconvenience or delay experienced by Mr. Shahrukh Khan.

(c) and (d) The Government has used every opportunity, including during the India-U.S. Aviation Security Group meeting, to stress that while it respects the right of every country to institute necessary security procedures at their airports, it should be done in a manner that does not cause inconvenience to *bona fide* passengers, takes into account internationally recognised diplomatic courtesies and privileges, and is sensitive to cultural and religious sentiments of travellers. The U.S. Government has expressed regret for these incidents and has conveyed that it will seek to avoid similar incidents in the future. The U.S. Government has informed that travellers, including private travellers, who have experienced difficulties during their travel screening at transportation hubs in the United States, can use the Department of Homeland Security Traveler Redress Inquiry Program (DHSTRIP) to resolve issues such as misidentification.

Nuclear doctrine of 'no first use'

2976. SHRI SANJAY RAUT:

SHRI ANIL DESAI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether it is a fact that India has a nuclear doctrine-no first use;
- (b) whether it is also a fact that Pakistan does not have this doctrine; and
- (c) will the Prime Minister convince Pakistan to alter their nuclear policy?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) India's nuclear doctrine includes a posture of 'No First Use' of nuclear weapons. The Government of Pakistan has not issued a comprehensive nuclear doctrine.

Oil Exploration in South China Sea by Indian Companies

2977. SHRIMATI KUSUM RAI:

SHRI PRABHAT JHA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether it is a fact that India is working on a project of oil exploration in South China Sea;
- (b) if so, the details thereof;
- (c) whether China has raised objection over this;
- (d) if so, the details thereof;
- (e) whether Government of India has registered its protest against the objection of China;
- (f) if so, the details thereof; and
- (g) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (g) ONGC Videsh Limited (OVL), in collaboration with Vietnamese companies, has been engaged in exploration activity in the South China Sea since 1988. China, which is a party to the South China Sea dispute, has raised its concerns on India's hydrocarbon exploration and exploitation projects in the South China Sea off the coast of Vietnam. Government has clearly conveyed that such activity by Indian companies is purely commercial in nature and that the dispute must be resolved peacefully by the countries concerned.

Travel Subsidy for Haj

2978. SHRI RAM KRIPAL YADAV: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether Government has any plan to withdraw travel subsidy that is being given to Haj pilgrims;
- (b) if so, the reasons therefor;
- (c) the amount of subsidy that is provided to every Haj Pilgrims; and
- (d) the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI AHAMED): (a) and (b) In 2009, Government took a decision to increase the air

† Original notice of the question was received in Hindi

fare chargeable from the Haj Pilgrims going through Haj Committee of India (HCOI) from Rs. 12,000 to Rs. 16,000 per pilgrim. The decision has been implemented with effect from Haj-2010.

(c) and (d) During Haj-2011, each Haj pilgrim, who traveled through HCOI, paid an amount of Rs. 16,000/- towards the air fare and the balance was paid by Government to the Airlines. For Haj-2011, the per pilgrim cost borne by Government was approximately Rs. 48,380/- (excluding service tax).

Hike in Visa Fee by US

2979. SHRIMATI MOHSINA KIDWAI:

SHRI N.K. SINGH:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that the United States has hiked the visa fee specifically aimed at professionals from the IT industry;

(b) if so, the details thereof;

(c) whether India has raised this issue at the WTO; and

(d) the steps being taken by Government to prevent negative treatment of the Indian IT industry in the United States?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) and (b) The Emergency Border Security Supplemental Appropriation Act, 2010 {Public Law - 111(230)} was enacted on 13th August 2010. It increases the fees for H1B and LI categories of visas for applicants that employ more than 50 employees in the United States or have more than 50 per cent of their employees admitted on non immigrant visas. The Act provides for an increase of (i) US \$ 2000 for the application fee for L-1 visas (for a total of US \$ 2,820) for applicants that employ more than 50 employees in the United States and have more than 50 per cent of their employees on H-1B or L-1 visas and (ii) US \$ 2,250 in the application for H-1B visas (for total of US \$ 4,750) for applicants that employ more than 50 employees in the United States and have more than 50 per cent of their employees on L-1 visas only.

(c) and (d) India has raised this issue informally with the US on the sidelines of the WTO. India has also raised the issue of problems related to visas for the US at various levels with the US Government including at the level of Commerce Secretary in their Commercial Dialogue as well as at Ministerial level interaction.

Railway Infrastructure to Connect Arunachal Pradesh

2980. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether Government is aware that China has started work on extending its rail link upto Nyangtri which is located on the border with Arunachal Pradesh;
- (b) if so, whether China has been claiming that Nyangtri prefecture includes some parts of Arunachal Pradesh; and
- (c) whether Government is planning to build railway infrastructure which would connect rest of the country with Arunachal Pradesh right up to its border with China?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) Government is aware that China is developing rail links in the border regions opposite India in the Tibet Autonomous Region, including the proposed extension of the Qinghai-Tibet Railway line upto Nyingchi. Government is giving careful and special attention to the development of infrastructure in the border areas opposite China, in order to meet our strategic and security requirements and also to facilitate the economic development of these areas. This includes the States of Jammu and Kashmir, Himachal Pradesh, Uttarakhand, Sikkim and Arunachal Pradesh. Government keeps a constant watch on all developments having a bearing on India's security and takes all necessary measures to safeguard it.

Destruction of images of Hindu Gods in Maldives

2981. SHRI BALBIR PUNJ: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether recently in February this year, a mob of religious extremists destroyed images, mostly of Buddha and Hindu Gods, kept in Maldives national museum;
- (b) if so, whether 99 per cent of the Maldives' pre-Islamic artifacts belonging to period before the Twelfth century, when most inhabitants were Buddhist or Hindu, were also destroyed;
- (c) if so, whether this issue has been raised with the Government of Maldives;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (e) There have been reports that some artifacts at the National Museum in Male, Maldives, belonging to the pre-Islamic era in Maldives, were damaged or destroyed in incidents of violence in February 2012. The matter was taken up by the External Affairs Minister with the Foreign Minister of Maldives during latter's visit to India on 3 April 2012. Earlier, during his visit to Maldives on 15 & 16 February 2012, the Foreign Secretary had also taken up the matter with the President of Maldives and conveyed our concerns. The President of Maldives had indicated that the damage and destruction to the artifacts in the National Museum would be inquired into.

Purchase of Gifts By Ministry

2982. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether Government's attention has been drawn to media reports about purchase of substandard gifts for presenting it to foreign dignitaries by the President, Prime Minister and other high-ranking officials, at inflated rates;
- (b) if so, the details thereof;
- (c) whether Government has conducted any enquiry into the matter; and
- (d) if so, the details thereof and the action taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) Yes.

(b) It came to the notice of the Ministry in May 2011 that some of the gifts being procured by the Protocol Division of the Ministry were not of the desired quality and specification.

(c) and (d) A preliminary inquiry was conducted into the matter by the Ministry which could not establish *prima facie* any involvement or complicity of officials of the Ministry. A detailed investigation into the matter has thereafter been entrusted to the Central Bureau of Investigation (CBI). The enquiry by CBI is ongoing.

Programmes Conducted by ICCR

2983. SHRI ANIL MADHAV DAVE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) the programmes conducted by Indian Council for Cultural Relations (ICCR) to promote Indian culture abroad;

- (b) the details of funds spent over such programmes for last three years;
- (c) the number of centres ICCR is having abroad, country-wise;
- (d) whether Government plans to establish more centres abroad; and
- (e) if so, the number of such centres that are being planned?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) and (b) The Indian Council for Cultural Relations (ICCR) arranged the visit of 473 cultural groups to other countries during the last three financial years as per the details given below:

Year	No. of Groups	Amount spent.
2009-10	138	Rs. 9.50 Crores
2010-11	165	Rs. 12.66 Crores
2011-12	170	Rs.17.28 Crores

(c) ICCR is maintaining 35 Indian Cultural Centres and 2 Sub-Centres abroad and details are given in the statement. (*See below*)

(d) and (e) ICCR is in the process to open 8 new cultural Centres at Washington, Paris, Buenos Aires, Lagos, Toronto, Sydney, Hanoi and Singapore

Statement

List of Indian Cultural Centres Abroad

1. The Nehru Centre
London (U.K.).
2. The Tagore Centre
Berlin, Germany.
3. Jawaharlal Nehru Cultural Centre
Moscow, Russia.
4. Indian Cultural Centre
Astana, Kazakhstan.
5. Lal Bahadur Shastri Centre for Indian Culture
Tashkent, Uzbekistan.
6. Indian Cultural Centre
Dushanbe, Tajikistan.

7. Indian Cultural Centre
Kabul, Afganistan.
 8. Indian Cultural Centre
Colombo, Sri Lanka.
 9. Jawaharlal Nehru Indian Cultural Centre
Jakarta, Indonesia.
 10. Indira Gandhi Centre for Indian Culture
Port Louis, Mauritius.
 11. Maulana Azad Centre for Indian Culture
Cairo, Egypt.
 12. Indian Cultural Centre
Durban, South Africa.
 13. Indian Cultural Centre
Johannesburg, South Africa.
 14. Indian Cultural Centre
Georgetown, Guyana.
 15. Mahatma Gandhi Institute For Cultural Cooperation
Port of Spain, Trinidad and Tobago.
 16. Indian Cultural Centre
Paramaribo, Suriname.
 17. Indian Cultural Centre
Suva, Fiji.
 18. Indian Cultural Centre
Beijing, China.
 19. Indian Cultural Wing
Kathmandu, Nepal.
 20. Indian Cultural Centre
Bangkok, Thailand
 21. Indian Cultural Centre
Abu Dhabi, Dubai.
 22. Indian Cultural Centre
Kuala Lumpur, Malaysia.
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23. Indian Cultural Centre
Tokyo, Japan
24. Indian Cultural Centre
Mexico.
25. Indian Cultural Centre
Thimphu, Bhutan.
26. Indira Gandhi Cultural Centre
Dhaka, Bangladesh.
27. Indian Cultural Centre
Yangon, Myanmar.
28. Indian Cultural Centre
Dar-es-Salaam, Tanzania
29. Indian Cultural Centre
Seoul, Korea.
30. Indian Cultural Centre
Budapest, Hungary.
31. Indian Cultural Centre
Prague, Czech Republic
32. Indian Cultural Centre
Male, Maldives.
33. Indian Cultural Centre
Sao Paulo, Brazil.
34. Indian Cultural Centre
Riyadh.
35. Indian Cultural Centre
The Hague, Netherlands.

Sub-Centres

1. Sub-Cultural Centre
Lautoka, Fiji.
 2. Sub-Cultural Centre
Bali, Indonesia.
-

Distribution of Quota for Haj Pilgrimage

2984. SHRI K.E. ISMAIL: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether it is a fact that large number of Muslims in the country do undertake Haj pilgrimage every year;
- (b) whether more people could not make it due to shortage of quota;
- (c) if so, the mechanism and policy of distribution of quota for Haj pilgrimage;
- (d) whether Government would take up the matter with Government of Saudi Arabia so that the quota is raised; and
- (e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) and (b) Yes.

(c) In accordance with the Haj Agreement signed with the Government of Saudi Arabia, the Haj quota is allotted between the Haj Committee of India (HCOI) and the Private Tour Operators (PTOs). Subsequently, HCOI allocates its quota among the various States/Union Territories (UTs) in proportion to the Muslim population of that State/UT as per 2001 Census through computerized Qurrah (draw of lots).

(d) and (e) The Government of Saudi Arabia annually allocates Haj seats on the basis of Muslim population through a bilateral Agreement. Over and above its national quota, Government of India requests the Saudi Government for additional quota to accommodate the excess demand.

Vandalisation of Mahatma Gandhi's Statue in Sri Lanka

2985. SHRI T.M. SELVAGANAPATHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether the statue of Mahatma Gandhi in Batticaloa in Sri Lanka has been vandalised;
- (b) whether Government has taken up this issue with Sri Lankan Government;
- (c) if so, their reaction thereof;

(d) whether this was the second time that the Gandhi's statue was vandalised in Sri Lanka; and

(e) whether the statues of other Indian leaders were also vandalised earlier in Sri Lanka?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) An incident of vandalism of the statue of Mahatma Gandhi in Batticaloa in Sri Lanka was reported on 6 April 2012. The statues of Robert Baden-Powell, Swami Vipulananda and Pulavarmani Periyathampi Pillai were also reportedly vandalized on the same day at Batticaloa

(b) and (c) As soon as the report came to notice, the matter was taken up with the Government of Sri Lanka as well as the provincial authorities of the Eastern Province of Sri Lanka through diplomatic channels. They were also requested to have the matter investigated and to take steps to repair and restore the statue of Mahatma Gandhi.

The Sri Lanka authorities had informed that the police in Batticaloa were investigating the case and that they had arrested some persons in this context. As per information available, the statues had since been repaired and restored to their original state.

(d) and (e) There have been no reports of vandalism of the statue of Mahatma Gandhi in Sri Lanka prior to the incident of 6 April 2012. On 9 January 2012, it was reported that the statue of Swami Vivekananda was damaged in Arayampathy-Kattankudy area in the Eastern Province of Sri Lanka. The local authorities had since repaired the statue.

Pakistan Handing Over Disputed Land to China

2986. SHRI ANIL DESAI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that Pakistan has passed on to China some disputed territory of India and Pakistan;

(b) if so, the details thereof; and

(c) whether the Ministry would take up this matter with the United Nations?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED): (a) to (c) Under the so-called Sino-Pakistan Boundary Agreement of 1963, Pakistan ceded 5,180 sq. kms of Indian Territory in Pakistan occupied Kashmir (POK) to China. Government has never recognized the so-called

Sino-Pakistan Boundary Agreement of 1963. Government has conveyed to the Government of China that any such illegal arrangement involving Indian territory between parties that have no legal or constitutional locus standi is invalid and unacceptable. Under the Simla Agreement, the Government is committed to resolving all issues with Pakistan through peaceful negotiations and bilateral dialogue.

Help to Indians in Gulf nations

2987. SHRI S. THANGAVELU: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether Government has asked Indian embassies in Gulf nations to actively engage local Governments to better the living and working conditions of millions of Indians in the region;

(b) if so, the details thereof and whether Government would also come forward to provide emergency call centre to those millions of Indians working in Gulf countries so as to assist them in case of emergency; and

(c) if so, the details thereof?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI):

(a) The Government, through Indian Embassies in Gulf countries, conducts Joint Working Group meetings under the bilateral Memorandums of Understanding (MoUs) signed with such countries. During these meetings matters related to employment contract, wages and redressal of Labour disputes are taken up. The Embassies also interact with their counterpart agencies on a regular basis. A Counsellor, Community Affairs (Development) has also been appointed in the Embassy of India, Abu Dhabi for this purpose.

(b) and (c) The Government has set up an Indian Workers Resource Centre (IWRC) at Dubai which has a 24x7 helpline, provides grievance redressal and counselling and also manages a shelter home for housemaids seeking shelter and deserted house wives etc. The Ministry has asked Indian Missions to set up similar centres in all Emigration Clearance Required (ECR) countries, including in the Gulf.

Migrant labour abroad

2988. SHRI RAMA CHANDRA KHUNTIA: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) the total legal and illegal migrant labourers working outside the country till today;

(b) whether it is a fact that although the number of migrant labour is

increasing day by day, the total remittance on account of migrant labour is being reduced in last three years; and

(c) if so, the reasons therefor and the details of remittance on account of Migrant labour?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI):

(a) As reported by eighty eight Indian Missions, information about the number of migrant labours including professionals working in the countries of their accreditation is given in the statement. (*See below*) Details for illegal migrants are not available.

(b) and (c) The number of Indian workers who were given emigration clearance during the last three calendar years are:

(*In lacs*)

Year	Number of workers
2009	6.10
2010	6.41
2011	6.27

The foreign exchange earnings received from overseas Indians and the migrant workers in the form of private remittances during the last three financial years are:

Year	Private Remittances (In US \$ in Billion)
2009-10	53.4
2010-11	55.6
2011-12 (April to September)	32.3

Statement

Names of the country and estimated number of Indian workers working therein

SI. No.	Name of the Mission/country	Estimated No. of Indian/workers with legal documents
1	2	3
1.	Afghanistan, Heart	71
2.	Afghanistan, Kabul	3502
3.	Afghanistan, Kandahar	620

1	2	3
4.	Angola, Luanda	6104
5.	Armenia, Yerevan	1400 (approx.)
6.	Australia, Canberra	194800
7.	Australia, Victoria	2500
8.	Azerbaijan, Baku	250-300 (approx.)
9.	Bahrain, Adliya	400000
10.	Bangladesh, Dhaka	1571
11.	Belarus, Minsk	15
12.	Belgium, Brussels	7600
13.	Bhutan, Thimpu	33010
14.	Botswana, Gaborone	200
15.	Brazil, Brasilia	2000
16.	Brazil, Sau Paulo	270
17.	Brunei, Bandar Seri Bagawan	10000
18.	Bulgaria, Sofia	307
19.	China, Shanghai	7657
20.	Congo, Kinshasa	650
21.	Croatia, Zagreb	5
22.	Cyprus, Nicosia	600
23.	Czech Republic, Prague	250
24.	Egypt, Cario	3600
25.	Ethiopia, Addis Ababa	2350
26.	Fiji, Suva	74
27.	Finland, Helsinki	2000

1	2	3
28.	France, Paris	15000
29.	Germany, Frankfurt	17000
30.	Germany, Hamburg	5912
31.	Guatemala, Guatemala City	10
32.	Guyana, Georgetown	290
33.	Hungary, Budapest	250
34.	Iran, Tehran	350
35.	Italy, Rome	70248
36.	Jamaica, Kingston	70000
37.	Japan, Tokyo	8915
38.	Jordan, Amman	8000
39.	Kazakhstan, Astana	1000
40.	Kenya, Mombasa	900
41.	Kenya, Nairobi	12500
42.	Kingdom of Saudi Arabia, Riyadh	180000-200000 (approx.)
43.	Kuwait, Kuwait City	641062
44.	Kyrgyzstan, Bishkek	1150-1200 (approx.)
45.	Lebanon, Beirut	9400 (approx.)
46.	Libya, Tripolia	900
47.	Madagascar, Antananarivo	220
48.	Malaysia, Kuala Lumpur	54949
49.	Mali, Bamako	230
50.	Mauritius, Port Louis	10757

1	2	3
51.	Mexico, Mexico City	1338
52.	Mongolia, Ulaanbaatar	60-70 (approx.)
53.	Morocco, Rabat	180
54.	Mozambique, Maputo	1200
55.	Namibia, Windhoek	40
56.	Nigeria, Abuja	25070
57.	Papua New Guinea, Port Moresby	2500
58.	Peru, Lima	740
59.	Poland, Warsaw	300
60.	Romania, Bucharest	500
61.	Serbia, Belgrade	4
62.	Slovakia, Bratislava	50
63.	South Korea, Seoul	2000-2500 (approx.)
64.	South Sudan, Juba	450
65.	Spain Madrid	30000
66.	Sri Lanka, Kandy	90
67.	Sudan, Khartoum	2586
68.	Sweden , Stockholm	2500
69.	Switzerland, Geneva	100
70.	Syria, Damascus	75
71.	Tanzania, Dar-es-Salaam	15000
72.	The Netherlands, The Hague	11000
73.	Trinidad and Tobago, Port of Spain	500
74.	Turkey, Ankara	45
75.	Turkey, Istanbul	165

1	2	3
76.	Turkmenistan, Ashgabat	1650
77.	Uganda, Kampala	5600
78.	Ukraine, Kyiv	4500
79.	United Arab Emirates, Abu Dhabi	175000
80.	United Arab Emirates, Dubai	180000
81.	USA, Chicago	386000
82.	USA, Houston	50000
83.	USA, San Francisco	276500
84.	Uzbekistan, Tashkent	30-40 (approx.)
85.	Venezuela, Caracas	27
86.	Vietnam, Hanoi	300
87.	Vietnam, Ho Chi Minh City	400
88.	Zimbabwe, Harare	500

Panchayati Raj Institutions

2989. SHRI NAND KUMAR SAI: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) whether all States and UTs have transferred necessary functions to Panchayati Raj Institutions (PRIs) in the country;

(b) if so, the details in this regard, State/UT-wise;

(c) the extent to which functioning of Panchayati Raj Institutions has been strengthened in the country; and

(d) the steps taken to make PRIs more effective institutions of Local Self Government?

THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO): (a) to (d) As per Article 243 G of the Constitution, the Legislature of a State may, by law, endow Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and for preparation of plans and implementation of schemes for economic development and social justice including 29 matters listed in the Eleventh Schedule. As the

Constitution of India leaves it to States to devolve powers to Panchayats, States vary in the extent to which they have devolved funds, function and functionaries (3 Fs) to Panchayats. The status regarding devolution of 3Fs to Panchayats in various States is given in the statement. (*See below*)

Ministry of Panchayati Raj (MoPR) has continuously urged States/UTs to devolve powers to the Panchayats in accordance with the Constitutional stipulation. Through the Panchayat Empowerment and Accountability Incentive Scheme (PEAIS), MoPR has incentivized States for devolving 3Fs to Panchayats, and has incentivized Panchayats for performance. MoPR has provided assistance to States for capacity building of Panchayats through the Rashtriya Gram Swaraj Yojna (RGSY), Capacity Building grant of the Backward Regions Grant Fund (BRGF) and Panchayat Mahila Evam Yuva Shakti Abhiyan (PMEYSA) and promoted e-enablement of Panchayats through the e-Panchayat scheme. An untied grant is provided to Panchayats through States for bridging critical gaps in local infrastructure in 250 backward districts on the basis of decentralized planning under BRGF.

Statement

Status of devolution of departments/subjects with funds, functions and functionaries to the Panchayati Raj Institutions in Major States

Sl.No.	State	No. and names of the Department/subjects Transferred to Panchayats with respect to		
1	2	Funds	Functions	Functionaries
1	2	3	4	5
1.	Andhra Pradesh	Only Gram Panchayats (GPs) are empowered to collect taxes. Governments Orders (GOs) issued for devolving funds of 10 departments.	22 GOs issued during 1997-2002. Further, 10 line departments have devolved certain powers to PRIs.	Functionaries are under the administrative control of their respective line departments but they are partially accountable to PRIs.
2.	Arunachal Pradesh	PRIs do not collect taxes. Transfer of funds by departments has not taken place.	29 subjects have been devolved. GOs covering 20 departments have been issued, but not yet implemented.	Functionaries have not been transferred.
3.	Assam	PRIs are empowered to collect taxed but cannot enforce. Main source of revenue is lease rent from markets, river banks and ponds.	Activity-mapping done for 23 subjects. But GOs have been issued only for 7 subjects by 6 departments.	There has been very minimal devolution of functionaries. Officials continue to report to departments.
4.	Bihar	No taxes are collected by PRIs but a proposal regarding the same is under consideration of state Government.	Activity mapping has been conducted. 20 line departments have issued GOs.	Departmental staff are answerable to departments Angandwadi workers, teachers and health workers are appointed by PRIs.

5. Chhattisgarh	GP is authorized to collect various types of taxed. Funds for 12 departments have been devolved.	Activity Mapping of 27 matters has been undertaken. GOs not issued.	Panchayat make recruitments for 9 departments.
6. Goa	Panchayats levy 11 types of taxes. Untied funds are given to panchayats.	18 matters are devolved to GPs, while 6 are devolved to ZPs.	PRIs have their own core staff for the execution of works.
7. Gujarat	8 major taxes are collected by PRIs. In 2008-09, 13 departments allocated funds to PRIs.	14 functions have been completely devolved and 5 are partially devolved	GOs have been issued for devolution of functionaries for 14 functions.
8. Haryana	GPs generate revenue form lease of panchayat land, liquor cess and rental of panchayat	Panchayati Raj Act devolves 29 Functions. GOs have been issued for 10 departments.	There is no significant devolution of functionaries
9. Himachal Pradesh	Only GP is empowered to levy taxes. Funds have not been transferred.	27 out of 29 subjects have been devolved to PRIs.	Functionaries have not been transferred to PRIs.
10. Jammu and Kashmir	State Govt. has issued GO notifying activity mapping. Funds have been devolved in a limited sence. Functionaries have been identified in the Activity Mapping document to assist panchayats in carrying out assigned functions but have not been transferred.		
11. Jharkhand	Elections to PRIs were held in November-December 2010 for the first time since 73rd CAA came into force. Activity Mapping has not been done so far.		
12. Karnataka	PRIs collect 7 types of taxes. Panchayati Raj Act provides the mandatory transfer for untied funds to PRIs.	Karnataka has delegated all 29 subjects to PRI by notifying Activity Mapping.	All Panchayat employees functions under dual control of the department concerned and the PRIs

1	2	3	4	5
13. Karala	GPs have tax domain of 9 types of taxes. Untied funds and funds for specific purposes by departments are given to PRIs.	Activity mapping for all 29 Functions done and activities devolved to Panchayats.	PRIs have full managerial and part disciplinary control over transferred functionaries.	
14. Madhya Pradesh	GPs are empowered to collect taxes. Funds for 13 departments covering 19 matters are released to PRIs.	GOs containing the Activity mapping in respect of 25 matters pertaining to 22 departments have been issued.	Functionaries for 13 departments have been transferred to the PRIs. There is a state panchayat service.	
15. Maharashtra	ZP and GP collect taxes. Grants for 11 departments are transferred to PRIs.	11 subjects have been fully devolved. For 18 subjects, schemes are implemented by PRIs.	Class III and Class IV employees at all levels are Zilla parisheds	
16. Manipur	Five Departments have issued GOs transferring funds to PRIs.	GOs have been issued devolving functions related to 22 departments.	5 departments have been issued GOs transferring functionaries to PRIs.	
17. Odisha	PRIs collect 6 types of taxes. There is no clear devolution of untied funds.	11 departments have devolved 21 subjects.	Officials of 11 departments are accountable to PRIs.	
18. Punjab	Main source of income of GP is from auction of Panchayat land. There is no clear devolution of funds.	The devolution of 7 key departments relating to 13 subjects approved.	No functionaries have been transferred to PRI by line departments.	
19. Rajasthan	5 departments have issued GOs transferring funds to PRIs up to district level. 10% untied fund to PRIs.	Five Departments have transferred all functions up to district level to PRIs. Fresh Activity Mapping of above 5 Departments has been done.	5 departments have transferred all functionaries up to district level to PRIs.	

20. Sikkim	PRI do not collect taxes. Funds are being transferred by 17 departments. 10% of total fund of each departments is given to Panchayats. Untied funds are given to PRIs.	All 29 subjects are devolved as per legislation. Activity Mapping has been conducted for 20 subjects covering 16 departments.	Employees are under the control of PRIs, but Panchayats exercise limited control over them.
21. Tamil Nadu	Only village panchayats have the power to levy taxes. 9% of the states own tax revenue devolved to local Bodies, of which rural local will receive 58% share.	Governments of Tamil Nadu has delegated supervision and monitoring powers of 29 subject to PRIs.	There is no significant devolved of functionaries.
22. Tripura	Part funds related to PWD Departments, primary schools and Social Welfare and social education department and pension funds have been transferred to the Panchayats. Untied funds are also transferred to PRIs.	So far GOs have been issued devolving irrigation schemes, primary schools and activities related to adult and non-formal education, woman and child development and social welfare.	Functionaries of 5 subjects for which functions have devolved have been transferred to panchayats.
23. Uttar pradesh	All 3 tiers have the power to collect taxes.	16 subjects relating to 12 departments have been devolved to PRIs.	PRIs do not have control over functions.
24. Uttarakhand	Only ZPs collect taxes. Funds are made available to PRIs for activities for only 3 functions.	Master GO on transferring financial and administrative powers on 14 subjects has been issued in 2003.	Supervisory role over functionaries related to 14 subjects.

25. West Bengal

GPs can impose and realize taxes. Untied funds are allocated under the TFC grant as well as SFC grant. 5 departments have opened panchayat window in their budgets.

State Govt. agrees with transfer of these 28 subjects. 14 departments have so far issued matching GOs transferring 27 subjects.

The Panchayat employees have been made into different district cadres. Other than the posts created in the Panchayat bodies, 7 departments of the State Govt. have devolved functionaries.

Centrally Sponsored Schemes in Maharashtra

†2990. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) roles/responsibilities assigned to State Government in centrally sponsored Panchayat schemes which are implemented through Panchayats;

(b) the details of the centrally sponsored schemes being implemented in Maharashtra; and

(c) the names of the districts along with the regions in Maharashtra where these schemes are being implemented?

MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO): (a) The different Union Ministries administer different Centrally Sponsored Schemes (CSSs) to achieve different goals and objectives of the schemes. Each CSS has its own guidelines and criteria and is implemented in different areas. State Governments perform various roles, especially overall coordination and supervision in regard to these schemes.

(b) In Maharashtra, the Backward Regions Grant Fund (BRGF), Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and the National Biogas and Manure Management programme are being implemented by the Panchayats. Under the BRGF programme, untied funds are given to the Panchayats and Municipalities for supplementing and converging existing development inflow in order to bridge critical gaps in local infrastructure and other development requirements. The objective of BRGF is to strengthen Panchayats and Municipal level governance and to improve the performance and delivery of critical functions assigned to Panchayats. The Mahatma Gandhi National Rural Employment Guarantee Act aims at enhancing the livelihood security of people in rural areas by guaranteeing hundred days of wage-employment in a financial year to a rural household whose adult members volunteer to do unskilled manual work. The National Biogas and Manure Management programme is meant to reduce the use of traditional energy sources and increase the standard of living of rural women through general cleanliness and environmental balance.

(c) While the National Biogas and Manure Management programme is implemented in all the districts of Maharashtra, the MGNREGA is implemented in the 33 rural districts of the State leaving out Mumbai and Mumbai sub-urban and the BRGF is implemented in 12 districts of Maharashtra, namely, Ahmednagar, Amravati,

† Original notice of the question was received in Hindi

Aurangabad, Bhandara, Chandrapur, Dhule, Gadchiroli, Gondia, Hingoli, Nanded, Nandurbar and Yavatmal.

Investigation into 2-G Scam

2991. SHRI A. ELAVARASAN: Will the PRIME MINISTER be pleased to state:

(a) Whether investigation into 2-G spectrum scam has been completed by the Central Bureau of Investigation (CBI);

(b) If not, the reasons therefor and by when the investigation is likely to be completed; and

(c) The aspects other than corruption and misuse of official position which have been investigated by the CBI?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) The investigation into 2G Spectrum case no. RC-DAI-2009-A-0045 was completed and a Charge Sheet dated 2.4.2011, first Supplementary Charge Sheet dated 25.04.2011 and second Supplementary Charge Sheet dated 12.12.2011 have been filed in the court of Special Judge (2G Spectrum Cases). Further investigation on certain issues is still going on in the case. During the investigation of the said case and monitoring by Hon'ble Supreme Court of India, a Preliminary enquiry nos. PE-DAI-2011-A-001 regarding irregularities in the grant of licenses and spectrum during 2001 to 2007 was also registered. As an outcome of this enquiry, an FIR no. RC-DAI-2011-A-0022 dated 9.10.2011 u/s 120-B IPC r/w 13(2) r/w 13(1)(d) of PC Act, 1988 and sections 7 and 12 of PC Act, 1988 was registered. The same is under investigation.

On the basis of outcome of the aforesaid Preliminary Enquiry no. PE-DAI-2011-A-0001, another case no. RC-DAI-2011-A-0024 dated 17.11.2011 was registered u/s 120-B IPC r/w 13(2) r/w 13(1)(d) of PC Act, 1988 . The same is under investigation.

Another Preliminary Enquiry no. PE-BDI-2010-E-002 was registered on 23.12.2010 on the directions of Hon'ble Supreme Court of India for enquiry into allegations of grant of huge loans by the Public Sector and other banks to some of the companies who succeeded in obtaining licenses in 2008. Enquiry was completed and no major irregularity or criminality was prima facie revealed.

(b) Further investigations into case no. RC-DAI-2009-A-0045 are in progress and being taken up expeditiously

(c) The allegations of cheating by various companies which got licenses suppressing their ineligibility were also looked into. A Charge sheet against M/s Loop Telecom Ltd., M/s Loop Mobile Ltd. and M/s Essar Teleholdings Ltd. and persons connected with these companies has already been filed on 12.12.2011 as second Supplementary Charge sheet in case no. RC-DAI-2009-A-0045.

Public Procurement Bill, 2012

2992. SHRIMATIKUSUM RAI:

SHRI PRABHAT JHA:

Will the PRIME MINISTER be pleased to state:

(a) whether Union Cabinet has cleared the Public Procurement Bill, 2012 to root out corruption in public procurements and in Government tenders and contracts; and

(b) if so, the details thereof along with the other steps Government would take to ensure probity and transparency in public procurements and contracts and enthuse integrity in public sector?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) The Cabinet in its meeting held on 12th April, 2012, has approved the Public Procurement Bill, 2012 for introduction in Parliament.

The Bill seeks to regulate Public Procurement by Ministries/Departments of the Central Government, Central Public Sector Enterprises (CPSEs), autonomous and statutory bodies controlled by the Central Government and other procuring entities with the objectives of ensuring transparency, fair and equitable treatment of bidders, promoting competition and enhancing efficiency and economy in the procurement process. The Bill would create a statutory framework for public procurement which will provide greater accountability, transparency and enforceability of the regulatory framework.

Further, a portal called the "Central Public Procurement Portal" has also been set up where all Ministries/Departments of the Central Government, their attached and subordinate offices and CPSEs are required to publish their tender enquiries, corrigenda thereto and details of contracts awarded. It has also been decided to implement e-procurement in Ministries/Departments of the Central Government in a phased manner.

Conclusion of Complaints in Time Bound Manner

2993. DR. JANARDHAN WAGHMARE: Will the PRIME MINISTER be pleased to state:

(a) whether Chief Information Commissioner, CIC in its recent order has directed CVC to have the logical conclusion of each complaint within time bound programme;

(b) if so, the details of final and logical conclusion of all such complaints which had been lodged by CVC in the years 2009, 2010 and 2011 and also the details of specific complaint nos. which had been lodged against the public authorities concerned *i.e.* MCD, DDA, Excise Deptt. of Delhi Government and Archeological Survey of India during the aforesaid period whose concerned Chief Vigilance Officers deliberately didn't submit their report to CVC uptill now; and

(c) if so, the latest action concluded in each case?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) As per information furnished by the Central Vigilance Commission (CVC), the CIC while disposing an appeal of Shri S.S. Chawla vide file No. CIC/SM/A/ 2011/000827 and CIC/SM/C/2011/001377 dated 23.03.2012 observed that "the lack of any time limit for disposal of complaints, whether endorsed with the direction to investigate or to take further necessary action results in the complaints taken very lightly by the CVO concerned without often reaching any decisive action. Since the number of complaints received in the CVC is quite high, it is always possible that even some serious complaints may be getting forwarded to the CVO concerned not for investigation but for further necessary action, in which case, in the absence of any time limit, such complaints would remain pending indefinitely. Obviously, this would generate a lot of cynicism in the minds of complainants. We would expect the CPIO to bring this to the notice of the CVC for taking fresh look at the complaint handling policy and to evolve clear timelines, wherever possible, for disposing of complaints at all levels."

As per the directions of the CIC, the matter was brought to the notice to the CVC. The CVC observed that the time limit of 3 months for investigation by CVOs either on complaints referred by the CVC or received directly and taken up for investigation by the CVC or received directly and taken up for investigation by CVO is clearly laid down in the CVC's circular No. 000/VGL/018 dated 23.05.2000. In so far as complaints sent for necessary action, the CVOs are expected to decide issues whether to file or. take up investigation within one month of receipt of complaints (*i.e.* when received from CVC also). If such complaints are taken up for investigation,

the time limit for 3 months for completion of investigation would invariably apply. However, CVC has decided to slightly modify its complaints handling policy in such a manner which would make it more clear and to incorporate time limits for processing/investigation by departments in matters of complaints sent for necessary action by the CVC.

(b) and (c) Year-wise details of complaints sent by the CVC for investigation and report, number of report received, action advised by the CVC for the last 3 years pertaining to MCD, DDA, Excise Deptt. of Delhi Government and Archeological Survey of India is given in the statement-I (*See below*)

The number of complaints in which investigation reports have not been received as on 31.3.2012 on complaints referred by the CVC for reports is also indicated in the statement-II.

Statement-I

Year-wise details of complaints sent for investigation and report, number of report received an action advised by the Commission for the last 3 years is as under:

Year	Name of the Department/ Organization	Number of complaints sent for Investigation and Report	No. of reports received	Major penalty proceedings	Minor penalty proceedings	Action taken advised by the Commission etc		
						Admin-istrative Action	Closure	Prosecution
2009	Govt. of NCT of Delhi	60	27	00	00	00	24	00
	DDA	64	32	05	01	00	20	02
	MCD	85	58	07	04	02	25	00
	Archaeological survey of India	00	00	00	00	00	00	00
2010	Govt. of NCT of Delhi	62	25	00	00	00	19	00
	DDA	58	43	00	00	00	35	00
	MCD	130	90	06	01	00	49	00
	Archaeological survey of India	01	01	00	00	00	01	00
2011	Govt. of NCT of Delhi	104	10	00	00	00	02	00
	DDA	11	19	00	00	00	05	00
	MCD	117	37	00	00	02	11	00
	Archaeological survey of India	00	00	00	00	00	00	00

Statement-II

Number of Complaints in which investigation reports are not received as on 31.03.2012 on complaints referred by Commission for reports:

Year	Name of the Department/Organization	Number of Report not received/awaited as on 31.03.2012.
2009	Govt. of NCT of Delhi	24
	DDA	5
	MCD	7
	Archaeological survey of India	0
2010	Govt. of NCT of Delhi	17
	DDA	6
	MCD	17
	Archaeological survey of India	0
2011	Govt. of NCT of Delhi	30
	DDA	11
	MCD	31
	Archaeological survey of India	0

Survey on Indian Bureaucracy

†2994. SHRI DHARMEDRA PRADHAN: Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that according to a survey, Indian bureaucracy is the most corrupt and inefficient bureaucracy in Asia;
- (b) if so, the details thereof and Government's reaction in this regard;
- (c) the details of steps being taken by Government in this regard;
- (d) whether Government has formulated any plan to make the bureaucracy of the country efficient; and
- (e) if so, the details thereof?

† Original notice of the question was received in Hindi

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) and (b) Government has seen media reports to the effect that a Hong Kong based business consultancy firm, Political and Economic Risk Consultancy Limited, has, *inter-alia*, ranked India compared to other countries in Asia Pacific Region on the basis of perceived corruption. The report represents a point of view.

(c) Corruption thrives where transparency is lacking, procedures are complicated, discretion of a high order is permitted and where there is a demand supply gap. Government is tackling these situations by encouraging greater transparency, introducing simplified procedures, reducing scope for discretion. The Central Government has taken several steps, in the recent past, to combat corruption. These include:-

- (i) Issue of Whistle Blowers Resolution, 2004 and introduction of the Public Interest Disclosure and Protection to Persons Making the Disclosure Bill, 2010 in the Lok Sabha on 26th August, 2010 (passed by the Lok Sabha on 27th December, 2011).
- (ii) Enactment of Right to Information Act, 2005;
- (iii) The pro-active involvement of Ministry/Department through Annual Action Plan on Vigilance as a preventive measure;
- (iv) Issue of comprehensive instructions on transparency in tendering and contracting process by the CVC;
- (v) Issue of instructions by the CVC asking the organizations to adopt Integrity Pact in major Government procurement activities; State Governments have also been advised to adopt Integrity Pact in major procurements;
- (vi) Introduction of e-Governance and simplification of procedures and systems;
- (vii) Issue of Citizen Charters.
- (viii) Introduction of the Lokpal and Lokayuktas Bill, 2011 in the Parliament;
- (ix) Ratification of United Nations Convention Against Corruption (UNCAC) in 2011;
- (x) Introduction of the Prevention of Bribery of Foreign Public Officials and Officials of Public International Organizations Bill, 2011 in the Lok Sabha;

- (xi) Introduction of the Judicial Standards and Accountability Bill, 2010 in the Parliament (passed by Lok Sabha on 29.3.2012);
- (xii) Placing of details of immovable property returns of all Members of the All India Services and other Group 'A' officers of the Central Government in the public domain.
- (xiii) Introduction of the Right of Citizens for Time Bound Delivery of Goods and Services and . Redressal of their Grievances Bill, 2011 in the Lok Sabha on 20.12.2011.

(d) and (e) The Government is determined to provide a government that is corruption-free, transparent, accountable and responsive at all times.

The enactment of the Right to Information Act, 2005, as a comprehensive legislation, marks a benchmark in transparency and accountability in government.

For promoting 'competition', 'simplifying transactions', 'ensuring accessibility and responsiveness' and 'reduction of discretion', as laid out in the 4th Report of 2nd Administrative Reforms Commission titled 'Ethics in Governance', all Ministries/ Departments of the Government of India and the State Governments/ Union Territories have been requested to formulate appropriate policies in a time bound manner. All Central Ministries/ Departments/States/UTs have been advised to revise and effectively implement the Citizens' Charters and provide quality services.

Cases Handed Over to CBI in NER

2995. SHRI KUMAR DEEPAK DAS: Will the PRIME MINISTER be pleased to state:

- (a) the details of cases handed over to CBI in the North-East Region (NER) during the last three years;
- (b) The details of the cases against which the chargesheets have been issued; and
- (c) The progress status of the remaining cases, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI V. NARAYANASAMY): (a) 38 Cases (35 Regular Cases and 3 Preliminary Enquiries) in the North-East Region (NER) have been handed over to CBI for investigation by the State Governments and Constitutional Courts in the last 3 years *i.e.* 2009, 2010, 2011 and 2012 (till 31.3.2012) as follows:

Year	Referred by State	Referred by Constitutional Courts	Total Cases
2009	09	-	09
2010	07	06 (02 Supreme Court referred and 04 High Court referred)	13
2011	13	02 (High Court referred)	15
2012 (upto 31.3.2012)	01	-	01
Total Cases	30	08 (02 Supreme Court referred and 04 High Court referred)	38

(b) and (c) As on 31.3.2012, out of 35 Regular Cases, charge-sheets have been filed in 19 cases, 14 cases are still under investigation, closure report has been filed in one case and one case has been transferred to SIT, Imphal. Out of 3 Preliminary Enquiries, 2 have been closed and 1 is pending due to stay by Hon'ble Supreme Court of India. The details of these cases are given in the statement.

Statement

Details of cases handed over to CBI by Supreme Court/High Courts and State Governments pertaining to the North East Region (NER) during the last three years i.e. 2009, 2010, 2011 and 2012 (upto 31.3.12)

S. No.	Case No. date of registration and sections of Law	Whether High Court referred/ Supreme Court referred or State Government.	Allegation in Brief	Status of case
1	2	3	4	5
2009				
1.	RC0172009A0013 date 28.7.2009 U/s. 420, 468, IPC	Referred by Govt. of Assam	Fraud in encashment of withdrawal of Demand Draft for Rs. 188.45 lacs sanctioned against "Total Sanitation Campaign" in Bongaigaon district	Charge sheet filed on 31.12.2010. The case is under trial.
2.	RC/DST/2009/S/0002 dt. 10.6.2009 and U/s 120-B IPC r/w 419, 420, 468, 471 & 505 IPC	Referred by Government of Assam	It is alleged that in order of create communal conflict among different communities, the responsibility of Assam Serial Bomb Blast of 30/10/2008 was claimed by Islamic Security Force through SMS sent to "News Live" a local TV Channel of Assam by using Mobile Phone.	Charge sheet filed on 30.7.2010. The case is under trial
3.	RC 2/S/09-IMP dated 2.4.2009 U/s. 365, 368, 34 and 302 IPC	Referred by Govt. of Manipur	Abduction and murder of Kishan Singh, SDO. Kasom Khullen, Ukhrul (Manipur) with 2 staff.	Charge sheet filed on 31.10.2009. The case is under trial.
4.	RC 3/S/09-IMP dated 2.4.2009 U/s. 365, 368, 34 and 302 IPC			

1	2	3	4	5
5.	RC.7(S)/2009-SC .III ND dated 3.7.2009 U/s 302, 123, 120-B/ 34 IPC and Section 16/18/20 of Unlawful Activities (P) Amendment Act 2004 and Section 25(1-B) of Arms Act	Referred by Govt. of Manipur	The case related to murder of Prof. Islamuddin in Imphal (Manipur)	Chargesheet has been filed on 31.7.2010. The case is under trial.
6.	RC04/E/2009-Kol U/s.120B r/w 409, 467, 471, 477A and 13(2) r/w 13(1)(c)(d) of PC Act, 1988.	Referred of Govt. of Assam	Misappropriation of Govt. money amounting to Rs. 16,65,91,582 drawn in excess under the Salary head of 3rd Assam police Battalion., Titabor, Dist. Jorhat, Assam and misappropriated during the period from 2000 to June, 2006.	Charge Sheet filed on 31.12.2010 against 5 accused persons CBI report alongwith enclosures forwarded to Chief Secretary, Govt. of Assam on 5.10.2010 for obtaining sanction order against 4 accused persons.
7.	RC 5/E/2009-Kol. dt. 24.2.2009 U/s.	Referred by Govt. of Assam	Excess drawl of Govt. Funds amounting to Rs. 18 Crores (approx.) against the salary head, either against the	Charge Sheet filed on

	120B, 409, 420, 477 and Sec. 13(2) r/w 13(1)(c) and (d) of PC Act		vacant posts or against the pay bill of the existing staff, and misappropriated during 2001 to 2006 by the officers and Staff of 10th Assam Police Battalion, Kahilipara, Guwahati	28.3.2011 against 8 accused persons. CBI Report along with enclosures forwarded to The Commissioner and Secretary to the Govt. of Assam, Home and Political Department, Govt. of Assam, Assam Secretariat, Dispure, Guwahati-6 on 7.2.2001 for obtaining Sanction for Prosecution against 10 accused persons
8.	RC.1/S/09-Kol Date 12.2.2009 U/s. 365, 34 IPC	Referred by Govt. of Assam	Kidnapping of Prasanna Turung and his wife.	Closure Report filed on 30.6.2010
9.	RC.2/S/09-Kol Date 4.5.2009 U/s. 302, 34 IPC	Referred by Govt. of Manipur	Murder of Rishikanta Konsam	Case transferred to

1	2	3	4	SIT, Imphal
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2010

1.	RC0172010A0006-Gwh Dated 29.4.2010 U/ s. 420, 468, 471, 406, 408 IPC	Referred by Govt. of Assam	Payment of bogus money orders purported to have been issued at Teok Post Office.	Charge Sheet filed on 21.4.2011. The case is under trial
2.	RC1A 2010 SHG dated 13.5.2010 U/s. 120B/420/409/467 IPC and U/s 13(2) r/w 13(1)(c) and P.C. Act. 1988	Referred by Govt. of Assam	It is alleged that the suspects entered into criminal conspiracy amongst each other and shown to have awarded works under PWD Mahur Divn. Under Harangajao Sub-Divn. To Sh. Debasish Bhattacharjee or his firms and paid a sum of Rs. 1.72 Crores to the contractor without executing any work at sites and thereby caused wrongful loss to the Govt. of Assam to the tune of Rs. 1.72 Crores and corresponding wrongful gain to themselves	Charge sheet filed on 23.11.2011. The case is under trial
3.	RC2A2010 SHG dated 13/5/2010U/s 120B/420/409/467 IPC and U/s 13(2) r/w 13(1)(c) and (d) P.C. Act. 1988	Refereed by Govt. of Assam	It is alleged that the suspects entered into a criminal conspiracy amongst each other and in pursuance thereof the suspect Shri Karuna Kaiki had fraudulently and dishonestly issued 13 Cheques for total amounting to Rs. 1,98,29,500 unauthorisedly without any Supply/work orders and supporting bills/vouchers and these cheques were encashed by the Suspects S/Sh. Uttam Phonglosa, Dilip Phonglo and Jibangsu Paul from SBI, Haflong Branch	Charge sheet filed on 23.11.2011. The case is under trial.

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			and thereafter handed over the amount to suspect Shri Mohet Hajai and Shri Karuna Saikia and the entire amount misappropriated and thereby caused huge wrongful loss to the tune of Rs. 1,98,29,500 to the Government of Assam and corresponding wrongful gain to themselves to that extent.	
4.	RC3A2010 SHG dated 13/5/2010 U/s 120B/420/409/467 IPC and U/s 13(2) r/w 13(1)(c) ans (d) P.C. Act. 1988	Referred by Govt. of Assam	It is alleged that the suspects in pursuance of their criminal conspiracy had fraudulently and dishonestly misappropriated funds from Social Welfare department for total amounting to Rs. 13,53,29,001 under various scheme/Projects viz. Old age pension, National Family Welfare Benefit Scheme for BPL category of people and Integrated child Development Scheme etc. during the year 2008-2009	Charge sheet filed on 21.12.2011. The case is under trial.
5.	RC4A2010 SHG dated 13/5/2010 U/s 120B/420/409/467 IPC and U/s 13(2) r/w 13(1)(c) and (d) P.C. Act. 1988	Referred by Govt. of Assam	It is alleged that the suspects entered into criminal conspiracy amongst each other and in pursuance thereof the fraudulently and dishonestly misappropriated fund for total amounting to Rs. 15.75 lakhs out of the total sanction amount of Rs. 18.75 lakhs against schemes at Koinanagar Village, N.C. Hills, Assam.	Charge sheet filed on 23.11.2011. The case is under trial.
6.	RC5A2010 SHG dated 13/5/2010	Referred by Govt. of Assam	It is alleged that the suspects in criminal conspiracy amongst themselves fraudulently and dishonestly submitted forged/fabricated documents showing false	Charge sheet filed on

1	2	3	4	5
	U/s 120B/420/409/467 IPC and U/s 13(2) r/w 13(1)(c) and (d) P.C. Act. 1988		expenditure for total amounting to Rs. 1,66,53,801 for the implementation of schemes/projects under Additive Plan in 3 Ranges viz. Mahur S.C. Range, Maibang S.C. Range and Mander Disa S.C. Range and also in 3 other special Schemes and thereby cheated Govt. of Assam to the tune of Rs. 1,66,53,801/-.	21.12.2011. The case is under trial.
7.	RC 2/S/2010 IMP dated 5.2.2010 U/s 302, 326, 307, 506, IPC and Section 17/20 UA(P)A. Act and Section 25 (1-B) Arms Act	Referred by Govt. of Manipur	Death of Chungkham Sanjit Maitei in Police Encounter	Charge sheet filed on 9.9.2010. The case is under trial.
8.	PESHG 2010A0003 dated. 19/10/2010 Misconduct	Referred by Hob'ble Supreme Court of India	It is alleged that authorities of Silchar Jail abused their officials position and extended undue facilities to 3 convicts for lives of Session Case No. 67/1992 of the Ld. Sessions Judge, Silchar. It is also alleged that out of the said 3 convicts, 2 convicts were released by abuse of official position under Good Conduct of Porbationary Release Act of 1938 of State of Assam. It is further alleged that the authorities of Central Jail, Dibrugarh by abuse of their official position unduly released one Pawan Garh on parole and asid pawan Garh absconded from parole. It also	Closed.

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alleged that the concerned police authorities did not take due steps for the apprehension of above noted Pawan Garh who absconded from parole

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|-----|--|--|---|--|
| 9. | RC AC3 2010 A0004 dated 23.2.2010 U/s 420, 468, 471 and 193 of IPC and Section 12 of Passport Act 1967 | Referred by Hon'ble Supreme Court of India | It is alleged that Sh. Mani Kumar Subba deceptively got an affidavit signed from Sh. Phanindranath Sarkar, falsely mentioning that he was born on 16.3.58 and on the basis of same, obtained Birth certificate from Municipal Corporation, Siliguri. He also declared false age and place of birth while contesting for assembly and Lok Sabha elections. He also made false claims regarding his educational qualification while contesting elections to the fourteenth Lok Sabha from Tejpur Parliamentary Constituency. Sh. M.K. Subba also got issued a letter dated 11.6.93 from the secretary, Assam Legislative Assembly certifying his Date of Birth as 16.3.51 and got issued his passport No.P026435 dtd. 5.7.93 from Regional Passport office, Guwahati, Assam | Charge sheet filed on 27.1.2011.
The case is under trial. |
| 10. | RC 1(S)10- IMP dated 16.1.10 U/s. 302/34 IPC and Sec. 27(3) Arms Act. 1959 | High Court referred | Encounter at B.T. Road, Imphal leading to death of Ch. Sanjit Singh on 23.7.09 | Charge sheet filed on 9.9.2010.
The case is under trial. |
| 11. | RC 3(A) 2010-IMP | High Court referred | Fraudulent withdrawal of Rs. 4.54 crores from the District | |

1	2	3	4	5
	Dated 23.3.2010 U/s. 419, 402, 468, 471, 102-B, IPC		Rural Development Agency (DRDA) account of UBI, Churachandpur by ZRA cadres.	Charge sheet filed on 30.3.2011. The case is under trial.
12.	RC 6(A) 2010-IMP Dated 20.11.2010 U/s. 102-B, 420, 467, 468, 471, IPC and Section 13(2) r/w 13(1)© and (d) of IPC Act.	High Court referred	The accused persons conspired together claimed compensation for the land acquired for construction of H.E. Power Project on river Tuirial on the basis of forged land documents and forged authority letter.	Sanction for prosecution is awaited from the Chief Secretary, Govt. of Mizoram since 24.2.2012
13.	PE 3(A) 2010-IMP Dated 19.8.2010 Misconduct	High Court referred	Misutilisation of fund in implementation of centrally Sponsored Scheme under PM's Gram Sadak Yojana (PMGSY) in Mizoram during 2000-2005	Stayed by Supreme Court vide order dated 24.1.2011.

2011

1.	RCSHG2011A0001 Dated 21.1.2011 U/s.120-B, 406, 409 IPC and Sec. 13(2) r/w.13(1)(d) of P.C. Act, 1988	Referred by Govt. of Assam	It is alleged that in pursuance of criminal conspiracy the suspects fraudulently and dishonestly deposited the entire amount of Rs. 12 crores released by NHAI towards compensatory afforestation, in a new account and from there the amount was transferred in the account of Principal Secretary (N), N.C. Hills Autonomous Council, Assam and thereafter transferred the amount illegally/	Under investigation.
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			unauthorisedly in the account of Hill Trade Agency instead of being utilised for the afforestation.	
2.	RC3A2011SHG dated 30/3/2011 U/s.120-B, 409, 420, 467 IPC and Sec. 13(2) r/w. 13(1)(c) and (d) of P.C. Act, 1988	Referred by Govt. of Assam	It is alleged that the suspects in pursuance of their criminal conspiracy had fraudulently and dishonestly misappropriated funds for total amounting to Rs. 1.75 crores out of the total sanctioned/released amount of Rs. 1.90 crores towards purchased of medicine, implementation of health care schemes and incentive to Doctors during the year 2007-08 and 2008-09 in N.C. Hills, Assam.	Under investigation.
3.	RC4A2011SHG dated 30/3/2011 U/s.120-B, 409, 420, 467 IPC and Sec. 13(2) r/w. 13(1)(c) and (d) of P.C. Act, 1988	Referred by Govt. of Assam	It is alleged that the suspects in pursuance of their criminal conspiracy had fraudulently and dishonestly misappropriated funds from Social Welfare Department, N.C. Hills, Assam for total amounting to Rs. 3.50 crores against implementation of scheme for economic upliftment of BPL families and another amount of Rs. 2.5 crores were also allegedly misappropriated against National Old Age Pensions Scheme and National Family Benefit Scheme during the year 2007-2008	Under Investigation.
4.	RC5A2011SHG dated 09/5/2011 U/s.120-B, 409, 420,	Referred by Govt. of Assam	It is alleged that the suspects in criminal conspiracy with each others had fraudulently and dishonestly had made	Under investigation.

1	2	3	4	5
	468, 471 IPC and Sec. 13(2) r/w. 13(1)(c) and (d) of P.C. Act, 1988		excess expenditures in the implementation of NREGA Schemes in N.C. Hills, Assam during 2006-07 by preparing false vouchers or non preparing records/vouchers and also physical shortfalls in the schemes. It is also alleged that there is no approval in many of the schemes in DRDA HQ and Blocks and there are instances that some schemes from outside approved lists were taken up. It is also alleged that there have been huge cash transactions in violations of financial rules/guidelines. The creation of Jobcard-wise mandays has thrown up overlap of working days for the same persons on the same day at two sites points towards defalcation of large amounts of public money	
5.	RC.9/2011-EOU.V Dated 5.9.2011 U/s. 120-B of IPC and Sec. 49, 49-B r/w 51 of the Wildlife (P) Act, 1972	Referred by Govt. of Assam.	Seizure of endangered species (Tiger and Pangolin) (Assam Wildlife Case)	Under investigation
6.	RC.10/2011-EOU.V Dated 5.9.2011 U/s. 120-B of IPC and Sec. 49, 49-B r/w 51 of the Wildlife (P)	Referred by Govt. of Assam.	Seizure of endangered species (Tiger & Pangolin) (Assam Wildlife Case)	Under investigation

	Act, 1972				
7.	RC.11/2011-EOU.V Dated 5.9.2011 U/s. 120-B of IPC and Sec. 49, 49-B r/w 51 of the Wildlife (P) Act, 1972	Referred by Govt. of Assam.	Seizure of endangered species (Tiger and Pangolin) (Assam Wildlife Case)	Under investigation	
8.	RC.12/2011-EOU.V Dated 5.9.2011 U/s. 120-B of IPC and Sec. 49, 49-B r/w 51 of the Wildlife (P) Act, 1972	Referred by Govt. of Assam.	Seizure of endangered species (Tiger and Pangolin) (Assam Wildlife Case)	Under investigation	
9.	RC.13/2011-EOU.V Dated 5.9.2011 U/s. 120-B of IPC and Sec. 49, 49-B r/w 51 of the Wildlife (P) Act, 1972	Referred by Govt. of Assam.	Seizure of endangered species (Tiger and Pangolin) (Assam Wildlife Case)	Under investigation	

RCSHG2011S0007

1	2	3	4	5
10.	Dated 27.7.2011 U/s. 376(2)(g), 302, 201, 34 IPC	Referred by Govt. of Tripura	It is alleged that one Smt. Nilima Debbarma (26) on 18.2.2011 at about 2200 Hrs. while having wine at the house of Sri Asanka Debbarma, two TSR personnel of Aidankur TSR (location Aidankur J.B. School) committed gang rape upon said Nilima Debbarma and after commission of the rape they murdered her and hanged her body on a tree with her wearing apparel (Pashra Cloth).	Under investigation
11.	RC 1(A)/11- IMP dated 14.1.2011 U/s 420/409/468/471/ 120 B IPC	Referred by Govt. of Manipur	Fraudulent encashment of 149 KVPs Amounting to Rs. 29,54,800 from Lamlong Bazar Sub Post Office, Imphal.	Charge sheet filed on 16.12.2011. The case is under trial.
12.	RC 2(S)/11- IMP dated 7.5.2011 U/s 302/34 IPC and Sec. 27 of Arms Act.	Referred by Govt. of Manipur	Murder of Irom Rozer Singh on 20.3.2011 by using licenced M-20 Pistol.	Charge Sheet filed on 16.12.2011. The case is under trial.
13.	RC 3(S)/11- IMP dated 15.7.2011 U/s 302 IPC and Sec. 16/20 UA(P) Act and Sec. 25(1-B) of Arms.	Referred by Govt. of Manipur	Killing of Dr. N. Kunjabihari Singh, Chairman, Board of Secondary Education Manipur on 11/01/2011	Under investigation

14.	PESHG2011A0002 dated 11/11/2011	Referred by Hon'ble High Court of Guwahati	It is alleged that the Dy. Inspector of Schools, Jowai, West Khasi Hills, Meghalaya appointed ineligible candidates in irregular manners as teachers of Lower Primary Schools depriving the eligible candidates for the posts of teachers	Closed
15.	RC.5/S/11-Kol. Date 14.9.11 U/s. 323, 357, 34 IPC	Referred by Hon'ble High Court of Guwahati	Assault of one Advocate by police personnel.	Under investigation

2012 (upto 31.3.2012)

1.	RC0172012S0003-Gwh 12.1.2012 U/s. 302, 34 IPC	Referred by Govt. of Assam	Allegation relates to murder of Donbosco Chermako, President of All Adivasi Student Association of Assam (AASAA) by unidentified gunmen on 22.2.2011 at Jacobpur, under Gossaigaon PS, Kokrajhar, Assam	Under investigation.
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Plan for poverty alleviation

2996. SHRI MANISHANKAR AIYAR: Will the Prime Minister be pleased to state:

(a) whether the rate of poverty alleviation has been raised to an average of 1.4 per cent in the last five years compared to 0.8 per cent in the previous five years;

(b) the Twelfth Five Year Plan target for poverty alleviation; and

(c) the time period that would be required at current and estimated rates for poverty alleviation to spring India out of the poverty trap?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) The Planning Commission has recently computed estimates of poverty for the year 2009-10 based on the data of large scale survey on household consumer expenditure collected by National Sample Survey Office (NSSO) in its 66th round conducted during 2009-10 following the extant Tendulkar methodology. Based on the said methodology the Planning Commission has released the estimates through a Press Note issued on 19th March 2012. As indicated in the Press Note, the poverty ratio in the country has come down from 37.2% in 2004-05 to 29.8% in 2009-10. The comparable estimate of poverty ratio for 1993-94 is 45.3%. This implies that there is a reduction of about 1.5 percentage points between 2004-05 and 2009-10 and reduction of 0.7 percentage points per annum between 1993-94 and 2004-05.

(b) and (c) The Twelfth Five Year Plan is being finalized and no target is fixed as yet. However, the UNDP's millennium development goal relating to poverty is to "Halve, between 1990 and 2015, the Percentage of Population below the National Poverty Line". This implies that India has to reduce poverty ratio from about 47.5 percent in 1990 to about 23.75 percent by 2015. In 2009-10, the poverty has come down to 29.8%. With continued growth in GDP and a more rapid growth in agriculture, the poverty Head Count Ratio is expected to be close to the MDG target by 2015.

New panel to estimate poverty

2997. SHRIMATI GUNDU SUDHARANI: Will the Prime Minister be pleased to state:

(a) the reasons for abandoning Tendulkar Committee's estimation method relating to poverty data;

(b) whether it is a fact that the Planning Commission has decided to set up a new panel to revisit the methodology to estimate poverty; and

(c) if so, the details of mandate given to the new panel?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) The methodology for estimation of poverty followed by the Planning Commission has been based on the recommendations made by the experts in the field from time to time. Tendulkar Committee was constituted in 2005 to review the methodology for estimation of poverty. It recommended MPCE of Rs. 447 for rural areas and Rs 579 for urban areas as the poverty line at 2004-05 prices, which was accepted by the Planning commission. The large sample surveys on Household Consumer Expenditure are carried out by the NSSO every 5 years. After 2004-05, this survey has been conducted in 2009-10. The Planning Commission has updated the poverty lines for the year 2009-10 as per the recommendations of the Tendulkar Committee using NSS 66th round (2009-10) data of Household Consumer Expenditure Survey and released poverty estimates for 2009-10 on 19th March 2012.

Government has however decided to set up a Technical Group to revisit the methodology for estimation of poverty and identification of poor taking into account multiple dimensions and indicators of poverty so that the poor and deprived households can obtain the benefit of different government programmes and schemes. The composition of the Technical Group and its terms of reference are being finalized.

Granting of special status for states

†2998. DR. PRABHA THAKUR: Will the PRIME MINISTER be pleased to state:

(a) whether Government has set any guidelines for giving special status to a State under special circumstances; and

(b) if so, the details of those guidelines?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) and (b) The Special Category Status is granted only by the National Development Council (NDC) after integrated consideration of several criteria which include the following:

(i) Hilly and difficult terrain;

† Original notice of the question was received in Hindi

- (ii) Low population density and/or sizeable share of tribal population;
- (iii) Strategic location along borders with neighbouring countries;
- (iv) Economic and infrastructural backwardness; and
- (v) Non-viable nature of state finances.

States under this category have a low resource base and are not in a position to mobilize resources for their developmental needs even though the *per capita* income of some of these states is relatively high. Moreover, a number of these states were constituted out of former small Union Territories or districts of some other states, necessarily involving creation of overheads and administrative infrastructure that was out of proportion to their resource base.

Development of Uttar Pradesh

‡2999. SHRI NARESH AGRAWAL: Will the PRIME MINISTER be pleased to state:

- (a) whether the Chief Minister of Uttar Pradesh met the Prime Minister in Delhi on 14 April, 2012 and put several proposal for the development of Uttar Pradesh before him;
- (b) if so, the details thereof; and
- (c) whether the Prime Minister will be pleased to give approval to them and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) Yes, Sir.

(b) Chief Minister, Uttar Pradesh in his meeting with the Prime Minister on 14.4.2012 handed over 38 letters to the Prime Minister. The proposals contained in the letters are related to the sectors of Agriculture, Energy, Education, Technical Education, Irrigation and Flood Control, Environment, Tourism, Road Infrastructure, Transport, Police, Urban Development, Social Welfare, Health and Rural Infrastructure. The details are given in the statement. (*See below*)

- (c) The proposals contained in these letters are under examination.

‡ Original notice of the question was received in Hindi

Statement

Details of letters sent by Hon'ble Chief Minister to Hon'ble Prime Minister for the development of Uttar Pradesh.

Sector	Subject	Financial requirement (Rs. crore)	Concerned Ministry
1	2	3	4
Agriculture	1. Relating to the benefits to be given to farmers while promoting the cooperative movement as per the recommendations of the Vaidyanathan Committee.	922.28	Department of Agriculture and Cooperation, Ministry of Agriculture
	2. Relating to allocating funds from Rashtriya Krishi Vikas Yojanas for energizing private tubewells.	137.73	Ministry of Agriculture
	3. Sanctioning of integrated Plans for recharging of underground water and rain water harvesting in over-exploited and critical development blocks.	1500.00	Ministry of Water Resources
	4. Relating to timely distribution of fertilizers to farmers		Ministry of Chemical and Fertilizers, Deptt. of Fertilizers
	5. Relating to developing nine railway track points for making fertilizers available to farmers		Ministry of Railways

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1	2	3	4
	6. Relating to implementation of foot-and-mouth disease control programme in all the districts of State		Ministry of Agriculture Deptt. Of cattle, Dairying and fishery
Food	7. To ascertain immediate delivery, payment of remaining pending bills and increase in the case credit limit at the level of FCI for proper storage of wheat and accelerated payment to the cultivators	697.00	Ministry of Food and Public Distribution
Energy	8. Regarding arrangement of coal for Roja and Anpara "C" projects in private sector		Ministry of Coal
	9. Regarding arrangement of coal rack for Roja and Anpara "C" projects of private sectors		Ministry of Coal
	10. Additional energy supply to the State from NTPC, Dadri Project		Ministry of Energy
	11. Regarding timely completion of Three thermal projects handed over to BHEL with quality work		Ministry of Heavy Industries
	12. Regarding financial nurturing of electricity projects of UP from Clean Technology Funds of World Bank	5000.00	Ministry of Finance, Deptt of Economic Affairs

Education	13	Release of remaining Central Share for 2011-12 and extension of period upto 31.3.2015 for trained teachers on deputation in the schools as per the norms of Sarva Shiksha Abhiyan	2346.82	Ministry of Human Resource Department
	14	Assistance for establishment of new universities in 9 divisions of the State and payment of arrear to university teachers as per the Sixth Pay Commission's distribution.	4006.00	Ministry of Human Resource Development
Vocational Education	15	Establishment of Government ITI s for vocational training	5267.00	Ministry of Labour
Education	16	For increasing stipend to instructors working in Rashtriya Madhyamik Shiksha Abhiyan under ICT scheme, distribution of Tablet PC and Laptop to Boys-Girls students, free uniform and Textbooks to all boys and girls students in middle school and inclusion of non-govt. schools in this Abhiyan.	4100.00	Ministry of Human Resource Development
Irrigation and Flood control	17	Assistance from Government of India for making available facilities for flood safety and irrigation facilities in the State	1682.31	Ministry of Water Resources

1	2	3	4
Environment	18	Regarding approval of 90% Central share in the Schemes under Rashtriya Ganga Nadi Basin	9880.00 Ministry of Environment and Forest
Tourism	19	Sanction for implementing Bodha Circuit Phase-II project with the held of JBIC	Ministry of Tourism
Road Establishment	20	Enhancement of share from Central Road Fund and providing funds for the maintenance of National State Highways and for developing Lucknow-Allahabad road into four lane	15354.11 Ministry of Road Transport & Highways.
	21	For inclusion of works of 25 Railway Fly over under Railway Works programmes by Ministry of Railways in the State	550.00 Ministry of Railways
	22	For increasing allocation under Road construction in the light of 13th Finance Commission's recommendations.	2180.00 Ministry of Finance
Transport	23	Provide emergency mobile medical facilities on the Nation Highways.	Ministry of Road Transport and Highways
Police	24	Regarding Road Construction Project at Indo-Nepal Border.	2680.04 Ministry of Home Affairs

	25	Regarding release of substantial financial assistance for modernization of Police Force	4000.00	Ministry of Home Affairs
	26	Approval of Action Plan of Left Wing Extremist affected District	1237.00	Ministry of Home Affairs
Urban Development	27	Regarding release of Central Share in two installments, enhancement in Central Share through changing the funding pattern and release of due Central Share according to escalated cost Under JNNURM	871.77	Ministry of Urban Development.
	28	Regarding providing additional funds for Kumbha Mela, Allahabad 2013 and for approving 90% Central Assistance for the plans.	400.00	Planning Commission
Social Welfare	29	To provide Scholarship to students of Pre Secondary and Post Secondary of Other Backward Class.	3284.68	Ministry of Social Justice and Empowerment
	30	Bearing of Expenditure by the centre at the level of year 2011-12 of Eleventh Plan in the form of scholarship to Post Secondary SC students and tax compensation.	4500.00	Ministry of Social Justice and Empowerment

1	2	3	4	
Health	31	To provide assistance for up-gradation of Government Medical Colleges for providing high standard medical facilities.	196.65	Ministry of Health and Family Welfare
	32	Regarding supply of water sealed toilets and drinking water in all affected districts to prevent AES/JE diseases.	151.09	Ministry of Rural Development/Department of Drinking Water Supply
	33	Establishment of residential development Block Level training/professional rehabilitation center for AES/JE infected patients.	101.82	Ministry of Health and Family Welfare/Ministry of Human Resource development
	34	Regarding reducing harmful effect of Pigs in AES/JE diseases	89.08	Ministry of Agriculture, Deptt. Of Cattle, Dairying and fishery
	35	Regarding sanctioning and providing assistance for sentinel lab, medical mobile units, 10 beded ICU and IEC/BCC for complete safety and prevention of AES/JE to all	56.98	Ministry of Health and Family Welfare

Rural Establishment	36	To connect all habitations through roads under PMGSY.	4028.80	Ministry of Rural Development
	37	To provide clean drinking water to the rural areas.	3580.42	Ministry of Rural Development
	38	Regarding construction of Indira Awas in rural areas.	14500.00	Ministry of Rural Development.

Similar work by Government authorities

3000. SHRI SABIR ALI: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Registrar General of India and National Identification Authority are engaged in the same work to which objection has been raised by various Government authorities;

(b) the amount spent so far under the UID project and the amount further sought for the project;

(c) whether Planning Commission has ever raised objection to spending the amount under the UID project; and

(d) the details in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) The Registrar General of India (RGI) is creating National Population Register (NPR) of persons usually residing in India under the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 read with the Citizenship Act, 1955. Unique Identification Authority of India (UIDAI) is issuing Unique Identification Numbers (called aadhaar numbers) to all residents as a developmental initiative. RGI is one of its Registrars for enrolment of residents for Aadhaar.

(b) Government has so far approved cost estimates of INR 8962.06 crore for Phases I, II and III of the UID Project for the period up to March, 2017. Consequent upon approval of an additional 40 crore enrolments, an additional outlay of INR 5061 crore has been sought for Phase IV which will be appraised by the Expenditure Finance Committee. Total amount of INR 1482.16 crore has been spent from the Financial Year 2009-10 to Financial Year 2011-12.

(c) and (d) The Project Appraisal and Management Division of the Planning Commission had examined the Expenditure Finance Committee proposals of UIDAI and observed that there is no justification for duplicating the enrolment activity. Since then the Government has decided that in States/UTs where UIDAI has made good progress or where State/UTs Governments/Administrations have given commitment for aadhaar enrolments and are planning to integrate with various services delivery applications, aadhaar enrolments through non-RGI Registrars will move at full speed. It has also been decided that if during the course of NPR enrolment, a person indicate that he/she is already enrolled for Aadhaar, the biometric data will not be captured by NPR. Instead, the aadhaar number/enrolment number will be recorded in NPR and biometric data will be given to NPR.

Integrated Action Plan in Andhra Pradesh

3001. SHRI JESUDASU SEELAM: Will the PRIME MINISTER be pleased to state:

(a) whether Government is planning to extend the 'Integrated Action Plan' to more districts in order to check the spread of left wing extremism in the country;

(b) the amount of funds given to Andhra Pradesh under the 'Integrated Action Plan' over the past five years for developmental activities; and

(c) the details of the success of Integrated Action Plan in Andhra Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) Yes, Sir. A proposal for extension of the Integrated Action Plan (IAP) to more districts is under consideration of the Government.

(b) The Integrated Action Plan was approved by the Government on 25.11.2010 for 60 Selected Tribal and Backward Districts including two districts of Andhra Pradesh, namely, Adilabad and Khammam. In 2010-11, an amount of Rs. 50 crore was released to the State Government @ Rs. 25 crore per district. Six more districts of Andhra Pradesh were included under IAP on 7.12.2012, namely, East Godavari, Karimnagar, Srikakulam, Visakhapatnam, Vizianagaram and Warangal. In 2011-12, a total amount of Rs. 240 crore was released @ Rs. 30 crore per district for the eight districts of the State covered under IAP.

(c) The District Collectors/District Magistrates concerned upload data on line on the implementation of IAP on the MIS portal developed by the Planning Commission which can be reached at <http://pcserver.nic.in/iapmis>. As per the information uploaded on the MIS, an amount of Rs. 290 crore has been released to the State Government against which expenditure of Rs. 81.15 crore has been reported *i.e.* about 28%. A total number of 2540 works have been taken up of which 979 works have been completed.

Migration of youth from rural areas

†3002. SHRI ASHK ALI TAK: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the youths from rural areas are constantly migrating to cities in order to get employment;

(b) whether it is also a fact that due to this the pressure of population in the urban areas is increasing and crimes are also increasing; and

(c) the steps being taken by Government to stop the migration of youth from rural areas of cities, details thereof?

† Original notice of the question was received in Hindi

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) and (b) There is migration of youth from rural to urban areas in search of employment which might be affecting the quality of lives and livelihoods in the urban agglomerations.

(c) While aspirational migration is desirable, distress migration from rural to urban areas needs to be prevented. The latter is sought to be achieved through implementation of various flagship programmes and employment generating measures in the rural areas like Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), Swarnajayanti Gram Swarozgar Yojana (SGSY), National Rural Livelihoods Mission (NRLM) etc. Higher priority is accorded by Government to strengthen and grow the agricultural economy and to create employment opportunities in rural areas so as to check distress migration to urban areas and to promote balanced economic growth across the country. The flagship programmes of the Government are especially geared to secure economic empowerment of the rural people.

National Coastal Management Programme

3003. SHRI HUSAIN DALWAI: Will the PRIME MINISTER be pleased to state:

(a) whether Government has initiated a Central scheme titled National Coastal Management Programme;

(b) if so, the details with objectives of the scheme;

(c) the details of action initiated by Government to achieve the above objectives with special reference to Konkan region of Maharashtra; and

(d) in what manner the scheme is being funded?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) The Government has initiated an Integrated Coastal Zone Management Project with National and State Components in 2010.

(b) The overall objectives of the project is to develop and implement an improved coastal management approach for India's coastal zones to preserve the long term productivity of this highly populated region for continued sustainable development, economic growth and poverty reduction.

Under the National component the major activities involved are hazard mapping through Survey of India, setting up of a National Centre for Sustainable Coastal Management and mapping of ecological sensitive areas.

The State components include preparation of Integrated Coastal Zone Management Plans, capacity building in the area of Coastal Zone Management, Conservation and Protection of Coastal areas including livelihood improvement programme of the local communities.

(c) and (d) The Project is to be implemented in two phases. Action has been initiated to implement the State and National components through Society of Integrated Coastal Management (SICOM), New Delhi. The States of Gujarat, Odisha and West Bengal are covered under phase-I. The SICOM shall take up other States and UTs in phase-II.

The project shall be supported under the National Coastal Management Programme of the Ministry of Environment and Forests with a projected cost of Rs. 1155.63 crore for a period of five years. GOI contribution for the project is 15.4% and contribution of the States covered under Phase-I is 6.9%. The World Bank loan shall form the balance 77.7% of the total cost of the project.

Growth rate of Rajasthan

3004. DR. GYAN PRAKASH PILANIA: Will the PRIME MINISTER be pleased to state:

- (a) the growth rate of Rajasthan during last ten years;
- (b) in what manner it compares with growth achieved by other States during the above period; and
- (c) the details of steps taken by Government to accelerate growth in the State?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) The growth rate (GSDP at 2004-05 constant prices) of Rajasthan during last ten years is as follows:

Year	Growth Rate (%)
2002-03	-9.90
2003-04	28.67
2004-05	-1.85
2005-06	6.68
2006-07	11.67

Year	Growth Rate (%)
2007-08	5.14
2008-09	9.09
2009-10 (Provisional)	5.52
2010-11 (Quick)	10.97
2011-12 (Advance)	5.41

(b) The average annual growth rate of Gross State Domestic Product (GSDP) of Rajasthan in the last ten years ranks 20th amongst the 29 States. As per the release of Central Statistical Organisation on Gross Domestic Product 1999-2000 and 2004-05, the state-wise growth rate during above period is given in the Statement. (See below)

(c) In order to accelerate the growth, the State Government has formulated the Twelfth Five Year Plan with an outlay of Rs. 1,94,283.44 crore which is 2.7 times more than the outlay proposed for the Eleventh Five Year Plan.

In the Twelfth Five Year Plan, the State Government has given highest priority for Power (37.43%) as this sector has a major impact on the performance of all other core sectors, followed by Social and Community Services (34.53%). Agriculture and Rural Development have also been given importance with 15.51% allocation. There are substantial increases in allocations in various sectors in the Twelfth Five Year Plan viz. Agriculture (327%), Social and Community Sector (234%), Rural Development (232%), Special Area Programme (206%), Power (184%), Transport (160%) etc.

Some of the important policy initiatives taken by the State Government to accelerate the growth are as follows:

The State Government has announced a new Industrial and Investment Promotion Policy, 2010 which will encourage investments in financial sector, social infrastructure, industrial and service sectors and boost employment generation in the State. Rajasthan Enterprises Single Point Enabling and Clearance Act (RESPECT) has been enacted to provide single point services to businesses. It will promote setting-up of units in the State.

The State Government has enacted "Rajasthan Guaranteed Public Service Delivery Act, 2011" to provide easy and speedy accessibility of services to the common man.

An Affordable Housing Policy has been launched to accelerate construction activity and to provide houses to the poor families in the State.

Statement

State wise Growth Raate of Gross Domestic product at constant (2004-05) prices during last ten year

S.No.	State	2002-03*	2003-04*	2004-05*	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	Average of 10y'rs	Rank
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Andhra Pradesh	2.73	9.35	8.15	9.57	11.18	12.02	6.88	5.98	9.96	6.81	8.26	12
2.	Arunachal pradesh	-4.31	10.94	16.46	2.75	5.25	12.06	8.73	14.80	7.87	3.65	7.82	18
3.	Assam	7.07	6.02	3.74	3.40	4.65	4.82	5.72	7.98	7.34	8.42	5.92	28
4.	Bihar	11.82	-3.15	12.17	0.92	17.75	7.64	14.58	10.42	14.77	13.13	9.81	6
5.	Jharkhand	2.54	8.03	15.21	-3.20	2.38	20.52	-1.75	4.98	6.01	6.57	6.13	26
6.	Goa	7.08	7.49	10.19	7.54	10.02	5.54	10.00	10.63	8.30	10.65	8.74	9
7.	Gujarat	8.14	14.77	8.88	14.95	8.39	11.00	6.78	10.10	10.47	NA	10.39	4
8.	Haryana	6.52	9.86	8.42	9.20	11.22	8.46	8.20	11.00	9.59	8.12	9.06	7
9.	Himachal Pradeesh	5.06	8.08	7.56	8.43	9.09	8.55	7.42	8.12	8.80	7.59	7.87	16
10.	Jammu and Kashmir	5.13	5.17	5.23	5.78	5.95	6.40	6.46	4.80	6.63	6.78	5.83	29
11.	Karnataka	4.55	3.46	9.86	10.51	9.98	12.60	7.11	5.20	8.87	6.44	7.86	17
12.	Kerala	7.30	6.25	9.97	10.09	7.90	8.77	5.56	8.95	9.13	7.80	8.17	13
13.	Madhaya Pradesh	-3.91	11.42	3.08	5.31	9.23	4.69	12.37	10.50	8.17	NA	6.76	21
14.	Chhattisgrah	-0.06	16.55	5.49	3.23	18.60	8.61	8.39	3.25	11.16	10.81	8.60	11
15.	Maharashtra	6.81	8.00	8.71	14.49	14.13	10.78	3.38	13.28	10.47	NA	10.01	5

Written Answers to

[3 MAY 2012]

Unstarred Questions 133

1	2	3	4	5	6	7	8	9	10	11	12	13	14
16. Manipur		-0.46	10.84	9.70	6.35	2.00	5.96	6.56	7.63	6.16	6.24	6.10	27
17. Maghalaya		3.79	6.78	7.11	7.91	7.74	4.51	12.94	9.03	9.39	9.54	7.87	15
18. Mizoram		10.39	3.19	4.15	6.97	4.78	10.98	13.34	10.39	9.18	N.A	8.15	14
19. Nagaland		9.45	5.02	4.59	10.22	7.80	7.31	6.34	4.36	3.98	3.93	6.30	25
20. Odisha		-0.65	15.15	13.19	5.68	12.85	10.94	7.75	6.67	8.60	7.18	8.74	10
21. Punjab		2.85	6.07	4.95	5.90	10.18	9.05	5.85	6.61	7.04	5.79	6.43	23
22. Rajasthan		-9.90	28.67	-1.85	6.68	11.67	5.14	9.09	5.52	10.97	5.41	7.14	20
23. Sikkim		7.31	7.89	7.72	9.83	5.97	7.61	16.39	31.87	8.94	NA	11.50	2
24. Tamil Nadu		1.75	5.99	11.45	13.96	15.21	6.13	4.89	9.49	11.74	9.39	8.99	8
25. Tripura		6.41	5.88	8.14	5.82	8.28	7.70	9.44	8.62	8.74	8.87	7.79	19
26. Uttar pradesh		3.72	5.27	5.40	6.51	8.07	7.32	6.99	6.10	7.86	6.23	6.35	24
27. Uttarakhand		9.92	7.61	12.99	14.05	14.12	17.84	12.68	11.12	7.37	8.80	11.65	1
28. West bengal		3.78	6.20	6.89	6.29	7.79	7.76	4.90	9.84	7.06	7.06	6.76	22
29. Delhi		7.56	5.68	11.73	10.05	12.39	11.19	12.92	10.94	10.92	11.34	10.47	3
ALL INDIA		3.84	8.52	74.47	9.48	9.57	9.32	6.72	8.39	8.39	6.88	70.86	

Sources + Release of CSD on State domestic product and other aggregates 2004-05 as on 1.03.2012 and 1999-2000 release on 09-09-2010

*= Base on 199-2000 prices

#source =Rajasthan - Directorate of Economics and Statics, Rajasthan, Jaipur (Date release on 26.03.2012)

Eleventh and Twelfth Five Year Plans

†3005. SHRI RAM JETHMALANI:
SHRI RAVI SHANKAR PRASAD:

Will the PRIME MINISTER be pleased to state:

- (a) whether it is a fact that the period of Eleventh Five Year Plan has got over;
- (b) if so, the time when it ended;
- (c) whether Twelfth Five Year Plan has been implemented immediately after conclusion of above Plan; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING
(SHRI ASHWANI KUMAR): (a) Yes, Sir.

- (b) The Eleventh Five Year Plan got over on March 31, 2012.
- (c) Yes, Sir. The Twelfth Plan is in operation from April 1, 2012.
- (d) Does not arise.

Unanimous report at Empowered Sub-Committee

3006. SHRI MANI SHANKAR AIYAR: Will the PRIME MINISTER be pleased to refer to reply to Unstarred Question 1772 given in Rajya Sabha on 29 March, 2012 and state:

- (a) the date on which the Planning Commission referred the unanimous report of the Empowered Sub-Committee back to the Ministry of Panchayati Raj and the date on which the Ministry furnished its response to the Planning Commission including its draft Resolution for adoption by the National Development Council (NDC);
- (b) whether the Minister of Panchayati Raj has subsequently re-worked the draft Resolution of NDC, and if so, the proposed date on which the draft Resolution would be submitted to the NDC; and
- (c) the reasons for the protracted delay of nearly four years?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING
(SHRI ASHWANI KUMAR): (a) The Planning Commission referred back the Report

† Original notice of the question was received in Hindi

of the Empowered Sub-Committee to the Ministry of Panchayati Raj on 15.7.2008. The Minister of Panchayati Raj conveyed to the Deputy Chairman, Planning Commission on 10.9.2008 that the Chief Ministers had been regularly informed of all the meetings of the Empowered Sub-Committee and that there was no need to call another meeting of the Empowered Sub-Committee after the final meeting of 8.7.2008 unless circumstances demanded.

(b) and (c) A revised draft NDC Resolution was forwarded by the Ministry of Panchayati Raj to the Planning Commission on 6.7.2010. Subsequently, a meeting of the Empowered Sub-Committee had been scheduled for 11.1.2012 which could not be held as some Members were not available. Now, the meeting of the Empowered Sub-Committee is proposed to be held on 25.5.2012 to discuss the draft Resolution to be submitted to the NDC.

Population below the Poverty Line

3007. SHRI MANI SHANKAR AIYAR: Will the PRIME MINISTER be pleased to state whether Government has estimated the share of the population just below the threshold of the BPL line to the other side of the threshold in the calculations that have been made to determine how the rate of poverty alleviation has increased to 1.4 per cent per annum in the last five years?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): The Planning Commission has recently computed estimates of poverty for the year 2009-10 based on the data of large scale survey on household consumer expenditure collected by National Sample Survey Office (NSSO) in its 66th round conducted during 2009-10 following the extant Tendulkar methodology. Based on the said methodology the Planning Commission has released the estimates through a Press Note issued on 19th March 2012. As indicated in the Press Note, the poverty ratio in the country has come down from 37.2% in 2004-05 to 29.8% in 2009-10. This implies that there is a reduction of about 1.5 percentage points between 2004-05 and 2009-10.

Growth of Urban Population of Developing Economics

†3008. SHRI RAVI SHANKAR PRASAD:
SHRI RAM JETHMALANI:

Will the PRIME MINISTER be pleased to state:

(a) Whether it is fact that it has come in to the light on the basis of United Nations figures and estimates that the urban population of developing economies shall grow tremendously till 2037;

† Original notice of the question was received in Hindi

- (b) If so the reaction of Government thereon;
- (c) Whether this is also a fact that development will take place on the basis of urbanization in future; and
- (d) If so, the assessment about its impact on the population of India?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) The Population Division of the Department of Economic and Social Affairs of the United Nations has released the 2011 Revision of the World Urbanization Prospects' on April 5, 2012. The aforesaid report provides estimates of urban population on 5 year basis till 2050. As per the report, the world urban population is expected to increase by 72 per cent by 2050, from 3.6 billion in 2011 to 6.3 billion in 2050. Virtually all of the expected growth in the world population is estimated to be concentrated in the urban areas of the less developed regions, whose population is projected to increase from 2.7 billion in 2011 to 5.1 billion in 2050.

(b) Government is aware of these trends and in view of the importance of urban sector, the National Development Council (NDC) in its meeting held on July 24, 2010 decided to form a sub-committee of NDC to examine the issues concerning urbanization. The aforesaid Sub-Committee has finalized its report for placing it before the NDC. In addition, the approach paper to the twelfth plan, while noting that agglomeration and densification of economic activities in urban conglomerations stimulates economic efficiencies and provides more opportunities for earning livelihoods, has recommended that the Central Government's thrust on guiding and improving the quality of urbanization in the country must be intensified.

(c) As per the estimate by the Central Statistical Organization, in 2004-05, the contribution of urban sector in Net Domestic Product was about 52%. Various expert bodies including the High Power Expert Committee (HPEC) that was constituted by the Ministry of Urban Development, in its report submitted in March 2011 on Indian Urban Infrastructure and Services has documented international experience of correlation between urbanization and growth and has concluded that in India, cities will have to become engine of national development. However, as estimated by the Population Division of the United Nations, about 48% of Indian population would still be residing in rural areas by 2050. Hence rural areas are also expected to play an important role in economic development. Development process will have to take into account these areas as well for a balanced growth of the nation.

(d) The approach paper to the twelfth Plan recognizes that the process of urbanization is a natural process associated with growth. As per census of India, in

2011, the urban population was 31.16% of the total population. The report of the Population Division of United Nations released on April 5, 2012 has estimated that the percent of population residing in urban areas in India may rise to 42.6% and 51.7% by 2035 and 2050 respectively. However, the actual population growth will depend on many factors including the development trajectory of the country.

Increase of budget for various plans

‡3009. SHRIPRABHAT JHA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Planning Commission has asked the Ministries to make 5 to 15 per cent increase in the budget under various plans for the year 2012-13;

(b) if so, the details thereof;

(c) whether it is also a fact that almost all the Ministries have turned a deaf ear to the suggestion of Planning Commission;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) and (b) Planning Commission had requested Ministries/Departments to submit the: Plan proposals with three alternative scenarios *viz.* with an increase of about 5 per cen 10 per cent and 15 per cent (at current prices). The Ministry's/Departments were further requested that the critical Central programmes/schemes/projects should be full provided for even in the proposal based on the assumptions of 5% increase in outlay in 2012-13 over 2011-12.

(c) to (e) No, sir. All the Ministries have submitted their Plan proposals with alternative scenarios to Planning Commission. These were the major input for the finalisation of the outlays for the Ministries/Departments in 2012-13.

Amount to Assam under CSS

3010. SHRIMATI NAZNIN FARUQUE: Will the PRIME MINISTER be pleased to state:

(a) the amount allocated under Centrally Sponsored Scheme under the Ministry to Assam State during financial years 2004-10;

(b) the amount released against above allocation during above period, scheme-wise and year-wise; and

(c) the amount already spent by the Assam Government ?

‡ Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (c) Based on the information made available by the State Government, a statement indicating the allocation and release of funds by the Central Ministries to the State of Assam during 2004-2010 under the various Centrally Sponsored Schemes (CSSs) along with expenditure incurred under these schemes during the period is given in the Annexure. (See Appendix 225 Annexure no. 24)

Selection of full-time new members

3011. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of DEVELOPMENT OF NORTH EASTERN REGION be pleased to state:

(a) whether Government has taken into notice the news item published in a National Daily of New Delhi regarding the continuance of full-time members of the North East Council, in the absence of retirement terms and conditions clause in the NEC Act, 1971;

(b) if so, the details thereof; and

(c) whether Government has proposed to take necessary steps towards selection of new full-time members including insertion of a clause in the NEC Act, 1971 to fix the term and retirement age of full-time members?

THE MINISTER OF STATE OF THE MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION (SHRI PABAN SINGH GHATOWAR): (a) and (b) Section 3 of NEC Act 1971 is regarding "Setting up and the composition of the North Eastern Council". Sub-section (1) of Section 3 of the Act is reproduced below:

"(1) There shall be a Council to be called the North-Eastern Council which shall consist of the following members, namely:

(i) the person or persons for the time being holding the office of the Governor of the States;

(ii) The Chief Ministers of the States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura: Provided that, if there is no Council of Ministers in any States referred to in clause (ii), the President may nominate not more than one person to represent such State in the Council for so long as there is no Council of Ministers in such State:

(iii) three members to be nominated by the President;"

Subsequently, Government of India approved the following in December 2004:

(i) Appointment of Minister DoNER, as Chairman NEC

- (ii) Equating three nominated Members of NEC with the Members of Planning Commission in terms of rank, status (status of Minister of State of the Union Government), tenure and emoluments and having them as full-time functionaries, headquartered at the NEC Secretariat, Shillong.
- (iii) Of the three nominated Members of the NEC, the Member-in-charge of North East in Planning Commission will be one.
- (c) Yes, Sir. Strengthening of NEC Act to cope up with evolving challenges is a continuous process.

Funds for Block Panchayats

†3012. SHRI ISHWARLAL SHANKARLAL JAIN: Will the PRIME MINISTER be pleased to state:

(a) whether Planning Commission, justifying the demands of Ministry of Panchayati Raj, proposes to directly allocate the funds meant for the development activities to Block Panchayats instead of allocating the same to District Headquarters; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) The main development programme being administered by the Ministry of Panchayati Raj is the Backward Regions Grant Fund (BRGF). Funds under this programme are allocated district-wise but released to the State Governments for further release to the districts. The Ministry of Panchayati Raj has not made any request to the Planning Commission for allocation of funds under the programme to the Block panchayats.

(b) Does not arise.

Programmes to bring poor out

3013. DR. K.P. RAMALINGAM: Will the PRIME MINISTER be pleased to state:

(a) whether as per the Planning Commission, poverty had significantly declined between 2004-05 and 2009-10 and if so, the details thereof;

(b) whether nearly 30 per cent population is still in poor category as per the Planning Commission;

(c) if so, the details of programmes implemented to bring them out of poor category and success made therein;

† Original notice of the question was received in Hindi.

- (d) the criteria for fixing minimum wages and what are the minimum wages as on date;
- (e) whether persons earning less than minimum wages are not poor; and
- (f) whether there is any programme to give financial aid/free food-grains to citizens under poor category?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) and (b) The Planning Commission has recently computed estimates of poverty for the year 2009-10 based on the data of large scale survey on household consumer expenditure collected by National Sample Survey Office (NSSO) in its 66th round conducted during 2009-10 following the extant Tendulkar methodology. Based on the said methodology the Planning Commission has released the estimates through a Press Note issued on 19th March 2012. As indicated in the Press Note, the poverty ratio in the country has come down from 37.2% in 2004-05 to 29.8% in 2009-10.

(c) The Government has taken various measures to improve the quality of life of the people and to reduce poverty in the country through direct intervention by implementing specific poverty reduction and mitigation programmes such as: Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), Swarnjayanti Gram Swarozgar Yojana (SGSY), "Swarna Jayanti Shahari Rozgar Yojana (SJSRY), National Rural Health Mission (NRHM), Sarva Shiksha Abhiyan (SSA), Mid Day Meal Scheme (MDMS), Jawaharlal Nehru National Urban Renewal Mission (JNNURM), Integrated Child Development Services (ICDS) Scheme, Rajiv Gandhi Drinking Water Mission, Indira Awaas Yojana (IAY), National Social Assistance Programme (NSAP) and Total Sanitation Campaign etc. All other policy initiatives of the government which have led to higher GDP growth in the country have individually and collectively contributed to raising the living standards of people over time and to the decline of absolute poverty and destitution.

(d) The minimum wage rates are fixed/revised by the appropriate Governments (State and Centre) in respect of scheduled employments under their respective jurisdiction under the Minimum Wages Act, 1948.

The norms for fixation/revision of minimum wages include:

- (a) 3 consumption units for one earner.
- (b) Minimum food requirements of 2700 calories per average Indian adult.
- (c) Clothing requirements of 72 yards per annum per family.

- (d) Rent corresponding to the minimum area provided for under Government's Industrial Housing Scheme.
- (e) Fuel, lighting and other miscellaneous items of expenditure to constitute 20% of the total Minimum Wages.
- (f) Children education, medical requirement, minimum recreation including festivals/ceremonies and provision for old age, marriage etc. should further constitute 25% of the total minimum wage.

The norms at (a) to (e) above have been recommended by the Indian Labour Conference in its session held in 1957 and at (f) by the Hon'ble Supreme Court in the Reptakos Brett and Co. Ltd case in 1991. However, in order to have a uniform wage structure and to reduce the disparity in minimum wages across the country, the Central Government prescribes National Floor Level Minimum Wage (NFLMW). While this is not statutory, the appropriate Governments are requested to fix the minimum wages at least at par with NFLMW. The NFLMW presently stands at Rs. 115/- per day with effect from 1st April, 2011.

(e) The criteria for defining poverty line and fixation of minimum wages are different.

(f) The Government has introduced the National Food Security Bill in Lok Sabha in December 2011 and the Bill is currently under examination by the Parliamentary Standing Committee on Food, Consumer Affairs and Public Distribution. The Bill, *inter alia*, provides legal entitlements for free or affordable meals for certain categories *viz.* pregnant/lactating women, children or other special groups such as destitutes, homeless, disaster and emergency affected persons and persons living in starvation. The Bill also contains provision for payment of food security allowance to eligible persons, in case of non-supply of the entitled quantities of foodgrains or meals, within the time and manner prescribed by the Central Government.

BPL list by March, 2012

†3014. SHRI RAGHUNANDAN SHARMA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the States have been asked to prepare the Below Poverty Line (BPL) list by March, 2012 so that benefits for them may be started in the Twelfth Plan;

† Original notice of the question was received in Hindi.

- (b) whether it is also a fact that the States tend to inflate the BPL figures in order to get maximum funds from the Centre;
- (c) if so, the manner in which the Ministry would address this issue;
- (d) whether the Planning Commission has formulated any criterion to be followed by the States; and
- (e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) to (e) The Planning Commission as the Nodal agency in the Government of India for estimation of poverty has been estimating the number and percentage of poor at national and State levels. The Below Poverty Line (BPL) Census is conducted every five years at the beginning of the Five Year Plans by the States/Union Territories (UTs) to identify poor households in the rural areas to be targeted under various government schemes and programmes. The last BPL Census was conducted in 2002. The Ministry of Rural Development (MoRD), with the approval of the Union Cabinet, launched a combined Census namely "Socio Economic and Caste Census 2011" (SECC-2011) on 29.06.2011 to generate a large number of social and economic indicators relating to households across the country for their ranking. The SECC-2011 is being carried out by the State Governments/UT Administrations in a phased manner taking into consideration their preparedness and other relevant aspects with the financial and technical support of the Ministry of Rural Development. The completion of SECC-2011 is likely to extend beyond July, 2012.

In their Joint Statement issued on 3rd October, 2011 Deputy Chairman, Planning Commission and Union Minister for Rural Development have clarified that Government of India will take into account multiple dimensions of deprivation based on the indicators that are being collected through the SECC, 2011 for arriving a specific entitlements that rural households will receive under various central government programmes and schemes. The present state-wise poverty estimates using the Planning Commission methodology will not be used to impose any ceilings on the number of households to be included in different government programmes and schemes.

The eligibility and entitlements of rural households in the country for different central government programmes and schemes will be determined after the SECC, 2011 survey results are available and have been analysed. The Union Ministry of Rural Development and the Planning Commission will consult with

states, experts and civil society organizations to arrive at a consensus on the methodology by the time the SECC, 2011 is completed. This methodology will seek to ensure that no poor or deprived household will be excluded from coverage under different government programmes and schemes.

Government has since decided to set up a Technical Group to revisit the methodology for estimation of poverty and identification of poor taking into account multiple dimensions and indicators of poverty so that the poor and deprived households can obtain the benefit of different government programmes and schemes. The composition of the Technical Group and its terms of reference are being finalized.

Failure of welfare development schemes

†3015. SHRI SHIVANAND TIWARI:

SHRI RAM JETHMALANI:

Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that a three-member committee constituted by the Planning Commission under the Chairmanship of Mihir Shah had declared the implementation of certain Central Government financed welfare development schemes as failure;

(b) if so, the facts thereof and the names of such Government schemes;

(c) the recommendations of said committee for their successful functioning; and

(d) the plan formulated by Government to implement the suggestions of this committee?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI ASHWANI KUMAR): (a) No, Sir. The Planning Commission had not constituted such a committee under the chairmanship of Mihir Shah.

(b) to (d) Does not arise.

Funds spent in Uttar Pradesh

3016. SHRI MOHAMMED ADEEB: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the details of funds/amounts given/spent in Uttar Pradesh by the Ministry and its various organisations during the last year and the current year, so far;

† Original notice of the question was received in Hindi.

- (b) the purpose for which these amounts were given/spent; and
- (c) the steps being taken to increase those funds?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) This Ministry is primarily responsible for the development and maintenance of National Highways spread across the country. The development and maintenance of National Highways is a continuous process and the same are carried out as per the traffic need, availability of funds and *inter-se* priority of works through respective State Government/Border Roads Organization/National Highways Authority of India (NHAI). Besides this, this Ministry administers funds under Central Road Fund (CRF) Scheme and centrally sponsored schemes of Economic Importance (EI) and Inter-State Connectivity (ISC) for the development of State roads as per CRF (State Roads) Rule, 2007. In order to provide an efficient communication network for the areas affected by the extremist activity, the Ministry has also undertaken the task for improvement and development of roads in the districts affected by Left Wing Extremism (LWE). Details of funds/amount given and spent in Uttar Pradesh during the last year and current financial year (apart from NHAI's works) are given in the Statement-I (*See* below) No State-wise allocation of funds is made by NHAI. Expenditure is made as per progress of development and maintenance works. Expenditure made by NHAI in Uttar Pradesh during the last year and current financial year is given in the Statement-II.

(c) Allocation of funds for the development of National Highways under Plan Head in a State is made as per requirement assessed on the basis of estimated cost of the already sanctioned and the ongoing works during a financial year. Limit for sanction of works under Plan Head for any State in a particular Financial Year is ascertained on the basis of the utilization of funds by the concerned State Government and accordingly allocation is made to the State. The amount under maintenance and repairs are allocated based on availability funds and the extent of damages. Funds under CRF scheme accrue as per the set norms based on the consumption of petrol/diesel in a particular State and geographical area thereof. Release/allocation of funds is made keeping in view the utilization of funds by the State Government on the sanctioned works and the availability of funds. The Ministry takes up the matter from time to time with the Ministry of Finance and Planning Commission for enhancement of annual outlay, commensurate with the requirement.

Statement-I
For National Highways entrusted to state PWD

(Amount Rs. in crore)

State	year	NH(O)	Maintenance and repairs		CRF		EI and ASC		LWE		
State		Alloca- tion	Expendi- ture	Alloca- tion	Expendi- ture	Alloca- tion	Expendi- ture	Alloca- tion	Expendi- ture	Alloca- tion	Expendi- ture
Utter pradesh	2011-12	324.85	319.78	102.46	99.68	177.06	177.06	33.00	33.00	16.30	16.30
	2012-13#	58.16	2.00	63.10	0	30.79	0	0	0	2.0	0
	(for April and May, 2012)										

Expenditure is up to 30.4.2012

Statement-II

For National Highways entrusted to National Highways Authority of India (NHAI) under NHDP.

(Amount Rs. in crore)

State	Year	Expenditure
Uttter pradesh	2011-12	34-59.38
	2012-13#	0

Expenditure is up to 30.4.2012

Ganjam-Ichchapuram highway project

3017. SHRIMATI T. RATNA BAI:

SHRI MOHD. ALI KHAN:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether the Ganjam-Ichchapuram highway project is being delayed;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether the Ministry has asked his team to crackdown on delays in execution of projects in the country; and
- (d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Yes, Sir. The Ganjam-Ichchapuram project has been delayed due to various reasons such as non-performance of contractor leading to termination of contract, award of the balance work, delay in permission for stone quarry/crusher, handing over of the site for Road Under Bridge (RUB) etc.

(c) and (d) Delay in execution of certain projects take place on account of various reasons such as delay in land acquisition, shifting of utilities, delay in obtaining statutory clearances, poor performance of contractors, law and order problems in some states etc. The projects are monitored and reviewed at different levels from time to time to carry out corrective/punitive measures in accordance with contractual conditions for completion within the revised time schedule, if any.

Bhavnagar-Trapaj Section of NH-8

3018. SHRIMATI SMRITI ZUBIN IRANI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether it is a fact that traffic density on Bhavnagar-Trapaj Section of NH-8 justifies need of immediate four laning;

(b) whether the State Government of Gujarat has submitted any proposal for four laning of Bhavnagar-Trapaj Section of NH-8 on BOT basis;

(c) if so, by when the proposal will be approved;

(d) whether the Ministry is aware of the fact that Alang—the biggest ship breaking yard in the area is being serviced by two lanes National Highways; and

(e) whether the Ministry intends to provide four lane connectivity to Alang ship breaking yard by four laning of Bhavnagar-Trapaj Section of NH-8 E and if so, by when?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (c) Yes, Sir. The BOT proposal submitted by the State Government of Gujarat for four laning of Bhavnagar-Trapaj Section of NH-8E was not approved since feasibility study for widening and improvement of Bhavnagar-Veraval Section of NH-8E including Bhavnagar-Trapaj Section has been taken by National Highways Authority of India (NHAI) for its development into 4/6 lane, on PPP basis. The proposal has been submitted by NHAI for consideration of the Government.

(d) and (e) Yes, Sir. Alang ship breaking yard is connected to NH-8E which is presently 2-lane. The feasibility consultant engaged by NHAI has recommended for widening and development of Bhavnagar-Trapaj section by 4/6 laning based on the traffic projection in the stretch and the same is under consideration of the Government.

Corruption in East-West Corridor

3019. SHRI SABIR ALI: will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government has come across a case of corruption in building National Highway East-West Corridor linking Lucknow, Muzaffarpur, G.T. Road improvement project and National Highway Project Phase-III wherein World Bank is also having interest;

(b) whether it is a fact that a black listed company has been found involved in the bungling; and

(c) if so, the details in this regard and the corrective measures taken by Government?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) No, Sir. However, Department of Economic

Affairs, Ministry of Finance have forwarded a report of the World Bank's Institutional Integrity unit alleging that some companies executing World Bank funded projects under Lucknow-Muzaffarpur National Highway project (LMNHP), Grand Trunk Road Improvement Project (GTRIP) and Third National Highways Project (TNHP) have committed sanctionable practices.

- (b) No, Sir.
- (c) Does not arise.

Annual Accrual and BOS ratio for sanction of projects

3020. SHRI PYARIMOHAN MOHAPATRA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) on what principle, guidelines or criteria the Annual Accrual and BOS ratio is fixed for sanction of projects under the Central Road Fund;
- (b) the number of proposals received from State Government of Odisha for the year 2011-12 under CRF and number of projects sanctioned out of those during the year; and
- (c) the principles, guidelines or criteria under which each such project was not sanctioned?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) The accrual of funds annually earmarked for the development of State Roads (other than Rural Roads) from the levy of cess or an additional duty of excise and customs on petrol and high speed diesel (HSD) as per the provisions of the Central Road Fund (CRF) Act, 2000 as amended by the Finance Act, 2005 are distributed to the States on the basis of 30% weightage to fuel consumption and 70% weightage to the geographical area of the States.

As per the CRF (State Roads) Rules, 2007, the total cost of the projects under CRF schemes to be approved is limited to the bank of sanctions which shall not normally exceed, at any point of time, two times the annual accrual for the year in which the schemes are sanctioned in respect of any State. Available unspent balance, if any, is also taken into account while deciding the maximum ceiling of total cost of works for approval in a financial year.

(b) and (c) During the year 2011-12, a list of 11 proposals amounting to Rs. 220 crore only was received from the State Government of Odisha under CRF scheme; however, proposals were not complying with the stipulated requirements as per the provisions of the CRF (State Roads) Rules, 2007. None of these proposals

could be sanctioned during 2011-12 for the State of Odisha due to non-availability of sanction ceiling for the State.

Construction of NHs in Maharashtra

3021. SHRI AVINASH PANDE: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the amount of funds that were sanctioned and released for the construction of National Highways included in 2011-12 Annual Plan for the State of Maharashtra;

(b) whether there were any reasons for undue difference in the amount sanctioned and released as mentioned in (a) ; and

(c) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Funds amounting to Rs. 276.60 crores were sanctioned and released during 2011-12 for development of National Highways in Maharashtra.

(b) No, Sir.

(c) Does not arise.

Declaration of roads in Karnataka as National Highways

3022. DR. VIJAY MALLYA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether a proposal to declare 16 roads in Karnataka as National Highways was submitted to the Central Government in June, 2009

(b) whether this proposal has received consideration of the Ministry;

(c) if so, the current stage of consideration of this proposal; and

(d) by when the proposal will be approved?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (d) The State Government of Karnataka during the last five years, has submitted from time to time 35 proposals having a total length of 8020 km. to the Ministry of Road Transport and Highways till date, for declaration of State Highways into National Highways. Expansion of National Highway network is a continuous process and declaration of new National Highway

is taken up from time to time depending upon, requirement of connectivity, *inter-se* priority and availability of funds.

Improvement to Bijapur-Hubli NH-218

3023. DR. VIJAY MALLYA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether a proposal dated 26 May, 2011 from the State Government of Karnataka has been received proposing expenditure of Rs. 1281 lakhs for effecting improvements to Bijapur-Hubli section of NH-218;

(b) whether this proposal has been considered by the Ministry; and

(c) if so, the present stage of consideration of the proposal?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes, Sir.

(b) and (c) Ministry has approved the proposal amounting to Rs. 1272 lakhs for improvements of NH-218 Bijapur-Hubli Section from km. 153.00 to km. 155.15 including construction of two bridges at km. 153.86 and km. 154.64.

New scheme for ultra mega road projects

3024. SHRI A. ELAVARASAN: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government has drawn up a new scheme of Ultra Mega road projects where firms will have right to develop real estate projects alongside the highway;

(b) if so, the details thereof;

(c) whether there is a plan to set up an expert committee for identifying stretches and weaving them up into packages; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) The Ministry is examining the feasibility of building of greenfield Expressways on stretches with high vehicular traffic density on Public Private Partnership mode along with appropriate development of real estate to make the project viable.

- (b) Projects are at a planning stage.
- (c) and (d) No, Sir.

Pending Proposals of Chhattisgarh

‡3025. SHRI SHIV PRATAP SINGH: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the number of proposals from the State Government of Chhattisgarh lying pending with the Ministry;
- (b) district-wise details thereof; and
- (c) the details of the action being taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) The district-wise details of proposals received from State Government of Chhattisgarh for development and maintenance of National Highways is given in the Statement (*See below*)

(c) Development and maintenance of National Highways is a continuous process depending upon *inter-se* priority and availability of funds. The proposals received from State Government are scrutinized in the Ministry depending upon their priority in the approved plans and only technically feasible proposals are approved depending upon availability of funds.

Statement

Details of proposals received From Chattisgarh

Sl.No.	NH No. Old/New	Name of the District	Name of Work	Length
1	2	3	4	5
1.	200/49	Janjgir Chanpa	IRQP in km. 182.600 ro 184.00, km. 198.200 to 198.800 and km. 199.400 to 202.200	5.20
2.	200/49	Janjgir Chanpa	IRQP in km. 144.200 to 163.300	19.40
3.	200/49	Janjgir Chanpa	IRQP in km. 163.300 to 175.000	11.60
4.	78/43	Korea	IRQP in km. 245.000 to 265.800 (except km. 250.000 to 255.000)	15.80

‡Original notice of the question was received in Hindi.

1	2	3	4	5
5.	200/49	Raigarh	IRQP in km. 293.600 to 305.000	11.60
6.	43/30	Kondagaon	IRQP in km. 245.000 to 254.000	9.00
7.	43/30	Bastar	IRQP in km. 254.000 to 260.000	6.00
8.	43/30	Kanker	IRQP in km. 106.000 to 115.000	10.00
9.	43/30	Kanker	IRQP in km. 137.000 to 150.000	13.00
10.	12A/30	Bemetara	IRQP in km. 269.500 to 279.000	10.20
11.	217/353	Mahasamund	Periodical Renewal in km. 14.600 to 25.000	11.60
12.	217/353	Mahasamund	Periodical Renewal in km. 75.600 to 90.600	15.00
13.	217/353	Mahasamund	Periodical Renewal in km. 14.400 to 25.000	10.60
14.	217/353	Mahasamund	Periodical Renewal in km. 35.000 to 46.000	11.00
15.	216/153	Raigarh	Periodical Renewal in km. 25.000 to 31.000	6.00
16.	216/153	Raigarh	Periodical Renewal in km. 287.000 to 393.600	6.60
17.	216/353	Raigarh	Periodical Renewal in km. 51.000 to 59.000 and km.66.000 to 75.600	17.60
18.	43/30	Kondagaon	Periodical Renewal in km. 235.000 to 245.000	10.00
19.	43/30	Raipur	Periodical Renewal in km. 4.000 to 16.000	12.00
20.	43/30	Raipur	Periodical Renewal in km. 28.400 to 31.000	2.60
21.	43/30	Raipur	Periodical Renewal in km. 16.000 to 25.000	9.00
22.	12A/30	Kawardha	Periodical Renewal in km. 255.000 to 269.500	14.50

1	2	3	4	5
23.	12A/30	Kawardha	Periodical Renewal in km. 211.000 to 223.000	12.00
24.	43/30	Dhamtri	Periodical Renewal in km. 31.000 to 38.000	7.00
25.	43/30	Bastar	Periodical Renewal in km. 271.000 to 278.000	7.00
26.	78/43	Jashpur	Periodical Renewal in km. 485.000 to 489.000	4.00

Four laning of NH-52 and NH-37

3026. SHRI PANKAJ BORA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether there is any plan for four laning of Baihata Charali to Tezpur - NH-52 and Goalpara-Guwahati-NH-37;

(b) whether it is a fact that Draft Project Report for four laning Baihata Charali to Tezpur-NH-52 has been prepared by the Ministry since NH-52 is very important from the strategic view point for connectivity to Arunachal Pradesh;

(c) by when the Ministry proposes to take steps for four laning of NH-52; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) No, Sir. Except four laning of Guwahati University bypass from km 140.00 to 146.300 of NH-37 for which work is in progress.

(b) to (d) The proposal for 4-laning of NH-52 in Assam from Baihata Charali to North Lakhimpur aggregating to 345 km in length, which was earlier included under NHDP-III, which is essentially a toll based programme, has been dropped due to low volume of tollable traffic on NH-52 making the proposed 4-laning unviable on BOT (Toll). However, four lane connectivity to Itanagar is being provided from Nagaon (on East-West Corridor)-Silghat-Jamguri-Gohpur-Holongi-Itanagar. The Stretch from Baihata Charali to Tezpur is being developed and maintained under Ministry's schemes like NH (O) and Periodic Renewal.

Highway projects running behind schedule

3027. SHRI BAISHNAB PARIDA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that a number of highway projects in the country are running far behind schedule;

(b) whether it is proposed to grant certain incentives to ensure completion of such work ahead of the schedule;

(c) if so, the details thereof;

(d) whether the purpose of these incentives are to control delay in execution of such projects; and

(e) if so, the details of the projects that are proposed to be brought within the ambit of this scheme in Odisha and other underdeveloped naxal-hit States?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

(d) No, Sir.

(e) Does not arise.

Zarap-Patradevi section of NH-17

3028. SHRI HUSAIN DALWAI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether a major portion of the Zarap-Patradevi section of National Highway-17 has been completed;

(b) if so, the details thereof;

(c) whether the work on the remaining portion is held up for want of funds; and

(d) if so, the steps taken to release the required funds for early completion of the Project?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes, Sir.

(b) 70% of work has been physically completed.

(c) and (d) No, Sir. The second revised estimate amounting to Rs. 264.05 crore has been sanctioned by the Ministry.

Increase of 50 per cent toll tax

3029. SHRI UPENDRA KUSHWAHA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether Government has proposed to increase the toll on all national highways by 50 per cent more than the prevailing toll;

(b) if so, the reasons therefor and details of facilities proposed to be made available for the highway users;

(c) the details of measures taken to make national and express highways accident free and the details of medical facilities available for highway users; and

(d) whether there is any proposal to convert two lane State and National Highways into four lane and if so, the details thereof together with the details of State and National Highways selected for the said conversion?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) A proposal for amendment of the National Highways Fee (Determination and Collection) Rules, 2008 for rationalizing toll rate structure is under consideration.

(c) The following steps have been taken to make national and express highways accident free:

- (i) Road safety has been made an integral part of road design at the planning stage.
- (ii) Road Safety Audit of selected stretches of National Highways/ Expressways,
- (iii) Identification of black spots and treatment thereof.
- (iv) Establishment of driving training institutes.
- (v) Tightening of safety standards of vehicles like helmets, seat belts, power-steering, rear view mirror,
- (vi) Publicity campaigns on road safety awareness.

Medical facilities available for highway users on road accidents are being provided under the scheme "National Highways Accident Relief Service Scheme" (NHARSS). Under this scheme ambulances and cranes are provided to States/UTs/ NGOs for relief and rescue measures in the aftermath of road accidents by way of

evacuating road accident victims to nearest medical aid centre and for clearing the accident site. So far, 347 Ten ton cranes, 106 small/medium size cranes and 509 ambulances have been provided under the scheme.

(d) Yes, Sir. The programme for conversion of existing two lane National Highway sections to 4-lane standards has mainly been included under the approved National Highways Development Project (NHDP) Phases I, II, III as well as limited length under NHDP Phase IV for a total of 30,867 kms.

Special Accelerated Road Development Programme

3030. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the details of financial allocation made, amount sanctioned, released and utilization made towards development of road network in North Eastern Region, State-wise under the programme Special Accelerated Road Development Programme for North East (SARDP-NE) since its formation till date; and

(b) the details of the proposals being taken up by Government for construction of new highway including by-passes and double-laning, upgradation, repairing of National Highways under SARDP-NE, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) The year-wise amount of work sanctioned, allocation made and expenditure incurred on works of SARDP-NE since beginning, State-wise is given in the Statement-I (*See* below)

(b) The scope of SARDP-NE works include construction of new road and upgradation of existing road. There is no proposal of repair of existing road in the scope of SARDP-NE. However, provisions are included for strengthening of existing road while its upgradation. The National Highways included under SARDP-NE for upgradation is given in the Statement-II

Statement-I

Year-Wise amount of work sanctioned, allocation made and expenditure incurred in works of SARDP-NE

Year	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Sanctions	1285	615	835	1070	9439	4752
Allocation	550	700	1000	1200	1500	1950
Expenditure	Ar. Pradesh	0	0	0.00	25.17	184.41
	Assam	47.38	130.53	212.61	187.08	263.83
	Meghalaya	0	0	0	1.29	164.69
	Mizoram	0.13	5.21	35.64	49.12	229.53
	Nagaland	0	0	0	2.11	529.05
	Sikkim	0	0	0	23.90	10.02
	BRO	108	222	388.51	387.23	425.00
	NHAI	294	294	0	0	0.00
	Directly by MoRT and H	0	0	0	0	136.28
	TOTAL	449.51	651.74	636.76	675.90	1065

Statement-II

(A) National Highways Included under SARDP-NE for upgradation

(I) Phase 'A'

Sl.No.	State	Scope of work	Road Length (in km.)	Agency
1	2	3	4	5
1.	Assam	Improvement of existing 2-lane NH-37 from Nagaon-Dibrugarh to 4-Lane [BOT (Annuity)].	301	NHAI/ MoRTH
2.	Meghalaya	Construction of new shillong By-pass connecting [NH-40 and NH-44 (2-lane) BOT (Annuity)].	50	NHAI
3.	Meghalaya	Four laning of existing 2-lane road stretch from Jorabat to Barapani on NH-40 [BOT(Annuity)]	62	NHAI
4.	Nagaland	Four laning of Dimapur to Kohima Road including Dimapur/Kohima Bypass on NH-39 [BOT (Annuity)].	81	NHAI

1	2	3	4	5
5.	Assam	Improvement of existing single lane road stretches on NH-36, 51, 52, 53, 54, 61, 152, 153 and 154 to double lane with paved shoulders, including Silchar bypass	576	Assam PWD
6.	Manipur, Meghalaya, Mizoram and Assam	2-laning of NH-44, 53, 54, and 154, including Jowai bypass in Meghalaya	180	State PWDs of Assam Meghalaya and Mizoram and BRO
7.	Meghalaya	Improvement of existing 2 lane Barapani-Shillong section of NH-40 and flyovers in Shillong city	54	Meghalaya PWD
8.	Assam and Arunachal Pradesh	Re-alignment and improvement to 2-lane with paved sholders of NH-37 from Dibrugarh to Rupai and improvement of Stilwell road and NH-38 to 2-lane with paved shoulders	161	State PWDs of Assam and Arunachal Pradesh PWD
9.	Tripura	2-laning of NH-44 from Agartala to Subroom.	130	BRO
10.	Assam and Arunachal	4-lane connectivity to Itanagar	150	MoRTH, Assam PWD and Pradesh Arunachal Pradesh PWD
11.	Assam	2- lane Dibrugarh bypass on NH-37 (on EPC basis)	14	Assam PWD
18.	Sikkim/West Bengal	Improvement of NH-31A from Sevoke to Ranipul to 2-lane standards	80	BRO
19.	Meghalaya	2 laning of Nongstion-shillong section	83	Meghalaya PWD
20.	Mizoram	2 laning/realignment from km. 11.500 to 130	119	Mizoram PWD

(ii) NHs forming part of Arunachal package of SARDP-NE

Sl.No.	Section of road	Tentative length (km.)	Agency
1	2	3	4
1.	Nechipu-Hoj road NH 229 in Arunachal Pradesh	311	Directly by MoRT and H
2.	Hoj-Potin NH 229 in Arunachal Pradesh	20	PWD Arunachal Pradesh
3.	Potin-Pangin NH 229 in Arunachal Pradesh	407	Directly by MoRT and H
4.	Pangin-Pasighat NH 229 in Arunachal Pradesh	84	PWD Arunachal Pradesh
5.	Pasighat-Mahadevpur NH 52 in Arunachal Pradesh		
	(i) Major bridge of Debang valley, connecting roads with option of realignments from Digaru to chowkham involving major bridge at Alubarighat	30	Directly by MoRT and H
	(ii) 2-laning with paved shoulders of remaining stretches after exclusion of length under (i) above.	140	BRO
6.	Mahadevpur-Bordumsa-Namchik-Jairampur-Mammao NH 52B in Arunachal Pradesh	97	PWD Arunachal Pradesh
7.	Mammao-changlang in Arunachal Pradesh	42	PWD Arunachal Pradesh
8.	Changlang- khonsa NH 52B in Arunachal Pradesh	67	PWD Arunachal Pradesh
9.	Khonsa-Tissa NH 52B in Arunachal Pradesh	48	PWD Arunachal Pradesh
10.	Tissa-Longding-Kanubari NH 52B in Arunachal Pradesh	80	PWD Arunachal Pradesh

1	2	3	4
11	Kanubari-Bimlapur NH 52B in Arunahal Pradesh	16	PWD Assam
12	Bimlapur to NH-37 link in Assam NH 52B in Assam	70	PWD Assam
TOTAL		1412	

(iii) Missing link of NH 37 and NH 52

Sl.No.	Section of road	Tentative length (km)	Agency
1.	Missing bridge and its approach between Dhola and Sadia ghats on NH 37 Ext	28	Directly by MoRT and H
2.	2-laning with paved sholders from Islampur Tinali to Roing, <i>Via</i> Sadia and Santipur on NH-37Ext	32	PWD Assam (12km)/PWD Arunachal Pradesh (20km)
TOTAL		60	

(B) List of roads under phase 'B' of SARDP-NE

Sl.No.	Scope/Section of road	State	Tentative Length(KM)
1.	2-laning from Assam/Meghalaya Border to Dalu <i>via</i> Baghmara of NH-62	Meghalaya	161
2.	2-laning from Aizawl to Tuipang section of NH-54	Mizoram	380
3.	2-laning from Lunglei–Theriat section of NH-54B	Mizoram	9
4.	2-laning from Zero point to Saiha section of NH-54A	Mizoram	27
5.	2-laning from Wokha (km 70) to Tuli (km 220) of NH-61	Nagaland	150
6.	2-laning from Kohima to Nagaland/Manipur border of NH-150	Nagaland	132
7.	2-laning of Mokokchung to Jassami section of NH-155	Nagaland	340
8.	2-laning/realignment from Manu to Tripura/Mizoram Border of NH-44A	Tripura	86
TOTAL			1285

Phase 'B' has been approved for Detailed project preparation only.

Black spots responsible for accidents

3031. SHRI RAJEEV CHANDRASEKHAR:

SHRI RAJKUMAR DHOOT:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that Government has identified black spots responsible for accidents on highways in the country;

(b) if so, the details thereof;

(c) the number of black spots identified on highways passing through the State of Karnataka; and

(d) the corrective measures that Government proposes to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Yes, Sir. The Ministry has identified 325 number of most dangerous black spots on National Highways in 13 States in the country.

(c) 25 number of top black spots have been identified on National Highways passing through the State of Karnataka.

(d) The immediate remedial measures proposed to be taken by the Ministry include provision of signages at appropriate distance ahead of the black spots, delineators, bar code rumbling strips and traffic canning measures. The long-term measures provide for detailed study of the locations to find out the reasons for accidents and to devise remedies like grade separated intersections with provisions for pedestrian crossings.

Delay in construction of East-West Corridor

3032. SHRI DILIPBHAI PANDYA: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the reasons leading to delay in construction of important stretches of East-West Corridor and Golden Quadrilateral Project passing through Gujarat;

(b) whether Government has imposed any penalty on the contractors causing delay in construction work; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) to (c) Construction of East-West Corridor and Golden Quadrilateral project passing through Gujarat has been completed.

Road construction target of last three years

3033. SHRI Y.S. CHOWDARY: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether Government has fixed any target for construction of roads and highways during the last three years across the country;
- (b) if so, the details thereof;
- (c) whether the targets have been achieved; and
- (d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA):

(a) to (d) The details of target set by this Ministry for construction of National Highways (NHs) and achievements thereof during the last three years across the country are as under:

Sl.No.	Name of the Scheme	2009-10		2010-11		2011-12	
		Target	Achieve-ment	Target	Achieve-ment	Target	Achieve-ment (prov)
1	2	3	4	5	6	7	8
1.	National Highways Development Project (NHDP)						
	(i) Widening to four lanes (Kms)	3165	2693	2500	1780	2500	2248
	(ii) Construction of Bridges (Nos)	2	0	2	0	1	0
	(iii) construction of bypasses (Nos)	13	3	12	5	7	0
2.	Non-NHDP						
	(i) Improvement of low grade Section (kms)	20	31	1	1	20	16

1	2	3	4	5	6	7	8
(ii)	widening to four lane (kms)	79	69	138	99	104	74
(iii)	Widening to two lane (kms)	1321	1234	1117	1042	1070	782
(iv)	Strengthening of weak pavement (kms)	1058	1013	1213	1016	1080	675
(v)	Improvement of riding quality (kms)	2510	3168	2307	2026	1672	2510
(vi)	Rehabilitation/ construction of bridges (Nos)	132	122	187	103	129	92
(vii)	Construction of bypasses (Nos)	6	0	15	3	7	3
(viii)	Construction of missing link (kms)	9	3	3	0	0	0

The projects have been delayed due to various reasons such as delay in land acquisition, shifting of utilities, obtaining environment, forest clearances and railway approvals, poor performance of contractors and law and order problems in some States.

Proposal of flyover at NH-31

3034. SHRI KUMAR DEEPAK DAS: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the details of the proposal of flyover at Ch 1001.2 of NH 31 at Simlguri chowk in Barpeta Road Town;

(b) whether the proposal for the construction of the said flyover will be completed within 2012 before the ASOM Sahitya Sabha Barpeta Road Session 2013 for good traffic worthy road; and

(c) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) The proposal of flyover at ch 1001.2 of NH-31 at Simlguri chowk in Barpeta Road Town has been agreed in principle.

(b) and (c) No, Sir. However, the 4-laning work is targeted to be completed before the ASOM Sahitya Sabha Barpeta Road Session 2013 for good traffic worthy road condition.

Project of NHAI in Punjab

3035. SHRI BALWINDER SINGH BHUNDER: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the various projects of NHAI in Punjab;
- (b) the status of each project, project-wise;
- (c) the number of projects that are being delayed and the reasons for delay, project-wise,
- (d) the cost overrun for each delayed project project-wise; and
- (e) the efforts that have been made to complete the project within the time or extended time?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) The details are given the Statement-I. (*See below*)

(c) to (e) The details are given in the Statement-II

Statement-I

Detail of various projects of NHAI in Punjab and their status

SI.No.	Project	Length (km)	Status
1.	Four laning of Jalandhar-Amritsar Section of NH-1	49.00	Completed
2.	Four laning of Amritsar-Wagah Section of NH-1	35.93	Completed
3.	Four laning of Kurali-Kiratpur Section of NH-21	42.9	Completed

Sl.No.	Project	Length (km)	Status
4.	Four laning of Ambala-Zirakpur Section of NH-21 and 22	35.096	Completed
5.	Six laning of Panipat-Jalandhar Section of NH-1	175.1	Under Progress (Punjab Portion only)
6.	Four laning of Pathankot-Jammu Section of NH-1A	19.65	Under Progress
7.	Four laning of Mukerian-Pathankot Section of NH-1A	40.00	Under Progress
8.	Four laning of Bhogpur-Mukerian Section of NH-1A	44.00	Under Progress
9.	Four laning of Pathankot-Amritsar Section of NH-15	102.40	Under Progress
10.	Four laning of Ludhiana-Talwandi Section of NH-95	78.00	Yest to be started

Statement-II*Details of delayed projects*

Sl. No	Name of the project	Cost overrun (Rs. In cr.)	Reasons of delay	Efforts made to complete the project
1	2	3	4	5
1.	Four laning of Pathankot-Jammu Section of NH-1A	23.245	Land acquisition, transfer of Army land to NHAI, slow sinking of well of bridges due to Rocky/bouldary strata, shifting of utilities by State agencies.	Regular meeting are being held under chairmanship of Secretary PWD cum Nodal Officer of Govt. of Punjab to resolve the issue of land acquisition/transfer, shifting of utility and forest land.
2.	Four laning of Mukerian-Pathankot Section of NH-1A	51.288		

	1	2	3	4	5
3.	Four laning of Bhogpur-Mukerian Section of NH-1A		Reawarded	Termination of original contract and re-award of the project	
4.	Six laning of Panipat-Jalandhar section of NH-1		Nil (BOT project)	Forest clearance, tree cutting etc.	Forest Diversion approvals have been obtained to a larger extent and tree cutting has almost been completed. The concessionaire is being continuously directed to expedite the progress.

Transparency in Tendering Process

3036. SHRI PARSHOTTAM KHODABHAI RUPALA:
SHRI BHARATSINH PRABHATSINH PARMAR:

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) the action that has been taken by Ministry to bring more transparency in tendering process and functioning of NHAI;

(b) the number of officials who have been suspended by NHAI on their alleged charges of corruption within last five years;

(c) whether NHAI has taken back such suspended officials in service; if so, the details thereof; and

(d) the action that has been taken by Vigilance Department of NHAI for field officials who are working in the same State for more than five years, as it may impact on transparency of functioning of NHAI?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) All National Highways Development Project (NHDP) projects are awarded through the process of open international competitive bidding. The award process follows the Guidelines for Public Private Partnership (PPP) projects and procedures as laid down in the standard bidding documents *i.e.* Request for Qualification (RFQ)/Request for Proposal (RFP) documents approved by the Government. For free, fair, transparent and fearless participation by bidders, e-tendering has also been introduced in National Highways Authority of India (NHAI) bringing in absolute transparency, as per which the

bidders can even see their status in each tendering process online. The existing bidding process is already transparent, however, e-tendering has its own advantages and it is certainly an important step at improving the transparency further and instilling public confidence in public procurement. National Informatics Centre (NIC) has taken up the e-tendering process for the NHAI for the highway projects from the year 2011-12 onwards.

(b) and (c) Four officers have so far been suspended by NHAI in the last five years on charges of corruption and none has been reinstated.

(d) The Vigilance Division of the NHAI had advised to undertake rotation of officers who have completed more than four years at a particular place. In compliance therewith rotation of the officers of the level of General Managers has already been undertaken, subject to availability of suitable personnel.

Fake driving institutes

3037. SHRI RAJKUMAR DHOOT: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that fake driving institutes are imparting driving techniques to the people in the National Capital and other parts of the country;

(b) if so, the details thereof; and

(c) the action that Government proposes to take against such fake driving institutes?

MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS SHRI TUSHAR BHAI CHAUDHARY: (a) and (b) No such complaint has come to the notice of this Ministry.

(c) Does not arise.

Construction of tunnel at Zojila

3038. PROF. SAIF-UD-DIN-SOZ: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the Ministry is aware that the construction of a tunnel at Zojila is advantageous not only for the people of Ladakh region but also for the national strategic interests;

(b) whether the survey that the Ministry had undertaken stands completed; and

(c) if so, when does the Ministry want to start the constructions?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) Yes Sir;

(b) and (c) The survey/feasibility work is in progress.

Better Road Networking System

‡3039. SHRI ISHWARLAL SHANKARLAL JAIN: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether any concrete steps have been taken for developing better road networking system to address the transport and traffic problem in cities like Mumbai, Delhi, Hyderabad, Kolkata, Pune and Nagpur;

(b) if so, the details thereof; and

(c) the details of the steps/policies/efforts made continuously by Government to tackle the transport and traffic problems in the cities?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) This Ministry is primarily responsible for development and maintenance of National Highways (NHs). The development of NHs, including construction of bypasses, ring roads around cities, etc., to alleviate traffic congestion, is a continuous process. Accordingly such works are being taken up under National Highways Development Project (NHDP) and various other programmes depending upon their requirements, *inter-se* priority and availability of funds.

(c) The measures to improve and encourage public transport is a joint endeavour of the Central, State and Local Governments. For popularizing the public transport, Central Government is emphasizing on providing quick, comfortable, reliable, safe, affordable and quality public transport. Central Government is also supporting various public transport projects such as Metro Rail, Bus Rapid Transport System and modern city bus services. This Ministry implemented a scheme during Eleventh Five Year Plan for providing one time central assistance to the extent of 50% of the project cost for Information Technology related projects to States/State Road Transport Undertakings (SRTUs) for strengthening their public transport system.

Irregularities in tax free infrastructure bonds

3040. DR. K.P. RAMALINGAM: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the National Highways Authority of India missed its

‡Original notice of the question was received in Hindi.

construction target 2011-12 as it has developed only 1200 km of National Highways till December, 2011 against its target of 2500 km in 2011-12;

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

(c) whether the Planning Commission has also pointed out irregularities in the sale of Rs. 100 billion tax free infrastructure bonds launched by NHAI; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) Against the target of construction of 2500 kms. of roads for the year 2011-12, a length of 2248 kms have been constructed and upto December, 2011 against the target of 1630 kms, a length of 1260 kms of road were constructed. The projects have been delayed due to various factors such as poor performance of contractors, delays in obtaining forest/wildlife/railway clearances, law and order problems in some States, delay in land acquisition, etc.

(c) and (d) The reference received from the planning Commission is under examination.

Accident free roads

3041. SHRI T.M. SELVAGANAPATHI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that India accounts for highest number of road accidents in the world;

(b) whether it is also a fact that the country is loosing several thousand crores of rupees on account of road accidents;

(c) whether it is a fact that Government has asked the developers to design accident free roads; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHAR BHAI CHAUDHARY): (a) No, Sir. As per 'World Road Statistics' (WRS) 2010, brought out by the International Road Federation, Geneva, United States of America (USA) had reported the maximum number of injury accidents at 16,30,000, followed by Japan at 7,66,147 and India at 4,84,704 road accidents for the year 2008.

(b) The Working Group on Road Accidents, Injury Prevention and Control set up by the Planning Commission in the year 2000 had assessed the social cost of road accidents in India at Rs. 55,000 crore which constituted about 3% of the Gross Domestic Product (GDP) of the country in the year 1999-2000.

(c) and (d) Road accidents occur due to human factors, road design and vehicle defects. Engineering measures are being undertaken by providing service roads, vehicular underpasses, foot over bridges, grade separated intersections etc. in addition to design measures of alignment, road geometry and traffic calming measures by placing of road signages, road markings, delineators etc. in order to make roads accident free.

Failure of 20 km. per day road building

3042. SHRIMATI SMRITI ZUBIN IRANI: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether it is a fact that the Ministry failed to achieve the target of building road 20 km. per day in the year 2011-12;

(b) if so, the details thereof mentioning therein the per day km. target achieved in 2011-12; and

(c) the reasons for such a low target achievement and how it will rectify this target achievement in the coming financial year?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRIJITIN PRASADA): (a) and (b) The target achieved on an average during 2011-2012 is 10.39 km. per day. During 2011-2012 as against a target of 2500 km of National Highways, the National Highways Authority of India (NHAI) has completed construction of 2248 km. *i.e.* 6.16 km per day. In addition during 2011-2012 this Ministry has also completed construction of 1547 km. *i.e.* 4.23 km./day of National Highways through State PWDs and Border Roads Organization.

(c) Highway projects have a gestation period of about three years from the date of start of the work. To meet the target of construction at an average rate of 20 km. per day *i.e.* almost 7,000 km per year, it is essential that at any given point of the time, there should be almost three times of this length *i.e.* about 20,000 km of roads were awarded and under construction. NHAI awarded only 5237 km. during period 2007-08 to 2009-10. This comparatively lower quantum of award in previous years affected the completion rate. Progress in implementation has also been affected by poor performance of some contractors, delay in obtaining forest/wild life clearances from Ministry of Environment and Forest, railway clearances, law and order problems

in some states, delay in land acquisition etc. NHAI has begun the process of accelerating the pace of award of projects to achieve the target of construction. NHAI awarded 5,059 km in 2010-11 and 6491 km in 2011-12. Target for the award of projects by NHAI for the year 2012-13 is 8800 km. In order to expedite implementation of projects Regional Offices each headed by Chief General Managers have been set up by NHAI for close monitoring of implementation of projects. Achievement of targets is being monitored closely. Projects are periodically reviewed at field offices and at Head Quarter.

Poor road quality in country

3043. SHRI SANJAY RAUT: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether it is a fact that quality of roads being constructed in the country is poor and substandard;
- (b) whether any standard evaluation has been done after roads are constructed;
- (c) whether it is a fact that vehicle owners have to spend Rs. 2000 crores for getting their vehicles repaired due to pathetic roads; and
- (d) the steps the Ministry is taking to provide long lasting roads to the public?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) No, Sir.

(b) During construction and after completion of works, the necessary quality checks and tests are carried.

(c) No, Sir.

(d) In order to assure the quality of National Highway (NH) works, the quality control tests and checks are carried out in accordance to the Government directives issued *vide* Ministry's Specifications for Road and Bridge Works and relevant guidelines of Indian Road Congress.

Transparency in award of contracts

3044. SHRI RAJIV PRATAP RUDY: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether Government is taking adequate measures to ensure transparency in the award of contracts in construction of roads and highways;

- (b) if so, the details thereof;
- (c) whether there have been several cases of violations by contractors reported in such contracts; and
- (d) if so, the details thereof and whether action has been taken against such contractors?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): (a) and (b) In order to ensure transparency in the award of National Highway Development Projects, tenders are invited through publication in Newspapers with wide circulation. Tendering process is also hosted on NHAI website. Bids are invited on e-tendering mode. The Request for Qualification (RFQ)/Request For Proposal (RFP) document and its addendum, clarifications etc, important dates, list of bidders, etc. are also hosted on NHAI website for transparency in tendering process.

- (c) No, Sir.
- (d) Does not arise.

Reducing road accidents

3045. DR. K.P. RAMALINGAM: Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) whether the number of road accidents and fatalities has reduced in developed countries such as US and UK, whereas the toll has increased significantly in our country from 1.20 lakh in 2008 to 1.34 lakh in 2010;
- (b) if so, the details thereof and whether our country's 20 billion dollars losses due to road accidents annually which the WHO estimates enough to feed 50 per cent of the nations malnourished children; and
- (c) if so, the details thereof and the steps taken by Government to reduce road accidents in the country?

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI TUSHAR BHAI CHAUDHARY): (a) and (b) Yes Sir. Based on the 'World Road Statistics' (WRS) 2010, brought out by the International Road Federation, Geneva, the details of road accidents and fatalities for the year 2008 (the latest available data) are given in the Table below:

Number of road accident and number of fatalities

Countries	Number of accidents		Number of Fatalities	
	2007	2008	2007	2008
United States of America	17,48,435	16,30,000	41,259	37,261
United Kingdom	1,82,115	1,76,801	2,946	2,538
India	4,79,216	4,84,704	1,14,444	1,19,860

Sources: 1. WRS for USA and UK

2. Ministry of Road Transport and highways for India

The number of fatalities in road accidents in India has increased from 1,14,444 in 2007 to 1,19,860 in 2008.

The Working Group on Road Accidents, Injury Prevention and Control set up by the Planning Commission in the year 2000 had assessed the social cost of road accidents in India at Rs. 55,000 crore which constituted about 3% of the Gross Domestic Product (GDP) of the country in the year 1999-2000.

(c) The Ministry has taken the following steps to minimize road accidents in the country:

- (i) The Government has already approved a National Road Safety Policy. This Policy outlines various policy measures such as promoting awareness, establishing road safety information data base, encouraging safer road infrastructure including application of intelligent transport, enforcement of safety laws etc.
- (ii) The Government has constituted National Road Safety Council as the apex body to take policy decisions in matters of road safety. The Ministry has requested all States/UTs for setting up of State Road Safety Council and District Road Safety Committees.
- (iii) The Ministry has adopted a multi pronged strategy to address the issue of road safety based on four E's of Road Safety viz. (i) Education (ii) Enforcement (iii) Engineering (roads as well as vehicles) and (iv) Emergency care .
- (iv) Road safety has been made an integral part of road design at the planning stage.

- (v) Road Safety Audit of selected stretches of National Highways/ Expressways.
- (vi) Establishment of driving training institutes.
- (vii) Tightening of safety standards of vehicles like helmets, seat belts, power-steering, rear view mirror.
- (viii) Publicity campaigns on road safety awareness.

Cargo handled at major and minor ports

3046. SHRI RAJIV PRATAP RUDY: Will the Minister of SHIPPING be pleased to state:

- (a) whether there has been an increase in cargo handled over the last three years in the major and minor ports in the country;
- (b) if so, the details thereof;
- (c) whether Government is taking steps to ensure that ports are also modernised with infrastructure facilities to handle the same; and
- (d) if so, the details of the steps taken?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) Yes, Sir.

(b) Traffic handled at Major ports over the last three years:

Ports	2009-10	2010-11	2011-12
Major Ports	561.09	570.03	560.15
Minor Ports	288.80	314.79	370.00*
TOTAL	849.89	884.82	930.15

(* Tentative)

- (c) and (d) Yes, Sir. The Government is taking the following steps:-
 - (i) Deepening of Channels for Improvements in Drafts.
 - (ii) Construction of jetties, berths, etc.
 - (iii) Procurement, Replacement or Up gradation of Port Equipment.
 - (iv) Improvement of Rail/ Road projects.
 - (v) Other capacity addition projects including backup facilities.

Share of inland water transport

3047. SHRI P. RAJEEVE: Will the Minister of SHIPPING be pleased to state:

(a) the share of Inland Water Transport in domestic surface transport, as compared to that of road and rail;

(b) the reasons of low share of Inland Water Transport in domestic surface transport, as compared to that of road and rail;

(c) whether Inland Water Transport has lower operating costs and lesser environmental pollution than road and rail: and

(d) the steps being taken to develop Inland Water Transport?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) According to the 'Total Transport System study on Traffic Flows and Modal Costs' Report (2009) prepared by M/s. RITES Ltd. for Planning Commission, the share of Inland Water Transport (IWT) in the total domestic transport during 2007-08 was 0.24% compared to 50.12% of road and 36.06% of rail in terms of tonne km, while in terms of tonnes, the share of IWT was 2.15% compared to 61.01% of road and 30.08% of rail.

(b) Inadequate development of the overall IWT infrastructure including inland vessels for transportation of cargo, particularly in the eastern and north-eastern regions are the main reasons for IWT's low share in domestic surface transport.

(c) Yes, Sir.

(d) The Inland Waterways Authority of India (IWAI) was constituted for development and regulation of the IWT sector in October 1986 after which five waterways have been declared as national waterways for their systematic development for shipping and navigation.

IWAI strives to promote inland water transport infrastructure by providing the targeted depth and width for most part of the year in the navigational channels; aids for day and night navigation; fixed/floating terminals at selected locations for berthing and loading/unloading of vessels; and intermodal connectivity at selected locations.

Further, for development of waterways of North-Eastern region by the respective State Governments, there exists a central sector plan scheme under which 100% grant is provided by the Ministry of Shipping to the States.

Jawaharlal Nehru Port Trust

3048. SHRI TARIQ ANWAR: Will the Minister of SHIPPING be pleased to state:

(a) whether it is a fact that roads leading to Jawaharlal Nehru Port Trust has been blocked recently.

- (b) if so, the details thereof;
- (c) the estimated loss due to the block; and
- (d) the reasons for the block?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) to (d) Yes, Sir. From 26th to 29th March, 2012, the road leading to Jawaharlal Nehru Port Trust was blocked due to agitation for extending the benefit of allotment of land to JNP Affected Person (PAPs) in line with CIDCO's scheme for its PAPs. During the period of agitation, the Port operations were affected. The estimated loss to JNPT was Rs. 8.00 crores due to the agitation. Besides, Private Operators, CFS's in and around the port, Tank farm Operators etc. also suffered losses.

Indian Ports Limited

3049. SHRI BALWINDER SINGH BHUNDER: Will the Minister of SHIPPING be pleased to state:

- (a) whether Government has established Indian Port Limited with a view to invest in overseas port;
- (b) if so, the details in this regard and its funding pattern;
- (c) whether the proposal has been approved by Department of Expenditure; and
- (d) if not, how the Indian Port Limited has been established without approval and functioning also?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) No, Sir.

- (b) Does not arise.
- (c) No, Sir.
- (d) Does not arise.

Collaboration with Mozambique on maritime security

3050. SHRIMATI T. RATNA BAI: Will the Minister of SHIPPING be pleased to state:

- (a) whether Government is working with Mozambique on maritime security;
- (b) if so, the details thereof; and
- (c) the MoUs signed so far and the benefit India will get from such MoUs?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) Yes, Sir.

(b) and (c) India has signed a Memorandum of Understanding (MoU) on Defence Cooperation with Mozambique in March, 2006. This MoU covers various areas, including the maritime patrolling of Mozambican Coast by mutual consent of parties. Indian side is cooperating with Mozambican side in maritime patrolling to ensure the security of Indian maritime trade.

Vallarpadam Terminal

3051. SHRI K.N. BALAGOPAL: Will the Minister of SHIPPING be pleased to state:

(a) whether Government is planning to give relaxation in Cabotage restriction for Vallarpadam Terminal in Kochi to attract more cargos;

(b) if so, the details thereof;

(c) the details of comparative statement of port charges in different heads among all important ports in India; and

(d) the measures Government is planning to implement, apart from mere relaxation of Cabotage restrictions, to attract more traffic in Vallarpadam Terminal?

THE MINISTER OF SHIPPING (SHRI G.K. VASAN): (a) and (b) No decision has been taken so far to give relaxation in Cabotage restriction for Vallarpadam Terminal in Kochi. However, this Ministry has received representations from various groups in favour of and against the cabotage restrictions.

(c) Details of comparative statement of port charges in different heads among important ports handling container cargo are given in the Statement. (*See below*).

(d) Port has given concession to the mainline vessels and feeder vessels to match the marine-related charges with other international ports in order to attract more traffic at Vallarpadam Terminal.

Statement

Comparative Statement of Port Charges

Name of the Port	Port Dues	Pilotage		Birth Hire Charges		Cargo related charges
		Description	Foreign going Vessels in US \$	Description	Foreign going Vessels in US \$	Foreign going in US \$
1	2	3	4	5	6	7
Visakhapatnam	Foreign going Vessels: US \$ 0.2553 US\$ 0.2553	Upto and Inclusive of 30000 GRT	0.4505	Iron ore and Pellets (Mech.)	0.00726	3780
		30001 to 60000 GRT	13515+0.3604 per GRT over 30000 GRT	Upto 42000 GRT	0.00344 (subject to a minimum of 304.92 US \$)	
		60001 and above GRT	24327 + 03153 per GRT over 60000 GRT	Above 42000 GRT	0.00115	
		Minimum charges payable		POL vessels upto 30000 GRT	0.00153	
			1285	Above GRT 300000	0.00284	
				Residual Category (i) Crane berths up 30000 GRT	0.00382	
				Above 30000 GRT	0.00115	
				(ii) Non-Crane berths Upto 30000 GRT		

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1	2	3	4	5	6	7
				Above 30000 GRT	0.00153	
VO.	1. Ships/Steamers.	Upto 3000	0.2728	Upto 3000	0.0029	
Chidambaranar	US \$ 0.2014	3011-10000	0.2728	3011-10000	0.0019	
		10001-15000	0.2022	10001-15000	0.0025	2,389
		15001-20000	0.2924	15001-20000	0.0031	
	2. Sailing Vessels	20001-25000	0.3027	20001-25000	0.0042	
	US \$ 0.1007	25000-30000	0.3129	25000-30000	0.0046	
		Above 30001	0.3232	Above 30001	0.0050	
Chennai	Vessels chargeable	Upto 3000	0.389	Any Volume	0.00289	3298-3321
	(All types of sea	3011-10000	0.269	of GRT	per GRT	
	going vessels	10001-15000	0.310			
	including Lash	15001-30000	0.357			
	Barges) US \$ 0.2047	30001-60000	0.507			
		Above 60001	0.587			
JNPT	Bulk Vessels	Upto 30000	0.2381	Container Berth	0.0037	2125 to 2550
	US \$ 0.1386	30000-60000	0.1908	Anchorage Berth	0.0018	
	Container Vessels.	Above 60000	0.1669			
	US \$ 0.1071					

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Written Answers to

[RAJYA SABHA]

Unstarred Questions

Rehabilitation of Scavengers

3052. DR. BHALCHANDRA MUNGEKAR: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether in 2006, the Planning Commission promised complete elimination of the abhorrent practice of manual scavenging through effective measures of liberation and rehabilitation of scavengers such as sustainable employment and income generation activities;

(b) how many manual scavengers have received Government help and were taken out of scavenging since then; and

(c) please provide a State-wise breakup of people still engaged in the occupation of manual scavenging?

THE MINISTER OF THE STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) Eleventh Plan document of the Planning Commission, *inter alia*, stated that a new Scheme for rehabilitation of the remaining Manual Scavengers, in a time bound manner, has been formulated. This Scheme, called 'Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS)', was launched in January, 2007.

(b) Under SRMS 78,941 manual scavengers and their dependents were provided financial assistance for their rehabilitation in alternative occupations upto June, 2010. Subsequently 739 additional beneficiaries were covered under the Scheme.

(c) As per 'Houselisting and Housing Census, 2011, data released by the Registrar General of India, there are 7,94,390 latrines in the countr from which night soil is removed, by humans. State/UT-wise details are given in the Statement (*See* below). However, the number of persons still engaged in manual scavenging is not available.

Statement

State/UT-wise No. of Latrines which are serviced manually

Sl. No.	State/UT	No. of Households having latrines, serviced manually
1	2	3
1.	Andaman and Nicobar Islands	11
2.	Andhra Pradesh	10,357
3.	Arunachal Pradesh	1,059

1	2	3
4.	Assam	22,139
5.	Bihar	13,587
6.	Chandigarh	Nil
7.	Chhattisgarh	736
8.	Dadra and Nagar Haveli	168
9.	Daman and Diu	16
10.	Goa	Nil
11.	Gujarat	2,566
12.	Haryana	1,343
13.	Himachal Pradesh	310
14.	Jammu and Kashmir	178,443
15.	Jharkhand	1,836
16.	Karnataka	7,740
17.	Kerala	3,013
18.	Lakshadweep	Nil
19.	Madhya Pradesh	5,664
20.	Maharashtra	9,622
21.	Manipur	10,062
22.	Meghalaya	1,962
23.	Mizoram	121
24.	Nagaland	786
25.	NCT of Delhi	583
26.	Odisha	26,496
27.	Puducherry	133
28.	Punjab	3,465
29.	Rajasthan	2,572
30.	Sikkim	Nil
31.	Tamil Nadu	27,659
32.	Tripura	830
33.	Uttar Pradesh	326,082
34.	Uttarakhand	4,701
35.	West Bengal	130,330
	TOTAL	794,390

Autism in the country

3053. SHRI BAISHNAB PARIDA:
SHRI JESUDASU SEELAM;

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) the status of autism in the country;
- (b) whether there is a rising trend of this menace;
- (c) if so, the details thereof;
- (d) whether Government is proposing to educate the parents with limited resources about such disabled children:
- (e) if so, the details thereof; and
- (f) the action plan of Government to set up facilities with professional community for intervention based help to help the above children?

THE MINISTER OF THE STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) to (c) There is no record of enumeration of autistic persons in the country as autism has not been covered as a separate category either for the purpose of census by the Registrar General of India or for survey by the National Sample Survey Organization (NSSO).

(d) and (e) National Trust, an autonomous body set up under the “National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999” is taking a number of steps to educate the parents of such children. A country-wide mass disability awareness programme ‘Badhte Kadam’ is being organized for the last four years to create awareness about Autism and other development disabilities. An Early Intervention Programme/Day Care Scheme ‘Aspiration’ is being run at 79 places in the country to train and educate parents of these children.

In addition, National Trust has been conducting Early Intervention Training Programme to train NGOs and other professionals working in this field. A multimedia tool kit to train parents of children with these disabilities has also been developed and distributed among the Registered Organizations of National Trust,

(f) National Trust has prepared an action plan to train all its Registered Organizations (around 850) in the country and establish Early Intervention Centres in all such Organizations to provide all types of help to these children and their parents.

Cases prosecuted under Scheduled Caste Untouchability Act of India

3054. SHRI NANDI YELLAIAH: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the total number of cases prosecuted under Scheduled Caste (Prevention of Atrocity) Act in India, State-wise and District-wise, during 2008-09, 2009-10 and 2010-11; and

(b) the total number of cases under Scheduled Caste (Prevention of Atrocity) Act having been established as false, State-wise and District-wise during 2008-09, 2009-10 and 2010-11?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) According to available information provided by the National Crime Records Bureau (NCRB), Ministry of Home Affairs, State/Union Territory wise, number of cases prosecuted under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 Act, during calendar years 2008-2010, is given in the Statement-I (*See* below). NCRB does not maintain district wise data in this regard.

(b) Number of cases found false on account of mistake of fact or law under the aforesaid Act during calendar year 2008-10 is given in the Statement-II (*See* below). NCRB does not maintain district wise data in this regard.

Statement-I

State/UT wise number of cases prosecuted under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, during calendar years 2008, 2009 and 2010.

Sl. No.	States/UTs	Total number of cases:					
		For trial including pending cases			Pending with courts at the end of the year		
		2008	2009	2010	2008	2009	2010
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	7119	7454	7730	5128	5177	5410
2.	Arunachal Pradesh	218	231	269	218	231	265
3.	Assam	313	312	282	267	257	255
4.	Bihar	8186	8820	9235	6875	6872	7776
5.	Chhattisgarh	3670	3747	3851	2711	3053	2968

1	2	3	4	5	6	7	8
6.	Goa	5	7	8	4	7	8
7.	Gujarat	10138	10094	10368	8838	9256	9437
8.	Haryana	794	852	858	643	576	555
9.	Himachal Pradesh	235	230	208	175	152	167
10.	Jharkhand	1498	1770	1769	1143	1193	1195
11.	Karnataka	7683	7670	7863	5855	5871	6044
12.	Kerala	1432	1546	1629	1178	1214	1398
13.	Madhya Pradesh	19754	17507	18160	13486	13535	13590
14.	Maharashtra	7874	8196	8356	6959	7234	7262
15.	Manipur	0	0	0	0	0	0
16.	Meghalaya	1	0	0	1	0	0
17.	Mizoram	0	0	0	0	0	0
18.	Nagaland	0	0	0	0	0	0
19.	Odisha	8693	9195	10602	7668	8279	8826
20.	Punjab	318	342	315	262	264	252
21.	Rajasthan	12281	12868	13400	10132	10748	11524
22.	Sikkim	40	38	22	17	16	22
23.	Tamil Nadu	3350	3398	3635	2561	2590	2839
24.	Tripura	43	45	51	21	11	21
25.	Uttar Pradesh	30215	29751	27527	24172	23336	19939
26.	Uttarakhand	314	274	232	230	209	154
27.	West Bengal	54	57	82	47	55	79
28.	Andman and Nicobar Islands	23	24	25	23	24	19
29.	Chandigarh	4	3	3	4	3	3
30.	Dadra and Nagar Haveli	26	30	30	21	26	27
31.	Daman and Diu	3	2	2	2	2	1
32.	Delhi	58	69	68	53	65	49
33.	Lakshadweep	1	1	1	1	1	1
34.	Puducherry	7	5	12	4	5	12
TOTAL		124350	124538	126593	98699	100262	100098

Note: The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, does not extend to State of Jammu and Kashmir.

Statement-II

State/UT wise number of cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, cases found false on account of mistake of fact during calendar years 2008, 2009 and 2010.

Sl. No.	States/UTs	Number of cases charge found false/mistake of fact or law etc.		
		Calendar Year		
		2008	2009	2010
1	2	3	4	5
States				
1.	Andhra Pradesh	1872	2398	2199
2.	Arunachal Pradesh	0	0	0
3.	Assam	57	32	11
4.	Bihar	340	564	405
5.	Chhattisgarh	17	11	1
6.	Goa	0	0	0
7.	Gujarat	27	47	24
8.	Haryana	61	71	88
9.	Himachal Pradesh	33	36	28
10.	Jharkhand	63	82	47
11.	Karnataka	415	367	525
12.	Kerala	75	152	134
13.	Madhya Pradesh	76	42	62
14.	Maharashtra	119	107	116
15.	Manipur	0	0	0
16.	Meghalaya	0	0	0
17.	Mizoram	0	0	0
18.	Nagaland	0	0	0
19.	Odisha	229	246	323
20.	Punjab	52	41	22
21.	Rajasthan	2844	3284	3437
22.	Sikkim	0	7	0

1	2	3	4	5
23.	Tamil Nadu	519	479	300
24.	Tripura	0	1	1
25.	Uttar Pradesh	846	1231	906
26.	Uttarakhand	3	3	2
27.	West Bengal	1	0	0
Union Territories				
28.	Andman and Nicobar Islands	0	0	0
29.	Chandigarh	0	0	0
30.	Dadra and Nagar Haveli	2	5	1
31.	Daman and Diu	0	0	0
32.	Delhi	3	4	3
33.	Lakshadweep	0	0	0
34.	Puducherry	6	8	0
TOTAL		7660	9218	8635

*Note:*The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, does not extend to State of Jammu and Kashmir.

DDRC working in country

3055. SHRI ISHWAR SINGH: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the number of District Disability Rehabilitation Centres functioning in the country, State-wise;

(b) whether all the districts in the country are covered by DDRCs;

(c) if so, the details thereof; and

(d) the total amount spent and sanctioned for DDRCs during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) to (c) A total of 215 District Disability Rehabilitation Centres (DDRCs) are functioning in the country at present. Statement indicating, State-wise list of these DDRCs is given in Statement (*See* below).

(d) The total amount sanctioned for DDRCs during the financial year 2009-10, 2010-11 and 2011-12 is Rs. 201.08 lakh, Rs. 590.77 lakh and Rs. 410.09 lakh respectively.

Statement

List of 215 functioning DDRCs

Sl. No.	State/UT	Name of DDRC
1.	Andaman and Nicobar	Port blair
2.		Nicobar
3.	Andhra Pradesh	Vishakapatnam
4.		Anantpur
5.		Karimnagar
6.		Srikakulam
7.		East Godavari
8.		Vizianagaram
9.		Kurnool
10.		Prakasam
11.		Nellore
12.		Cuddapah, Kadapa
13.		Chittoor
14.		Nalgonda
15.		Warangal
16.	Arunachal Pradesh	Itanagar
17.		Tawang
18.		East Kamang
19.	Assam	Tezpur
20.		Dibrugarh
21.		Silchar
22.		Karimganj
23.		Dhubri
24.		Nagaon
25.		Jorhat

Sl. No.	State/UT	Name of DDRC
26.	Asam	Barpeta
27.	Bihar	Darbhangha
28.		Gaya
29.		Banka
30.		Muzaffarpur
31.		Chapra
32.		Kishanganj
33.		Nawada
34.		Jehanabad
35.		Samastipur
36.		Begusarai
37.		East Champaran
38.		Kaimur
39.		Madhubani
40.		Bhojpur
41.		Araria
42.		Aurangabad
43.		Vaishali (Hajipur)
44.		Purnia
45.		Supaul
46.		Sitamarhi
47.		West Champaran
48.	Chhattisgarh	Raipur
49.		Raigarh
50.		Durg
51.		Rajnandgaon
52.		Jashpur
53.		Bastar
54.	Dadra and Nagar Haveli	Silvassa
55.	Daman and Diu	Diu

Sl. No.	State/UT	Name of DDRC
56.	Goa	Panaji
57.	Gujarat	Surat
58.		Jamnagar
59.		Ahmedabad
60.		Vadodara
61.		Rajkot
62.		Bhavnagar
63.		Surendranagar
64.		Nadiad
65.		Junagarh
66.		Sabarkantha
67.		Banaskantha
68.	Haryana	Rohtak
69.		Kurukshetra
70.		Sonepat
71.		Hissar
72.		Fatehbad
73.	Himachal Pradesh	Shimla
74.		Dharamsala
75.		Kinnaur
76.	Jammu and Kashmir	Udhampur
77.		Leh
78.		Anantnag
79.		Doda
80.		Baramulla
81.	Jharkhand	Ranchi
82.		Hazaribag
83.		Dumka
84.		Jamshedpur
85.		Dhanbad
86.		Palamu

Sl. No.	State/UT	Name of DDRC
87.	Karnataka	Bellary
88. -		Belgaum
89.		Mangalore
90.		Tumkur
91.		Gulbarga
92.		Mandya
93.		Bidar
94.		Kolar
95.	Kerala	Kozhikode
96.		Thrissur
97.		Thiruvananthapuram
98.	Madhya Pradesh	Balaghat
99.		Rewa
100.		Sagar
101.		Indore
102.		Jhabua
103.		Gwalior
104.		Rajgarh
105.		Ujjain
106.		Satna
107.		Khargaone
108.		Khandwa
109.		Agar
110.		Alote (Ratlam)
111.		Jawad
112.		Dewas
113.		Mandsaur
114.		Damoh
115.		Shivpuri

Sl. No.	State/UT	Name of DDRC
116.	Madhya Pradesh	Chindwara
117.		Guna
118.		Vidisha
119.		Sehore
120.		Jabalpur
121.	Maharashtra	Kolhapur
122.		Buldana
123.		Wardha
124.		Latur
125.		Aurangabad
126.		Sindhudurg
127.		Dadar/Mahim
128.		Gondia
129.		Amravati
130.	Manipur	Imphal
131.		Thoubal
132.		Churachandpur
133.	Meghalaya	Shillong
134.		East Garo Hills
135.		Jantia Hills
136.	Mizoram	Aizwal
137.		Lunglei + Lunglit
138.		Kolasib + Mamit
139.	Nagaland	Dimapur
140.	Odisha	Kalahandi
141.		Sambalpur
142.		Mayurbhanj
143.		Koraput
144.		Phulbani
145.		Ganjam

Sl. No.	State/UT	Name of DDRC
146.	Odisha	Nabrangpur
147.		Keonjhar
148.	Punjab	Patiala
149.		Sangrur
150.		Ferozepur
151.		Bhatinda
152.		Hoshiarpur
153.		Moga
154.		Nawanshahr
155.	Puducherry	Puducherry
156.		Karaikal
157.	Rajasthan	Ajmer
158.		Jodhpur
159.		Udaipur
160.		Jhunjhnu
161.		Bikaner
162.		Jaisalmer
163.		Tonk
164.		Jalore
165.		Pali
166.		Bharatpur
167.		Bhilwara
168.	Sikkim	Gangtok
169.	Tamil Nadu	Veilore
170.		Thoothukudi
171.		Madurai
172.		Salem
173.		Virudhunagar
174.		Kanyakumari
175.		Perambalur

Sl. No.	State/UT	Name of DDRC
176.	Tripura	Agartala
177.		Dhalai
178.		North Tripura
179.		South Tripura
180.	Uttar Pradesh	Gorakhpur
181.		Mau
182.		Gonda
183.		Varanasi
184.		Agra
185.		Meerut
186.		Allahabad
187.		Balia
188.		Jhansi
189.		Farrukhabad
190.		Pilibhit
191.		Hardoi
192.		Moradabad
193.		Deoria
194.		Saharanpur
195.		Jaunpur
196.		Azamgarh
197.		Rampur
198.		Aligarh
199.		Bulanshahr
200.		Ambedkar Nagar
201.		Raibarielly
202.		Muzaffarnagar
203.		Mathura

Sl. No.	State/UT	Name of DDRC	
204.	Uttarakhand	Tehri Garhwal	
205.		Haridwar	
206.		Almora	
207.		Bageshwar	
208.		Nainital	
209.		West Bengal	Jalpaigudi
210.			Murshidabad
211.			Dakshin Dinajpur
212.	24 Parganas North		
213.	Birbhum		
214.	Bardhaman (Burdwan)		
215.	Purulia		

Old Age Homes for Senior Civizens

3056. SHRI S. THANGAVELU: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether construction of Old Age Homes for senior citizens with the allocation of Rs. 100 crore could not be undertaken due to various reasons;

(b) if so, the details thereof and whether Government has initiated action to build Old Age Homes in every districts across the country so as to provide help to senior citizens as per Section 19 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) to (c) An allocation of Rs. 100 crore was made for a proposed Centrally-sponsored Scheme to assist construction of Old Age Homes for Indigent Senior Citizens in 2010-11. However, the Scheme could not be approved during the Eleventh Five Year Plan.

Under Section 19 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, the responsibility of establishing and maintenance old age homes for indigent senior citizens is of the State Government, which brings the Act into force.

Top class education for SCs

3057. SHRI S. THANGAVELU: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether the scheme Top Class Education for SCs has been implemented by Government to provide opportunity to SC students in selected premier institutions with scholarships;

(b) whether this scheme has not been successful since the number of students benefited under this scheme are less and some other students studying at premier institutes are not provided scholarships under this scheme; and

(c) if so, the details thereof and the steps taken by Government to make this scheme more effective?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) Yes, Sir.

(b) and (c) Several institutions notified under the scheme have not been able to utilize the full quota of slots allocated to them.

After inception of the scheme in 2007-08, the number of fresh scholarships availed during the first five years of the scheme is as under:

Year	Fresh Slots Available	Fresh Slots Availed
2007-08	1250	195
2008-09	1250	332
2009-10	1250	315
2010-11	1250	584
2011-12	1250	589

The number of fresh slots utilized is increasing over the years.

After review of the Scheme, following steps have been taken:-

- (i) the list of institutions notified under the scheme has been increased from 121 to 205 during 2011-12 and
- (ii) the annual family income ceiling for eligibility under the scheme has been enhanced from Rs. 2.00 lakh to Rs. 4.50 lakh from the selection year 2012-13.

Training for geriatric care

3058. SHRI ANIL DESAI:

SHRI SANJAY RAUT:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether it is a fact that the Ministry has signed a formal contract with Tata Institute of Social Sciences to train a cadre of professionals in social fields including geriatric care;

(b) if so, the details of the contract; and

(c) will this plan create employment opportunities for the young and care for elderly who need to be looked after?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) No, Sir.

(b) and (c) Does not arise.

Composite Regional Centres in country

3059. SHRI NAND KUMAR SAI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Government proposes to set up two new Composite Regional Centres in the country;

(b) if so, the details in this regard along with the details of facilities likely to be available in each of such centres;

(c) the details of location identified for setting up of such centres along with the criteria fixed for selection of site for the said purpose;

(d) the details of the estimated expenditure likely to be incurred in setting up of each of such centres;

(e) the details of the funds allocated and released so far; and

(f) the time by which each of these centres will be operational?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON): (a) No, Sir.

At present, eight Composite Regional Centres (CRCs), one each at Guwahati (Assam), Lucknow (Uttar Pradesh), Srinagar (Jammu and Kashmir), Bhopal (Madhya Pradesh), Sundernagar (Himachal Pradesh), Patna (Bihar), Ahmedabad (Gujarat) and

Kozhikode (Kerala) are functioning. There is no proposal to set up two new CRCs in the country.

(b) to (f) Do not arise.

New satellite launching Sites for ISRO

3060. SHRI TARIQ ANWAR: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that requests from a number of countries for launching their satellites from India has been received;

(b) if so, whether ISRO has only two satellite launch pads which are affected during the cyclone season; and

(c) the steps that Government is taking for setting up of new launching sites?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) ISRO has two satellite launch pads at Sriharikota, which is the main space-port of the country. The launch pads have been built with state-of-art technology and also are designed and built to withstand cyclones. However, as an abundant precaution, satellite launches are not planned for two months of cyclonic period during last quarter of the year.

(c) Preliminary studies are underway to assess the need for a new launching site.

Space research centres

3061. SHRI OM PRAKASH MATHUR: Will the PRIME MINISTER be pleased to state:

(a) the number of space research centres in the country at present and the places where they are situated;

(b) the amount of funds released to these centres by the Central Government for research purposes during the last two years; and

(c) whether the amount spent by these centres is also evaluated by same means?

THE MINISTER OF STATE IN PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) and (b) The Space Research Centres/Units in the country,

its location and the funds released to these centres is as per Annexure-I. The funds released to Space Research Centres towards R and D, Infrastructure development and Organizational Maintenance including salaries is shown in Part-1 and the funds released towards execution of specific projects in the area of Launch Vehicles, Satellites etc is shown in Part-2 in the Statement. (*See below*).

(c) The amount spent by these centres is evaluated by the management councils of the respective space research centres. The progress achieved in Space Research and the financial outlays are also reviewed and evaluated by Space Commission, a high level policy making body constituted by the Government and the Department-related Parliamentary Standing Committee.

Statement

Part-I Funds allocated to Research Centres for R&D, Infrastructure Development and Organisational Maintenance

(Rs. in crores)

Sl. No.	Name of the Space Research Centre	Location	Funds Allocated	
			Actuals 2010-11	RE 2011-12
1	2	3	4	5
1.	Space Applications Centre (SAC)	Ahmedabad	272.78	307.60
2.	Development and Educational Communications Unit (DECU)	Ahmedabad	22.42	21.55
3.	Physical Research Laboratory (PRL)	Ahmedabad	47.13	75.53
4.	ISRO Satellite Centre (ISAC)	Bangalore	315.34	321.55
5.	ISRO Telemetry, Tracking and Command Network (ISTRAC)	Bangalore	96.64	132.85
6.	Laboratories for Electro Optics Systems (LEOS)	Bangalore	31.38	32.10
7.	Master Control Facility (MOF)	Hassan (HQ) Bhopal	40.36	43.61
8.	Semi-conductor Laboratory (SCL)	Chandigarh	518.00	76.58
9.	Indian Institute of Remote Sensing	Dehradun	15.12	17.00
10.	National Atmospheric Research Laboratory (NARL)	Gadanki	9.10	15.83

1	2	3	4	5
11.	National Remote Sensing Centre (NRSC)	Hyderabad (HQ) Bangalore Jodhpur Nagpur Kolkata	180.69	183.27
12.	North-Eastern - Space Applications Centre (NESAC)	Shillong	1.75	8.00
13.	Satish Dhawan Space Centre (SDSC)	Sriharikota	353.40	326.38
14.	Vikram Sarabhai Space Centre (VSSC)	Thiruvananthapuram	559.96	623.05
15.	Liquid Propulsion Space Centre (LPSC)	Valiamala (HQ) Bangalore Mahendragiri	258.59	299.19
16.	ISRO Intertial Systems Unit (IISU)	Thiruvananthapuram	26.03	36.88
17.	Indian Institute of Space Science and Technology (IIST)	Thiruvananthapuram	10.00	10.00
Part-I - TOTAL			2758.69	2530.97
Part-II: Projects/Schemes/Programme				
1.	Launch Vehicle Projects (VSSC, IISU, LPSC)	Thiruvananthapuram Valiamala Bangalore Mahendragiri	621.05	640.54
2.	Satellite Projects (ISAC, NRSC, ISTRAC, LEGS, SAC, IISU)	Bangalore Hyderabad Ahmedabad Thiruvananthapuram	895.56	1029.45
3.	Application Programmes and Other programmes	Bangalore Hyderabad Dehra Dun Ahmedabad Gadanki	206.93	231.07
Part-II-TOTAL			1723.54	1901.06
GRAND TOTAL			4482.23	4432.03

Satellites of ISRO

3062. DR. T. SUBBARAMI REDDY: Will the PRIME MINISTER be pleased to state:

(a) whether the satellites of Indian Space Research Organization have contributed in improving the facilities of telecommunication, distance education, tele-medicine, etc. in rural and far-flung areas of the country;

(b) if so, the extent to which the improvements have been achieved;

(c) whether any utility study has been conducted by Government in this regard;

(d) if so, the details thereof; and

(e) the time by which the country is likely to get maximum facilities through the network of satellites by their optimum use?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) The extent to which the improvements brought by the satellite include:

(i) **Television:** Direct To Home (DTH) Satellite Television coverage of 100% area of Indian mainland including rural and far flung areas;

(ii) **Telecommunication:** About 1.50 Lakh satellite communication terminals are supporting various applications like village telephony, data connectivity, broadband connectivity, Automatic Teller Machines (ATM) of banks, etc., covering the rural and far flung areas of the country;

(iii) **Tele-Education:** 55,500 classrooms connected through satellite networking, of which 51,500 are Receive Only Terminals (ROTs) and 4000 are Satellite Interactive Terminals (SITs) catering to all the sectors of education from primary to higher and professional education, and

(iv) **Telemedicine:** 60 specialty hospitals connected to 306 remote and rural hospitals and 16 Mobile Vans.

(c) Yes, Sir.

(d) The target audience for tele-education include students from school, technical education, higher education, teachers training including physically challenged students. On an average 2-3 hours of programmes are transmitted for 4-5 days in a week. The utility study indicated that tele-education networks are very

effective to reach out remote and rural areas of the country and also to enhance the understanding level of the students. The Telemedicine network connects the patients at a remote hospital to a speciality hospital for tele-consultation. The users have expressed that tele-medicine networks are very useful in treating the patients located in remote and rural areas. On an average 3-4 patients are being treated through tele-consultation per day. Mobile tele-medicine vans are found to be ideal to cover larger geographical area with treatment in the fields of Ophthalmology, Diabetic screening and General Medicine.

(e) The country is likely to get maximum facilities through additional satellites in a phased manner.

Regional Satellite Navigation System

3063. SHRI RAJKUMAR DHOOT: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that ISRO is developing country's own Regional Satellite Navigation System to reduce dependence on GPS system of USA;

(b) if so, the details thereof; and

(c) the action, Government has taken to ensure that ISRO does not face any resources crunch for this ambitious project?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): (a) Yes, Sir.

(b) The Indian Regional Navigation Satellite System (IRNSS) with a constellation of seven satellites will provide navigational services in India and a surrounding region extending about 1500 km.

(c) The Government has sanctioned the required funds for realizing the project.

Increase in Prices of Steel

†3064. SHRI RAMCHANDRA PRASAD SINGH:

SHRI RAVI SHANKAR PRASAD:

Will the Minister of STEEL be pleased to state:

(a) whether it is a fact that the prices of steel have been increased in the country during the period from January to March in the year 2012;

† Original notice of the question was received in Hindi.

- (b) if so, approximate amount of this increase;
- (c) whether it is also a fact that the main reasons for this price rise is the increase in the rail freight rate triggered by the increase in the price of coal;
- (d) if so, the facts in this regard; and
- (e) whether the said rise is being recovered from country's consumers?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) and (b) The prices of steel items in the domestic market have shown a fluctuating trend during the period January, 2012 to March, 2012. The trend of monthly price movement in respect of representative category of steel items in Delhi market during the period January, 2012 to March, 2012 is given below:-

(Rs. per tonne)

	Billets 100 mm	TOR/TMT/ CTD 10 mm	HR Coils 2.00 mm	CR Coils 0.63 mm	GP Sheets (0.63 mm)
Jan-12	39010	46790	47530	52360	53580
Feb-12	39510	46790	47550	51680	53520
Mar-12	39810	47670	47630	52040	52980

Indicative price in Delhi market inclusive of transportation, taxes and duties
(Source: Joint Plant Committee (JPC), Ministry of Steel)

(c) to (e) The movement of steel prices is market driven and depends on a number of factors including domestic and international demand supply scenario, trend of global steel prices, cost of various inputs including raw materials and freight etc.

Setting up of mega steel project

3065. SHRI N. BALAGANGA: Will the Minister of STEEL be pleased to state:

- (a) whether Government proposes to set up some Ultra Mega Steel projects on the line of Ultra Power projects;
- (b) if so, the details thereof along with the places identified for this purpose;
- (c) whether this would involve expansion of the existing steel plants; and
- (d) if so, the details thereof and the funds earmarked for this purpose?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) There is no formal proposal to set up Ultra Mega Steel Projects/Plants by the Government.

(b) to (d) Do not arise.

Coal acquisition plan board

3066. SHRI MOHD. ALI KHAN: Will the Minister of STEEL be pleased to state;

(a) whether Steel Authority of India Ltd. (SAIL) would speed up coal acquisition plan abroad; and

(b) if so, the details thereof for the current year?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) and (b) The Steel Authority of India Ltd. (SAIL) has structured its overseas coal asset acquisitions through a Joint Venture company namely International Coal Ventures (P) Limited (ICVL). ICVL has been set up with SAIL, Coal India Ltd. (CIL), Rashtriya Ispat Nigam Ltd. (RINL), NMDC Ltd. and NTPC Ltd. as its promoter companies for acquiring overseas coal assets.

ICVL as per its mandate is actively scouting for coal assets in target countries such as Australia, New Zealand, Mozambique, Indonesia, Canada and USA. There are a number of proposals which ICVL examines for their suitability.

Water supply by RINL

3067. SHRI MOHD. ALI KHAN: Will the Minister of STEEL be pleased to state:

(a) whether the Rashtriya Ispat Nigam Limited (RINL) is supplying drinking water under 'Jaladhara' in tribal belts of the country;

(b) if so, the details thereof, State-wise especially in Andhra Pradesh in the Eleventh Five Year Plan; and

(c) the funds spent so far?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) to (c) Yes, Sir. Rashtriya Ispat Nigam Limited (RINL) is implementing the 'Jaladhara' project for supplying drinking water in 20 villages of Visakhapatnam District of Andhra Pradesh State from the year 2008-09. Total fund spent till date on 'Jaladhara' project is Rs. 48.56 lakhs.

New Steel Policy

3068. SHRIMATI GUNDU SUDHARANI: Will the Minister of STEEL be pleased to state:

(a) whether the Ministry is going to have a new Steel Policy in the next 2-3 months so as to give boost to domestic steel industry;

(b) to what extent the new policy helps in reducing the delays of new steel plants; and

(c) to what extent the proposed policy addresses the issues relating to land acquisition, etc.?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) Ministry of Steel has decided to formulate a new National Steel Policy to replace the existing National Steel Policy, 2005. The process of formulation of new National Steel Policy is already on. This Policy is being finalized based on detailed deliberations with various stakeholders.

(b) and (c) The new National Steel Policy will formulate a new set of projections and policy guidelines for facilitating steel sector of the country. The Policy is proposed to address various issues for facilitating steel sector like attracting investments in steel sector, technology and R and D initiatives, manpower requirement, raw material supply, infrastructure requirement, land acquisition, water etc.

Clearance to iron ore mines

3069. SHRIMATI SMRITI ZUBIN IRANI: Will the Minister of STEEL be pleased to state:

(a) whether the Ministry of Environment and Forests refused to accord clearances for the SAIL's three key iron ore mines in West Singhbhum district of Jharkhand;

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

(c) the plans of the PSU to get the 80,000 million tonne of ore annually which it has planned to get from these iron ore mines; and

(d) the action the Ministry has taken or would take so that the Ministry of Environment and Forests would give its accord for mining here and by when?

THE MINISTER OF STEEL (SHRI BENI PRASAD VERMA): (a) to (c) Yes, Sir. The Expert Appraisal Committee (EAC) of the Ministry of Environment and Forests

examined the proposals of Jhillingburu-I, Jhillingburu-II and Topailore leases of Gua iron ore mines of SAIL in West Singhbhum district of Jharkhand on 24.01.2012 for issuance of Term of Reference (ToR) for preparation of Environment Impact Assessment (EIA)/Environment Management Plan (EMP) reports. The EAC has observed that these leases are located in the West Singhbhum District, an area identified as severely polluted in terms of the respirable suspended particulate matter exceeding the prescribed levels. The EAC has therefore, deferred and kept the proposals in abeyance till appropriate control measures are implemented in the said area. The proposal is still pending with MoEF for approval. The shortfall in the supplies of iron ore as a result of the closure of mines is being met from other operating mines as a short term measure.

(d) Ministry of Steel has taken up the matter on several occasions with MoEF to expedite the grant of forest and environment clearances in respect of pending leases of iron ore mines including Gua.

Fund allocated to Assam for tourism

3070. SHRIMATI NAZNIN FARUQUE: Will the Minister of TOURISM be pleased to state:

(a) the details of funds allocated to Assam for development of tourism sector in last three years;

(b) whether it is a fact that in view of the importance of tourism, the Centre would consider to declare these areas as special tourism zones for its full development; and

(c) if not, the reasons therefor?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) to (c) Development and promotion of tourism is undertaken primarily by the State Governments/Union Territory Administrations. The Ministry of Tourism, Government of India, extends financial assistance to the State Governments/Union Territory Administrations for tourism related projects which are identified in consultation with the States/Union Territories. Proposals which are complete in all respects as per guidelines, are processed on *inter-se* priority basis and funds released subject to availability under the respective head.

Ministry of Tourism has sanctioned Rs. 50.54 crore during the last three years to the Government of Assam for various tourism projects (upto 31st December, 2011).

Promotion of Medical and Health Tourism

3071. DR. T. SUBBARAMI REDDY: Will the Minister of TOURISM be pleased to state:

- (a) whether Government proposes to promote medical and health tourism in the country;
- (b) if so, the details thereof;
- (c) the number of proposals received and sanctioned in this regard for seeking central financial assistance, State-wise; and
- (d) the estimated revenue likely to be earned therefrom through domestic as well as foreign tourists?

THE MINISTER OF TOURISM (SHRI SUBODHKANT SAHAY): (a) and (b) Ministry of Tourism has initiated several measures to promote Medical Tourism. This includes promotion in overseas markets and production of publicity materials like brochure, CD and films etc. and their distribution in target markets. Under the Market Development Assistance (MDA) Scheme of Ministry of Tourism, financial support is provided only to approved Medical Tourism Service Providers, *i.e.* representatives of hospitals accredited by Joint Commission International (JCI) and National Accreditation Board for Hospitals and Healthcare Providers (NABH) and Medical Tourism facilitators (Travel Agents/Tour Operators) approved by Ministry of Tourism, Government of India and engaged in Medical Tourism, subject to adherence to scheme guidelines and availability of funds. The Medical Tourism activity is mainly driven by private sector. The Ministry of Tourism only plays the role of a facilitator in terms of marketing and promoting this in key markets.

(c) and (d) Development and promotion of tourism including medical and health tourism is primarily undertaken by State Governments/Union Territory Administrations. However, the Ministry of Tourism provides Central Financial Assistance to States/Union Territory Administrations for projects identified by them, subject to adherence to scheme guidelines, availability of funds and *inter-se* priority. No project relating to medical and health tourism has been received from the State Governments/Union Territory Administrations in the Ministry. The Ministry had, however, sanctioned funds to 10 organisations in 2010-11 and 7 organisations during 2011-12 under the MDA Scheme from the private sector, under Medical Tourism.

Development of tourism with foreign assistance

3072. SHRI N. BALAGANGA: Will the Minister of TOURISM be pleased to state:

- (a) the details of the schemes and programmes being implemented by

Government to assist the State Governments for development of tourism in the country;

(b) whether a number of tourist spots are being developed with foreign financial assistance in the country;

(c) if so, the details thereof, indicating such assistance received and utilised during the last three years, year-wise, project-wise;

(d) whether Government has identified any other places in Tamil Nadu as tourist spots; and

(e) if so, the details thereof?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) to (e) Identification, development and implementation of tourism infrastructure projects including Tamil Nadu are primarily the responsibility of the State Governments/Union Territory (UT) Administrations. However, the Ministry of Tourism (MoT) provides Central Financial Assistance (CFA) for the tourism projects identified during the prioritization meetings in consultation with them subject to adherence to scheme guidelines, *inter-se* priority and availability of funds.

The main scheme under which CFA is provided to the State Governments/UT Administrations for development of tourism infrastructure by the Ministry of Tourism is "Product/Infrastructure Development for Destinations and Circuits".

The details of the number of projects and amount sanctioned during last three years and current year (upto 31st December, 2011) are given in the Statement (*See below*).

A Loan Agreement for an amount equivalent to Japanese Yen 7331 million was signed in the year 2003 with Japan International Cooperation Agency (JICA) for Phase II of Ajanta Ellora Conservation and Tourism Development Project. The above work is going on.

A Loan Agreement has also been signed with JICA for a loan of 9495 million Japanese Yen (Rs. 395.63 crore approx.) for development of Buddhist Circuit in the State of Uttar Pradesh. The process for selection of Project Management Consultant (PMC) for this project is underway in consultation with JICA.

Statement

Sanctioned during the Eleventh Five Year Plan (2009-10, 2010-11 and 2011-12)
upto 31st December, 2011.

(Rs. in Crore)

Sl. No.	State	2009-10		2010-11		2011-12		Grand Total	
		No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.
1	2	3	4	5	6	7	8	9	10
1.	Andhra Pradesh	13	37.3	10	20.4	10	40.9	33	98.6
2.	Arunachal Pradesh	14	36.5	13	32.3	9	25.7	36	94.5
3.	Andaman and Nicobar	0	0.0	0	0.0	0	0.0	0	0.0
4.	Assam	7	22.8	4	23.6	3	4.2	14	50.5
5.	Bihar	3	7.0	1	3.6	0	0.0	4	10.6
6.	Chandigarh	5	11.5	5	11.0	0	0.0	10	22.6
7.	Chhattisgarh	0	0.0	4	21.0	0	0.0	4	21.0
8.	Dadra and Nagar Haveli	0	0.0	0	0.0	0	0.0	0	0.0
9.	Daman and Diu	0	0.0	0	0.0	0	0.0	0	0.0
10.	Delhi	9	44.9	5	9.8	3	2.7	17	57.4
11.	Goa	2	17.0	3	12.8	1	5.0	6	34.8
12.	Gujarat	1	7.3	1	0.1	2	51.8	4	59.2
13.	Haryana	6	12.4	6	27.4	5	0.8	17	40.6
14.	Himachal Pradesh	6	24.0	12	35.0	5	0.5	23	59.4
15.	Jammu and Kashmir	31	49.8	20	56.2	23	143.5	74	249.4
16.	Jharkhand	3	0.3	5	7.6	1	23.7	9	31.5
17.	Kerala	7	13.0	3	42.9	7	23.8	17	79.6
18.	Karnataka	13	42.4	2	8.6	1	5.0	16	56.0
19.	Lakshadweep	0	0.0	0	0.0	0	0.0	0	0.0
20.	Maharashtra	2	5.0	3	11.3	4	57.3	9	73.6
21.	Manipur	9	27.1	8	39.4	5	30.7	22	97.3
22.	Meghalaya	7	14.7	9	22.5	2	0.4	18	37.7
23.	Mizoram	7	24.1	9	11.5	6	13.8	22	49.4
24.	Madhya Pradesh	11	61.0	13	30.9	6	31.5	30	123.3

1	2	3	4	5	6	7	8	9	10
25.	Nagaland	13	24.6	10	29.1	15	28.8	38	82.5
26.	Odisha	9	23.7	6	20.3	4	5.2	19	49.2
27.	Puducherry	3	5.6	3	50.3	4	0.3	10	56.1
28.	Punjab	3	9.5	4	11.9	2	4.4	9	25.8
29.	Rajasthan	7	19.7	7	31.3	3	14.5	17	65.6
30.	Sikkim	19	42.4	14	23.5	5	20.8	38	86.7
31.	Tamil Nadu	10	16.3	6	60.0	1	3.7	17	79.9
32.	Tripura	13	20.7	12	40.7	6	15.4	31	76.8
33.	Uttar Pradesh	6	21.9	14	27.9	10	44.6	30	94.3
34.	Uttarakhand	1	0.6	8	29.8	13	102.5	22	132.8
35.	West Bengal	7	28.4	8	22.0	4	8.7	19	59.1
GRAND TOTAL		247	671.2	228	774.4	160	710.0	635	2155.6

* Includes Projects relating to Product/Infrastructure Development for Destinations and Circuits (PIDDC), Human Resource Development (HRD) and Adventure and Rural Tourism (A and RT).

Scheme for Revenue Generating Project

3073. SHRI P. BHATTACHARYA:

SHRI BIRENDRA PRASAD BAISHYA:

Will the Minister of TOURISM be pleased to state:

(a) whether Government has received any project proposals from the State Governments for the scheme Revenue Generating Project including Integrated Development of Tourist Circuits and Destination Development Schemes;

(b) if so, the details thereof, State-wise and the present status of these projects; and

(c) the details of the total outlay target fixed, annual allocation utilisation and progress made on budgetary allocation for the States, particularly for West Bengal and North East States like Assam?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) and (b) All pending projects and fresh proposals to be undertaken by State Governments/ Union Territories (UTs) during a financial year are finalized in the prioritization

meetings held with them generally before the commencement of that financial year. Thereafter State Governments/UTs submit detailed proposals alongwith relevant documents for the prioritized projects to the Ministry of Tourism for approval.

Ministry of Tourism (MoT) provides financial assistance for tourism projects based on the proposals received from State Governments/Union Territory Administrations (UTs) under various Plan Schemes including the Scheme for Large Revenue Generating Project (LRG) and Product/Infrastructure Development for Destinations and Circuits (PIDDC) which are complete in all respects as per the Scheme Guidelines, *inter-se* priority and subject to availability of funds. Tourism projects to be funded by MoT are decided in consultation with the States/UTs in prioritization meetings held every year.

The number of tourism infrastructure projects and amounts sanctioned during Eleventh Five Year Plan till 31st December, 2011, State/UT-wise and year-wise is given in the Statement (*See* below).

(c) There is no earmarking of budgetary allocation for any State/UT Administration. Ministry of Tourism, grants Central Financial Assistance to the projects in consultation with the State Governments/Union Territory Administrations subject to availability of funds, *inter-se* priority, and adherence to Scheme Guidelines. The number of tourism infrastructure projects and amounts sanctioned during Eleventh Five Year Plan till 31st December, 2011, State/UT-wise and year-wise is given at Annexure.

Statement

Number of projects and amount sanctioned* during the Eleventh Plan Period upto 31st December, 2011.*

Sl.No.	State	(Rs. in crore)											
		2007-08		2008-09		2009-10		2010-11		2011-12		Grand Total	
		No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.	No.	Amt.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Andhra Pradesh	9	26.29	8	109.89	13	37.29	10	20.38	10	40.90	50	234.75
2.	Arunachal Pradesh	11	43.30	13	31.47	14	36.54	13	32.26	9	25.68	60	169.25
3.	Andaman and Nicobar	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0
4.	Assam	6	17.47	4	21.08	7	22.76	4	23.55	3	4.23	24	89.09
5.	Bihar	4	21.95	10	25.05	3	6.99	1	3.60	0	0.00	18	57.59
6.	Chandigarh	2	0.20	5	7.99	5	11.51	5	11.04	0	0.00	17	30.74
7.	Chhattisgarh	5	12.94	1	11.34	0	0.00	4	20.95	0	0.00	10	45.23
8.	Dadra and Nagar Haveli	0	0.00	3	0.24	0	0.00	0	0.00	0	0.00	3	0.24
9.	Daman and Diu	0	0.00	1	0.12	0	0.00	0	0.00	0	0.00	1	0.12
10.	Delhi	8	20.76	1	0.15	9	44.91	5	9.75	3	2.69	26	78.26
11.	Goa	0	0.00	2	43.14	2	17.00	3	12.78	1	4.98	8	77.9
12.	Gujarat	5	5.81	7	21.33	1	7.33	1	0.14	2	51.75	16	86.36
13.	Haryana	10	22.50	7	36.70	6	12.37	6	27.41	5	0.80	34	99.78
14.	Himachal Pradesh	12	34.81	10	34.58	6	23.95	12	34.98	5	0.47	45	128.79
15.	Jammu and Kashmir	33	70.60	28	43.42	31	49.75	20	56.17	23	143.47	135	363.41

16.	Jharkhand	7	11.31	0	0.00	3	0.25	5	7.56	1	23.71	16	42.83
17.	Kerala	11	41.24	12	42.68	7	12.98	3	42.87	7	23.76	40	163.53
18.	Karnataka	6	24.79	4	42.73	13	42.42	2	8.59	1	5.00	26	123.53
19.	Lakshadweep	1	7.82	0	0.00	0	0.00	0	0.00	0	0.00	1	7.82
20.	Maharashtra	7	22.79	3	41.10	2	5.01	3	11.30	4	57.32	19	137.52
21.	Manipur	5	11.11	9	29.44	9	27.14	8	39.40	5	30.73	36	137.82
22.	Meghalaya	2	6.74	7	17.14	7	14.73	9	22.53	2	0.40	27	61.54
23.	Mizoram	6	26.93	4	3.18	7	24.06	9	11.51	6	13.81	32	79.49
24.	Madhya Pradesh	16	39.51	11	31.41	11	60.99	13	30.85	6	31.45	57	194.21
25.	Nagaland	22	32.41	11	25.40	13	24.60	10	29.10	15	28.80	71	140.31
26.	Odisha	13	30.87	6	41.15	9	23.69	6	20.29	4	5.17	38	121.17
27.	Puducherry	6	16.10	4	2.52	3	5.57	3	50.26	4	0.30	20	74.75
28.	Punjab	2	15.98	5	24.93	3	9.48	4	11.91	2	4.39	16	66.69
29.	Rajasthan	2	15.54	9	44.31	7	19.74	7	31.32	3	14.50	28	125.41
30.	Sikkim	25	55.91	20	66.78	19	42.36	14	23.48	5	20.81	83	209.34
31.	Tamil Nadu	11	27.61	16	36.14	10	16.28	6	60.00	1	3.65	44	143.68
32.	Tripura	11	11.11	6	3.61	13	20.67	12	40.73	6	15.44	48	91.56
33.	Uttar Pradesh	7	29.24	6	38.40	6	21.90	14	27.85	10	44.58	43	161.97
34.	Uttarakhand	6	21.01	2	44.68	1	0.55	8	29.78	13	102.49	30	198.51
35.	West Bengal	12	32.41	10	37.94	7	28.37	8	22.02	4	8.74	41	129.48
GRAND TOTAL		283	757.06	245	960.04	247	671.19	228	774.36	160	710.02	1163	3872.67

* Includes Projects relating to Product/Infrastructure Development for Destinations and Circuits (PIDDC), Human Resource Development (HRD) and Adventure and Rural Tourism (A and RT).

Written Answers to

[3 MAY 2012]

Unstarred Questions 213

Backlog vacancies in group A to group D

3074. SHRI AMBETH RAJAN: Will the Minister of TOURISM be pleased to state:

- (a) whether provision inserted *vide* the 81st Amendment to the Constitution is being followed in the Ministry for all groups *i.e.* Group A to Group D;
- (b) whether backlog vacancies are notified and filled up every year;
- (c) the reasons, if any, for not following the procedure; and
- (d) the details of backlog vacancies filled during the last five years?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) Ministry of Tourism has been following and implementing the instructions of Department of Personnel and Training (DoP and T) *vide* dated 20.07.2000 as amended from time to time for filling up the backlog vacancies.

(b) to (d) The direct recruit vacancies including the backlog vacancies (if any) of the reserved categories in different grades of posts are reported to concerned recruiting agencies *i.e.* Union Public Service Commission (UPSC) and Staff Selection Commission (SSC) from time to time as the case may be and are filled up accordingly.

For the vacancies filled up on promotion basis either in the Ministry or through the UPSC as the case may be, the Ministry is following the above instructions of DoP and T. However, there have been some instances of promotion where the post reserved for Scheduled Caste (SC) and Scheduled Tribe (ST) could not be filled up on time due to non-availability of officials in the feeder grade.

Promotion of Buddhist Heritage of Odisha

3075. SHRI BALBIR PUNJ: Will the Minister of TOURISM be pleased to state:

- (a) whether the Ministry would take up a special media and electronic campaign to promote Buddhist heritage of Odisha in East Asian and South East Asian regions as a part of Incredible India;
- (b) whether there is any such plan pending before Government proposed by Government of Odisha; and
- (c) if so, the status of the proposal?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAJ): (a) The Ministry of Tourism promotes India as a holistic destination including Buddhist

heritage sites of Odisha in the domestic and international markets. Various Indian tourism destinations and products are promoted, *inter-alia*, through Media Campaigns, Road-Shows and tourist publicity material.

(b) and (c) Development and promotion of tourist places is primarily the responsibility of the State Governments/UT Administrations. However, Ministry of Tourism provides Central Financial Assistance for the projects prioritized in consultation with them subject to *inter-se* priority, availability of funds and adherence to the Scheme Guidelines.

During Eleventh Five Year Plan (up to 31-12-2011), Govt. of India, Ministry of Tourism sanctioned Rs. 121.17 crore for various tourism projects including development of Buddhist tourist sites in Odisha.

Special assistance for heritage sites in Rajasthan

†3076. SHRI ASHK ALI TAK: Will the Minister of TOURISM be pleased to state:

(a) the amount of money provided to the State of Rajasthan as assistance for connecting heritage sites and tourist spots in the State with the national highways in the last two years;

(b) whether in order to promote tourism in the State Government intends to provide special assistance to the State for these roads; and

(c) if so, by when?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAI): (a) to (c) Development and Promotion of tourism projects are primarily undertaken by the State Governments/Union Territory Administrations. However, Ministry of Tourism provides Central Financial Assistance (CFA) for tourism projects, prioritized in consultation with them subject to *inter-se* priority, availability of funds and adherence to scheme guidelines.

The Ministry provides Central Financial Assistance (CFA) for last mile connectivity by National/State/District Highways to the destination/site under the Product/Infrastructure Development for Destinations/Circuits (PIDDC) Scheme.

Eight tourism projects have been sanctioned for Rs.36.32 crore in Rajasthan during the period 2010-12 as detailed in the Statement.

† Original notice of the question was received in Hindi.

Statement*Details of special assistance given for heritage sites in Rajasthan*

(Rs. in lakh)

Sl. No.	Name of the project	Amount Sanctioned
2010-11		
1.	Infrastructure Development of Eco-tourism destination, Kumbalgarh-Todgarh-Raoli-Rankpur as tourist Destination and Development Circuit	594.55
2.	Construction of Wayside facilities of RTDC situated on National Highways	605.64
3.	CFA for beautification of Jaipur in Rajasthan	275.00
4.	CFA for the project Hathi Gaon, phase-II, Amber (Jaipur) Rajasthan	321.69
5.	Development of Dang Tourist Circuit as Tourist Destination	795.31
6.	Conservation and Restoration of Shiv Temple Bandevra, Ramgarh, Baran in Rajasthan	489.73
7.	CFA for celebration of Deepotsav during Commonwealth Games-2010 in Jaipur	50.00
	TOTAL	3131.92
2011-2012		
1.	Conservation and Restoration of Fresco Paintings and Murals at Nahargarh Fort Jaipur	500.00
	TOTAL	500.00

Approval of Motels in the country

3077. DR. JANARDHAN WAGHMARE: Will the Minister of TOURISM be pleased to state:

- (a) whether the Ministry provides approval of Motels in the country;
- (b) if so, the details of Motels in the capital region of Delhi which have sought classification certificate of Star category from the Hotel and Restaurant Approval and Classification Committee, a body of the Ministry of Tourism; and
- (c) the details of Motels in Delhi which applied for the renewal of Star category and their present status thereof?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) to (c) The Ministry of Tourism has guidelines for approval of motel projects at implementation stage. However, the Ministry does not have any guidelines for classification of accommodation units that are approved as Motels. All applications received for star classification of hotels are examined as per prevalent guidelines.

Protection of Lakes Tourism

3078. SHRIMATI NAZNIN FARUQUE: Will the Minister of TOURISM be pleased to state:

- (a) the number of lakes in the country, State-wise especially in North East States;
- (b) if so, the details thereof;
- (c) whether Government has received any proposal from State Government of Assam to protect or betterment of Chandubi lake in Assam; and
- (d) whether there is any plan/scheme to protect/betterment of lake in the country in view of tourism?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) to (d) Ministry of Environment and Forests has identified 115 wetlands including lakes, in the country, covering 24 States and 02 Union Territories, for conservation and management under National Wetland Conservation Programme. Various conservation activities under Management Action Plan of Identified Wetlands include: data collection and survey and demarcation, catchment area treatment, desilting and dredging, bio-fencing, fisheries development, weed control, bio-diversity conservation, pollution abatement, and community participation. Research organizations are also assisted for Research and Development activities in priority areas of research to supplement Management Action Plans.

Chandubi Lake is not identified under National Wetland Conservation Programme. Only three wetlands *viz.*, Deepar Beel, Sone Beel and Urpad Beel have been identified from Assam for conservation and management purposes.

Development and promotion of tourism is undertaken primarily by the State Governments/Union Territory Administrations. The Ministry of Tourism, Government of India, extends financial assistance to the State Governments/Union Territory Administrations for tourism related projects including the development of lakes from the tourism point of view which are identified in consultation with the States/Union Territories. Proposals which are complete in all respects as per guidelines are processed on *inter-se* priority basis and funds released subject to availability.

Promotion of tourism in Andhra Pradesh and Karnataka

3079. SHRI JESUDASU SEELAM: Will the Minister of TOURISM be pleased to state:

- (a) the steps taken to promote tourism in Andhra Pradesh and Karnataka;
- (b) in what manner Government propose to improve in the field of tourism to propel growth in Andhra Pradesh and Karnataka; and
- (c) what infrastructure does the Government propose to improve to encourage tourism in Andhra Pradesh and Karnataka?

THE MINISTER OF TOURISM (SHRI SUBODH KANT SAHAY): (a) to (c) Development and promotion of tourism is primarily the responsibility of the State Governments/Union Territory Administrations. The Ministry of Tourism provides Central Financial Assistance to States/Union Territories for the development and promotion of tourism based on proposals received from them, subject to availability of funds, *inter-se* priority and adherence to scheme guidelines.

Details of projects sanctioned by the Ministry of Tourism in Andhra Pradesh and Karnataka during the last three years are as follows:

Andhra Pradesh				(Rs. in lakh)
Sl.No.	Year	Projects Sanctioned	Sanctioned Amount	Released Amount
1.	2009-10	8	1815.62	1452.48
2.	2010-11	6	729.36	592.45
3.	2011-12	10	5014.08	3423.06
TOTAL		24	7559.06	5467.99

Karnataka				
Sl.No.	Year	Projects Sanctioned	Sanctioned Amount	Released Amount
1.	2009-10	13	4227.33	3449.78
2.	2010-11	2	859.32	687.28
3.	2011-12	5	2200.58	1380.46
TOTAL		20	7287.23	5517.52

Grant-in-Aid provided for welfare of STs

3080. SHRI Y.S. CHOWDARY: Will the Minister of TRIBAL AFFAIRS be pleased to state :

- (a) the details of grant-in-Aid provided to voluntary organizations working for the welfare of Scheduled Tribes State-wise across the country;

- (b) the details of projects received/sanctioned by Government till date;
- (c) whether the NGOs have achieved the targets/objectives;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEO S. KHANDELA): (a) and (b) During 2011-12, a total of 239 proposals for ongoing projects were received against which 154 projects for an amount of Rs. 77.09 crore were sanctioned. This included arrear grants in certain cases. Details of the NGOs and brief nomenclature of the projects are given in the Annexure (*See* Appendix 225 Annexure No. 25).

(c) to (e) The objective of partnership with Voluntary Organizations is to supplement Government efforts and to have a wider reach in implementing tribal welfare and development programmes. By implementing projects, Voluntary Organizations have been able to reach beneficiaries also in the remote tribal areas while adding to the coverage by the Government.

Reservation in promotion for all categories

3081. SHRI AMBETH RAJAN: Will the Minister of Tribal Affairs be pleased to state:

- (a) whether reservation in promotion is strictly followed and implemented in the Ministry as per the provisions made in the Constitution through 77th amendment;
- (b) if so, the details of promotion made for last five years in all categories;
- (c) if not, the reasons therefor; and
- (d) the tentative time by when the same would be completed?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEO S. KHANDELA): (a) For the cadres of Central Secretariat Service (CSS), Central Secretariat Stenographers Service (CSSS) and Central Secretariat Clerical Service (CSCS), in the Ministry of Tribal Affairs, Ministry of Social Justice and Empowerment is the cadre controlling authority. The reservation in these cadres is made by the Department of Personnel and Training (DOP and T). In respect of Group 'A' posts in this Ministry, DOP and T is the cadre controlling authority. Posts belonging to Indian Economic Service/Indian Statistical Service/Official Language are controlled by the respective cadre controlling authorities *i.e.* Department of

Economic Affairs, Ministry of Statistics and Programme Implementation and Department of Official Language respectively. Reservation Rosters for these posts are maintained by the respective cadre controlling authorities in accordance with the Government instructions.

The details of promotions made during last five years in respect of CSS, CSSS and CSCS cadres which also include the posts in Ministry of Tribal Affairs are as under:-

S.No.	Calendar year	Group 'B'			Group 'C'		
		General	SC	ST	General	SC	ST
1.	2007	7	4	2	21	10	1
2.	2008	8	3	-	2	2	-
3.	2009	32	10	2	1	-	-
4.	2010	25	4	-	12	3	5
5.	2011	23	2	1	5	2	-
	TOTAL	95	23	5	41	17	6

Figures indicate promotions in numbers.

(c) and (d) Do not arise in view of reply to (a) and (b) above.

Scholarship schemes for tribal students

3082. SHRI DILIPBHAI PANDYA: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) the details of scholarship schemes extended for the students of the tribal communities by the Ministry at present, district-wise including in Patan and Mehsana in the State of Gujarat;

(b) whether Government proposes to increase the number of scholarship schemes for the students of the tribal communities;

(c) if so, the details thereof;

(d) whether Government also proposes to make the scholarship schemes demand based; and

(e) if so, the details thereof and the steps taken by Government to simplify the procedure for awarding the scholarships?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEO S. KHANDELA): (a) The Ministry of Tribal Affairs implements

four scholarship schemes for ST students namely (i) Post Matric Scholarship (PMS), (ii) National Overseas Scholarship (NOS), (iii) Top Class Education, and (iv) Rajiv Gandhi National Fellowship (RGNF) at present. Out of these schemes, only Post Matric Scholarship Scheme is being implemented through State Governments/UT Administrations for the ST students including in Patan and Mehsana in the State of Gujarat. These schemes are need-based and demand-driven.

(b) to (e) The Ministry of Tribal Affairs has proposed a new centrally sponsored scholarship scheme to be called "Pre-Matric Scholarship for ST students studying in classes IX and X". The implementation of the said scheme has been proposed through State Governments/UT Administrations on demand based.

Vocational training centres for tribals

3083. DR. T. SUBBARAMI REDDY: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) the number of operational vocational training centres with placement facilities for tribals in the country; State-wise.

(b) whether the National Scheduled Tribes Finance and Development Corporation provides micro-finance grants/loans to the students of these centres for self-employment;

(c) if so, the details thereof; and

(d) the number of boys and girls of vulnerable tribal groups involved in each vocational training centres?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEO S. KHANDELA): (a) and (d) The Ministry of Tribal Affairs implements a Central Sector Scheme called "Vocational Training in Tribal Areas" under which *grant-in-aid* is released to State Governments and NGOs for running the Vocational Training Centres. The training programme is for one year only. The State-wise number of Vocational Training Centres for which *grant-in-aid* released during the last three years along with number of trainees under this scheme is given in the Statement (*See* below).

(b) and (c) The National Scheduled Tribes Finance and Development Corporation (NSTFDC) provides financial assistance for economic development of Scheduled Tribes through Central/State/UT Channelizing Agencies (SCAs) nominated by respective Central/State/UT Governments in addition to certain PSU Banks and Regional Rural Banks. The NSTFDC does not extend financial assistance to students through Vocational Training Centres (VTCs). However, the eligible students of VTC can avail training grant/Micro Credit or other loans of NSTFDC for self employment through their respective SCAs.

Statement*Statewise no. of vocational training centres and trainees*

Sl. No.	State	No. of VTCs and number of trainees for which grant-in-aid released to State Govts.						No. of VTCs and number of trainees for which grant-in-aid released to NGOs.					
		2009-10		2010-11		2011-12		2009-10		2010-11		2011-12	
		Centres	Trainees	Centres	Trainees	Centres	Trainees	Centres	Trainees	Centres	Trainees	Centres	Trainees
1.	Andhra Pradesh	0	0	0	0	8	800	0	0	0	0	0	0
2.	Assam	0	0	10	500	0	0	2	180	1	100	2	200
3.	Chhattishgarh	0	0	0	0	11	477	0	0	0	0	0	0
4.	Gujarat	0	0	13	1300	0	0	0	0	0	0	0	0
5.	Karnataka	0	0	0	0	0	0	1	100	1	80	0	0
6.	Madhya Pradesh	0	0	10	1000	10	1000	0	0	1	100	0	0
7.	Meghalaya	0	0	0	0	9	700	1	100	0	0	0	0
8.	Mizoram	0	0	5	500	0	0	0	0	0	0	0	0
9.	Nagaland	0	0	0	0	0	0	2	200	1	60	1	60
10.	Tamil Nadu	0	0	0	0	0	0	0	0	1	100	0	0
	TOTAL	0	0	38	3300	38	2977	6	580	5	440	3	260

Lack of basic facilities in tribal villages

3084. SHRI D. RAJA:

SHRI M.P. ACHUTHAN:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether the attention of the Ministry has been drawn to the fact that various tribal villages in different States of the country lack basic facilities like roads, educational facility, medical facilities etc.;

(b) if so, whether Government has conducted any survey to ascertain the number of such villages along with the number of population;

(c) if so, the details thereof, State-wise;

(d) whether it is also a fact that children between 0 to 5 years are severely malnourished;

(e) if so, whether Government proposes to undertake any programme to uplift the conditions of those tribal people on urgent basis;

(f) if so, the details thereof; and

(g) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS (SHRI MAHADEO S. KHANDELA): (a) to (c) Tribal Village wise data are not available. However, this Ministry extends special central assistance to tribal sub plan which covers employment-cum-income generation activities and the infrastructure incidental thereto, not only family based but also run by the self help groups or community. Its ultimate objective is to boost the demand based income generation programmes and thereby raise the economic and social status of tribes. Further, this Ministry gives grants under Article 275(1) of the Constitution of India for the purpose of promoting welfare of the Scheduled Tribes (ST) or raising the level of administration in the scheduled areas. This Ministry is committed to the inclusive growth of the ST and has many schemes/programmes which supplements the efforts of other Ministries at improving infrastructure and access to education and other services. Major Schemes/programmes of this ministry are development of Primitive Tribal Groups (PTGs), Girls/Boys Hostels for ST students, Ashram Schools in TSP area, Vocational Training Centres in Tribal Areas, Strengthening education among scheduled tribe girls in low literacy district, Post-matric scholarship for ST students, Upgradation of merit of ST students, Rajiv Gandhi National Fellowship Scheme, Scheme of top class education for ST students and National Overseas Scholarship

Scheme for ST. In health sector, there are programmes for providing Mobile dispensary, 10+ bedded hospitals in tribal areas and Balwadis (Creches) etc. which are implemented through NGOs.

Apart from this the Ministry of Rural Development is also implementing a number of schemes/programmes, namely, Mahatma Gandhi National Rural Employment Guarantee Act, (MGNREGA), Swarnjayanti Gram Swarajgar Yojana (SGSY)/National Rural Livelihood Mission (NRLM) for wage and self employment,. Pradhan Mantri Gram Sadak Yojana (PMGSY) for rural connectivity, Indira Awas Yojana (IAY) for houses and Integrated Watershed-Management Programmes (IWMP) for area development and National Social Assistance Programme (NSAP) which has one of the major schemes, namely, Indira Gandhi National Old Age Pension Scheme (IGNOAPS) in rural areas of country. These are also benefiting the ST population of the country.

(d) to (g) According to the NFHS III survey, commissioned by the Ministry of Health and Family Welfare, the nutritional status of children is strongly related to maternal nutritional status. Undernutrition is much more common for children of mothers whose body mass index is below 18.5 than for children whose mothers are not underweight.

The following table gives the percentage of malnourished children over three interrelated anthropometric indices with certain statistical expressions.

Percentage of children underage five years classified as malnourished according to three anthropometric indices of nutritional status: height-for-age, weight-for-height, and weight-for-age, by background characteristics, India, 2005-06

Background Characteristics	Height-for-age Percentage below-3SD	Weight-for-height Percentage below-3 SD	Weight-for-age percentage below -3 SD
Scheduled Caste	27.6	6.6	18.5
Scheduled Tribe	29.1	9.3	24.9
Other backward class	24.5	6.6	15.7
Other	17.8	5.2	11.1
Don't know	22.3	3.1	16.3

*Note:*Table is based on children who stayed in the household the night before the interview.

Each of the indices is expressed in standard deviation units (SD) from the median of

the 2006 WHO International Reference Population. Table is based on children with valid dates of birth (month and year) and valid measurement of both height and weight. Total includes births with missing information on size at birth, religion, and caste/tribe, who are not shown separately.

Includes children who are below -3 standard deviations (SD) from the International Reference Population median. (*source* : NFHS III)

According to this Report, all the measures decrease steadily with an increase in the wealth index of the household. Children from households with a low standard of living are twice as likely to be undernourished as children from households with a high standard of living.

Rehabilitation of child baggars

3085. SHRI PARSHOTTAM KHODABHAI RUPALA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the reasons for the Ministry not initiating any rehabilitation process in real way for child baggars particularly in various holy places and public places;

(b) whether Government has been amending any law or rules for severe punishment of culprits who involved behind the child trafficking and child begging activities as it become a business; and

(c) the number of such cases registered within last five years, the details thereof, State-wise?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) The Government, in the Ministry of Women and Child Development has introduced a centrally sponsored scheme namely, Integrated Child Protection Scheme (ICPS) from 2009-10 for children in difficult circumstances, which includes child baggars. ICPS provides support for Open Shelters which may be setup within the community in Urban and Semi-Urban Areas to *inter-alia* provide for age-appropriate education, access to vocational training, recreation, bridge education, linkages to the National Open School Programme (NOSP), health care, counselling, referral services for specialized services, *e.g.*, for prevention of drug and substance abuse etc. to the children.

(b) There is no central legislation for prevention of beggary, however, several State Governments/UT Administrations have either enacted their own legislations or adopted legislation of other States, or enforced anti beggary measures through executive orders. As per information furnished by the Ministry of Social Justice and empowerment, 20 States and 2 UTs have anti beggary laws and 1 State and 1 UT have taken anti beggary measures through executive orders.

(c) As per the information received from National Crime Records Bureau (NCRB) 456, 423, 370, 374 and 923 cases of child trafficking were registered during the years 2006, 2007, 2008, 2009 and 2010. State-wise and year-wise details are given in Statement (*See below*). Separate data on child begging is not maintained.

Statement

State-wise and Year-wise details of cases registered under Child Trafficking during 2006, 2007, 2008, 2009 and 2010*

Sl. No.	State/UT	2006	2007	2008	2009	2010	Total
1.	Andhra Pradesh	46	48	51	30	85	260
2.	Arunachal Pradesh	0	0	0	0	0	0
3.	Assam	1	0	0	1	78	80
4.	Bihar	46	93	67	89	160	455
5.	Chhattisgarh	1	3	4	5	13	26
6.	Goa	1	0	0	0	1	2
7.	Gujarat	9	25	7	3	0	44
8.	Haryana	0	0	0	0	0	0
9.	Himachal Pradesh	2	2	2	6	3	15
10.	Jammu and Kashmir	0	0	0	0	0	0
11.	Jharkhand	31	25	58	6	33	153
12.	Karnataka	2	8	5	7	21	43
13.	Kerala	35	22	13	14	6	90
14.	Madhya Pradesh	6	18	20	3	25	72
15.	Maharashtra	40	44	39	73	54	250
16.	Manipur	0	0	0	0	0	0
17.	Meghalaya	3	8	0	4	0	15
18.	Mizoram	0	0	0	0	0	0
19.	Nagaland	0	0	0	0	0	0
20.	Odisha	12	0	0	1	9	22
21.	Punjab	3	0	0	3	1	7
22.	Rajasthan	6	1	0	1	14	22
23.	Sikkim	0	0	0	0	0	0
24.	Tamil Nadu	1	2	1	0	13	17
25.	Tripura	0	0	0	28	32	60

Sl. No.	State/UT	2006	2007	2008	2009	2010	Total
26.	Uttar Pradesh	0	1	0	0	0	1
27.	Uttarakhand	13	1	2	0	0	16
28.	West Bengal	196	120	101	97	371	885
	Total State	454	421	370	371	919	2535
29.	Andman and Nicbar Islands	0	0	0	0	0	0
30.	Chandigarh	0	0	0	0	0	0
31.	Dadra and Nagar Haveli	0	0	0	0	0	0
32.	Daman and Diu	0	0	0	0	0	0
33.	Delhi UT	2	2	0	3	4	11
34.	Lakshadweep	0	0	0	0	0	0
35.	Puducherry	0	0	0	0	0	0
	TOTAL UT	2	2	0	3	4	11
	ALL INDIA TOTAL	456	423	370	374	923	2546

Source: Crime in India

* Includes heads (Importation of Girls + Procurement of Minor Girls + Buying of Girls for Prostitution + Selling of Girls for Prostitution).

Recommendations of working group of child rights

3086. SHRI N.K. SINGH: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the details of the total funds allocated for the Integrated Child Development Schemes (ICDS) for the past three years;

(b) whether it is a fact that the recommendation of the Working group of Child Rights under the current five year plan is around Rs, 36,600 crores; and

(c) if so, the reasons for the shortfall in allocation of funds for the scheme?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) The details of funds allocated for the Integrated Child Development Services (ICDS) Scheme for the last three years is given below:

(Rupees in crore)

Year	Budget Estimates	Revised Estimates	Expenditure
2009-10	6705.00	8162.00	8157.76
2010-11	8700.00	9280.00	9763.11
2011-12	10000.00	14048.40	14272.21

(b) and (c) For strengthening and restructuring of ICDS Scheme, requirement of Rs. 1,83,000 crore has been projected by the Working Group on Child Rights for the 12th Five Year which comes to annual average of Rs. 36,600 crore. A requirement of Rs. 30,000 crore for the year 2012-13 for ICDS Scheme, being the first year of Plan period, was projected against which Rs. 15,850 crore has been allocated. The allocation for the Twelfth Five Year Plan is yet to be finalised by the Planning Commission.

Child welfare under ICPS

3087. SHRI AVINASH PANDE: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the steps that have been taken by Government to promote child welfare under Integrated Child Protection Scheme (ICPS);

(b) the number of children that have benefitted under the Integrated Child Protection Scheme (ICPS); and

(c) the organizations with which Government has partnered with under Government-Civil Society Partnership scheme?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) Ministry of Women and Child Development is implementing Integrated Child Protection Scheme (ICPS) for creation and management of infrastructure and human resources necessary for establishing a safe and secure environment for children, especially children in difficult circumstances. Financial assistance is provided to State Governments/UT Administrations for improving, setting up and maintenance of Homes, Specialised Adoption Agencies (SAAs) and Open Shelters for children in need of care and protection. Besides, financial assistance is also provided for setting up of dedicated service delivery structures at State and District levels, with staff exclusively engaged for providing services to children including *inter-alia* need assessment, training and sensitization, awareness generation etc. The Scheme also focuses on non-institutional care through adoption, foster-care and aftercare. All States except

Jammu and Kashmir have signed the Memorandum of Understanding (MoU) with the Ministry for implementation of the Scheme.

(b) Since, 2009-10 a total of 1,80,518 children have benefitted under various components of ICPS.

(c) The Scheme, being centrally sponsored, is being implemented mainly through the State/Governments/UT Administrations and funds are being released to them. The State Governments/UT Administrations are, in turn, implementing various components of the scheme either by themselves or through Non-Governmental Organisations (NGOs). However, for implementing the Childline services, which is a 24-hr, telephone helpline for children in distress, the Ministry of Women and Child Development has partnered with Childline India Foundation (CIF), Mumbai under Government-Civil Society Partnership.

Domestic violence cases

3088. SHRIMATI JHARNA DAS BAIDYA: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the details of Domestic Violence cases registered and disposed by courts after implementation of Domestic Violence Act, 2005 in the country, State-wise and year-wise;

(b) whether it is not a fact that as per the Domestic Violence Act, 2005 the judgement has to be delivered within 60 days of registering case; and

(c) the efforts that the Ministry is making to see that cases are quickly finished?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) The Protection of Women from Domestic Violence Act, 2005 (PWDVA, 2005) came into force *w.e.f.* 26.10.2006. As per National Crime Records Bureau (NCRB) data, total of 5788, 5643, 7802 and 7575 cases were registered under the PWDVA, 2005 during 2007, 2008, 2009 and 2010 respectively. State-wise details of cases registered, cases charge-sheeted, cases convicted, persons arrested, persons charge-sheeted and persons convicted are given in Statement (*See* below).

(b) and (c) Under Sub-Section (5) of Section 12 of the PWDVA, 2005, the Magistrate is required to endeavour to dispose off every application made under Sub-Section (1) of Section 12 with in a period of sixty days from the date of its first hearing. Under the provisions of the Act, the Magistrate is required to fix the first

date of hearing which shall not ordinarily be beyond three days from the date of receipt of the application by the Court.

The Act is implemented by the State Governments/UT Administrations. The Central Government reviews the implementation of the Act from time to time with the States/UTs. for its effective implementation. The Central Government has been emphasising upon the need to impart training to First Class Judicial Magistrates/ Metropolitan Magistrates to deal with the cases under the Domestic Violence Act, through National/State Judicial Academies.

In a National consultation organized on 11th and 12th January, 2012 to review implementation of the Protection of Women from Domestic Violence Act, 2005 (PWDVA), It was *inter-alia* recommended that:-

- (i) State Governments may organize training and sensitization programmes to sensitize members of the judiciary on timely disposal of cases.
- (ii) States may approach the High Courts for issuing instructions to Magistrates to earmark days in a week exclusively for cases filed under the PWDVA.

Statement

A. Number of cases registered, cases chargesheeted, cases convicted, persons arrested, persons charge-sheeted and persons convicted under (Domestic Violence Act, 2005) during 2010.

Sl. No.	State/UT	Cases Registered	Cases Charge Sheeted	Cases Convicted	Person Arrested	Person Charge Sheeted	Person Convicted
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	2683	141	1	1	141	1
2.	Arunachal Pradesh	12	8	1	11	8	1
3.	Assam	1	1	0	2	2	0
4.	Bihar						
5.	Chhattisgarh						
6.	Goa						
7.	Gujarat	25					
8.	Haryana	39	7	0	12	12	0
9.	Himachal Pradesh						
10.	Jammu and Kashmir	Central Act and its provisions are not applicable					

1	2	3	4	5	6	7	8
11.	Jharkhand						
12.	Karnataka						
13.	Kerala	44	35	1	41	48	1
14.	Madhya Pradesh						
15.	Maharashtra	3505	2127	408	-	-	-
16.	Manipur						
17.	Meghalaya						
18.	Mizoram	3	3	1	3	3	1
19.	Nagaland	6	6	1	6	6	1
20.	Odisha						
21.	Punjab	19	11	0	38	30	0
22.	Rajasthan	45	20	0	25	25	0
23.	Sikkim						
24.	Tamil Nadu						
25.	Tripura	1	1	0	0	3	0
26.	Uttar Pradesh						
27.	Uttarakhand						
28.	West Bengal	1164	744	0	1	1	0
	Total India						
29.	Andaman and Nicobar Islands	28	23	0	39	39	0
30.	Chandigarh	0	0	0	0	0	0
31.	Dadra and Nagar Haveli	0	0	0	0	0	0
32.	Daman and Diu						
33.	Delhi UT						
34.	Lakshadweep	0	0	0	0	0	0
35.	Puducherry	0	0	0	0	0	0
	TOTAL UTs						
	Total All India	7575	3127	413	179	318	5

Note: Indicates data not available

** Includes IPC cases also

Data is provisional

B. Number of cases registered, cases charge-sheeted, cases convicted, persons arrested, persons charge-sheeted and persons convicted under protection of women from Domestic Violence Act 2005 during 2007

Sl. No.	State/UT	Cases Registered	Cases Charge Sheeted	Cases Convicted	Person Arrested	Person Charge Sheeted	Person Convicted
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	1979	345	53	1	42	1
2.	Arunachal Pradesh	0	0	0	0	0	0
3.	Assam	2	0	0	1	1	0
4.	Bihar*						
5.	Chhattisgarh	1651	1249	89	2206	2066	101
6.	Goa	3	1	0	5	3	0
7.	Gujarat	883	862	27	2491	2231	6
8.	Haryana	17	10	0	21	21	0
9.	Himachal Pradesh	3	2	0	2	2	0
10.	Jammu and Kashmir	Central Act and its provisions are not applicable					
11.	Jharkhand	880	765	171	1984	2031	223
12.	Karnataka*						
13.	Kerala	14	9	1	11	12	1
14.	Madhya Pradesh*						
15.	Maharashtra	117	109	1	480	495	3
16.	Manipur	0	0	0	0	0	0
17.	Meghalaya	5	5	0	13	5	0
18.	Mizoram	0	0	0	0	0	0
19.	Nagaland	0	0	0	0	0	0
20.	Odisha*						
21.	Punjab	37	14	0	68	35	0
22.	Rajasthan	25	14	0	14	14	0

1	2	3	4	5	6	7	8
23.	Sikkim	6	4	0	10	9	0
24.	Tamil Nadu	0	0	0	0	0	0
25.	Tripura	0	0	0	0	0	0
26.	Uttar Pradesh	25	20	0	33	51	0
27.	Uttarakhand	0	0	0	0	0	0
28.	West Bengal	5	2	0	2	0	0
	TOTAL STATES	5652	3411	342	7342	7018	335
29.	Andman and Nicobar Islands	20	6	0	37	7	0
30.	Chandigarh**	112	37	0	142	75	0
31.	Dadra and Nagar Haveli	0	0	0	0	0	0
32.	Daman and Diu	1	1	0	3	3	0
33.	Delhi	3	2	0	7	2	0
34.	Lakshadweep	0	0	0	0	0	0
35.	Puducherry	0	0	0	0	0	0
	TOTAL UTs	136	46	0	189	87	0
	Total All India	5788	3457	342	7531	7105	335

Note:** indicates data not available.

*** includes IPC cases also.

Data is provisional.

(C) Number of cases registered, cases charge-sheeted, cases convicted, persons arrested, persons charge-sheeted and persons convicted under Protection of Women from Domestic Violence Act 2005 during 2008

Sl. No.	State/UT	Cases Registered	Cases Charge Sheeted	Cases Convicted	Person Arrested	Person Charge Sheeted	Person Convicted
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	2267	485	76	1	17	1
2.	Arunachal Pradesh	0	0	0	0	0	0
3.	Assam	0	0	0	0	0	0
4.	Bihar*						
5.	Chhattisgarh	361	426	1	987	1020	0

1	2	3	4	5	6	7	8
6.	Goa	1	0	0	0	0	0
7.	Gujarat	324	324	1	1058	1058	0
8.	Haryana	9	8	0	27	27	0
9.	Himachal Pradesh	1	1	0	1	1	0
10.	Jammu and Kashmir	Central Act and its provisions are not applicable					
11.	Jharkhand	955	856	178	1857	1943	206
12.	Karnataka*						
13.	Kerala	30	27	0	25	33	3
14.,	Madhya Pradesh*						
15.	Maharashtra	376	278	103	217	325	197
16.	Manipur	35	0	0	16	0	0
17.	Meghalaya	5	5	2	29	6	2
18.	Mizoram	0	0	0	0	0	0
19.	Nagaland	0	0	0	0	0	0
20.	Odisha*						
21.	Punjab	52	36	3	99	97	2
22.	Rajasthan	60	50	0	55	55	0
23.	Sikkim	5	8	0	5	8	0
24.	Tamil Nadu	765	437	129	30	320	146
25.	Tripura	0	0	0	0	0	0
26.	Uttar Pradesh	16	12	1	13	19	1
27.	Uttarakhand	0	0	0	0	0	0
28.	West Bengal	328	80	0	118	280	0
	TOTAL STATES	5590	3033	494	4538	5209	558
29.	Andman and Nicobar Islands	35	22	0	36	30	0
30.	Chandigarh	0	0	0	0	0	0
31.	Dadra and Nagar Haveli	0	0	0	0	0	0
32.	Daman and Diu	0	0	0	0	0	0
33.	Delhi	18	15	0	15	15	0
34.	Lakshadweep	0	0	0	0	0	0
35.	Puducherry	0	0	0	0	0	0
	TOTAL UTs	53	37	0	51	45	0
	Total All India	5643	3070	494	4589	5254	558

*Note:**indicates data not available.

Data is provisional.

(D) Number of cases registered, cases charge-sheeted, cases convicted, persons arrested, persons charge-sheeted and persons convicted under Domestic Violence Act 2005 during 2009

Sl. No.	State/UT	Cases Registered	Cases Charge Sheeted	Cases Convicted	Person Arrested	Person Charge Sheeted	Person Convicted
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	2710	608	97	0	103	0
2.	Arunachal Pradesh	13	8	3	12	8	3
3.	Assam*						
4.	Bihar*						
5.	Chhattisgarh	22	23	0	18	18	0
6.	Goa	0	0	0	0	0	0
7.	Gujarat	67	67	0	234	234	0
8.	Haryana	32	10	0	13	13	0
9.	Himachal Pradesh	4	3	0	4	4	0
10.	Jammu and Kashmir	Central Act and its provisions are not applicable					
11.	Jharkhand*						
12.	Karnataka	18	6	8	1	4	
13.	Kerala	53	46	0	61	72	0
14.	Madhya Pradesh*						
15.	Maharashtra	1395		121			
16.	Manipur	25	0	0	28	0	0
17.	Meghalaya	23	28	0	76	45	0
18.	Mizoram	4	4	1	4	4	1
19.	Nagaland	6	6	3	6	6	3
20.	Odisha*						
21.	Punjab	38	34	1	76	77	0
22.	Rajasthan	45	29	1	37	37	1

1	2	3	4	5	6	7	8
23. Sikkim		6	6	0	8	8	0
24. Tamil Nadu		2376	729	0	0	0	0
25. Tripura		0	0	0	0	0	0
26. Uttar Pradesh*							
27. Uttarakhand		0	0	0	0	0	0
28. West Bengal		923	0	0	0	0	0
TOTAL STATES		7760	1607	235	578	633	8
29. Andman and Nicobar Islands		36	29	1	53	53	1
30. Chandigarh		0	0	0	0	0	0
31. Dadra and Nagar Haveli		0	0	0	0	0	0
32. Daman and Diu		0	0	0	0	0	0
33. Delhi		6	4	0	5	4	0
34. Lakshadweep*							
35. Puducherry		0	0	0	0	0	0
TOTAL Uts		42	33	1	58	57	1
Total All India		7802	1640	236	636	690	9

Note: '**' indicates data not available. Data is provisional.

Women Living in Nariniketan

† 3089. DR. PRABHA THAKUR: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the total number of women living in various Nari Niketans in the country and the maximum number of years since they have been living there;

(b) whether any women on attaining the adulthood is allowed to leave the Nari Niketan if she demands so; and

(c) if so, the details of this process, if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) to (c) The information is being collected from State Governments/UTs and will be laid on the Table of the House.

†Original notice of the question was received in Hindi.

Scheme for adolescent girls

†3090. SHRI BHAGAT SINGH KOSHYARI: Will the MINISTER OF WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the status of the Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG) - SABLA introduced to address the multi dimensional problems of adolescent girls during the last three years;

(b) whether Government proposes to incorporate more components into this scheme and if so, the details thereof;

(c) the funds sanctioned and released to State Governments for the above mentioned purposes during the said period and the funds utilized by them;

(d) whether Government has received complaints of corruptions/irregularities being committed in this scheme; and

(e) if so, the details thereof and the action taken thereon?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) The '*Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG)-'Sabla'*', a Centrally-sponsored scheme was introduced in the year 2010-11 on a pilot basis in 200 districts from all the States/UTs. Nearly 100 lakh adolescent girls per annum are expected to be benefitted under the scheme.

Against the allocation of Rs. 340 crore for the year 2010-11, a sum of Rs. 330 crore (approx.) were released to States/UTs, The year 2011-12 was the first complete year of implementation of the scheme, against the allocation of Rs. 750 crore in 2011-12, Rs. 561.11 crore have been released to States/UTs for implementation of the scheme. As reported by States/UTs, coverage for nutrition under *Sabla* in 2011-12 was 84.82 lakh adolescent girls. An allocation of Rs. 750 crore is made for the scheme for 2012-13.

(b) The scheme is to be continued on existing pattern in 2012-13.

(c) State-wise details of funds sanctioned and released to State Governments and the funds utilized along with the beneficiaries covered under *Sabla* during 2010-11 and 2011-12 is given in the Statement (*See below*).

(d) No, Sir.

(e) Question does not arise.

†Original notice of the question was received in Hindi.

*Statement**State wise releases and beneficiaries covered under Sabla in 2010-11 and 2011-12*

Sl. No.	States/UTs	2010-11			2011-12		
		Funds released (Rs. in lakh)	Funds Utilised as reported by States/UTs (Rs. in lakh)	Beneficiaries covered as reported by States/UTs	Funds released (Rs. in lakh)	Fund Utilised as reported by States/UTs (Rs. in lakh)	Beneficiaries covered as reported by States/UTs
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	1963.30			3259.7	1963.3	534604
2.	Arunachal Pradesh	119.58	13.18		79.56	106.4	
3.	Assam	1018.79	0		1592.98	979.79	385276
4.	Bihar	2773.77	0		5081.73	1470.15	1176120
5.	Chattisgarh	938.71	0		1472.72	0	
6.	Goa	79.81	0		207.98	173.15	29686
7.	Gujarat	1357.68		119570	2647.22	1731.37	457724
8.	Haryana	405.22	3.99		701.44	264.15	58651
9.	Himachal Pradesh	307.18	168.78	90016	550.34	379.48	90016
10.	Jammu and Kashmir	290.55			453.64	194.09	102670
11.	Jharkhand	754.27			1493.32	342.15	357177
12.	Karnataka	711.68	33.89	54234	3053.55	3289.75	407110
13.	Kerala	881.73	512.55	249730	1284.66	202.33	222169
14.	Madhya Pradesh	2470.64	497.72	800000	4069.18	5140.1	798000

15.	Maharashtra	2568.49			3957.22	1318.08	649297
16.	Manipur	116.29			152.76	142.88	33677
17.	Meghalaya	142.48	113.04	47105	306.76	206.08	47105
18.	Mizoram	73.32	73.32	14782	78.24	0.37	
19.	Nagaland	87.05	87.05	19804	147.49	110.36	28387
20.	Odisha	1553.44			2382.98	50	
21.	Punjab	591.30	190.00	144232	874.8	0	
22.	Rajasthan	1777.37	982.78	552146	3369.05	2932.05	602182
23.	Sikkim	41.80	1.12	368694	66.05	68.58	9116
24.	Tamil Nadu	1271.80	371.8		2686.32	2527.22	369233
25.	Tripura	240.35		0	455.06	363.92	35838
26.	Uttar Pradesh	4689.86	1347.04	1934000	11749.87	10120.22	1934000
27.	Uttaranchal	355.49			511.48	0	
28.	West Bengal	1647.06			2758.74	0	
29.	Andaman and Nicobar Island	31.76	26.32	7263	51.99	25.7	13324
30.	Chandigarh	32.94	6.12	6229	48.78	23.56	1372
31.	Daman and Diu	12.66		1222	16.44	9.49	
32.	Dadra and Nagar Haveli	18.19	0		24.98	0	6471
33.	Delhi	333.68			496.36	311.5	132960
34.	Lakshdweep	6.61			8.94	0	NR
35.	Pondicherry	8.56	0		19.02	8.56	4449
TOTAL		29673.41	4428.7	4038505	56111.35	34454.77	8482165

Written Answers to

[3 MAY 2012]

Unstarred Questions 239

Funds spent on Rajiv Gandhi Creche Scheme

3091. SHRI Y.S. CHOWDARY: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) the details of funds spent on Rajiv Gandhi Creche Scheme State-wise, during the last three years;

(b) whether Government has received any complaints for misuse of funds by various NGOs, across the country;

(c) if so, the details thereof; and

(d) the present status thereof?

THE MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH): (a) Rajiv Gandhi National Creche Scheme for the Children of Working Mothers is a Central Sector Scheme which envisages implementation through Central Social Welfare Board, and two national level Non-Governmental Organizations (NGOs), viz. Indian Council for Child Welfare (ICCW) and Bhartiya Adim Jati Sevak Sangh (BAJSS). The creches run by BAJSS have been temporarily transferred to CSWB due to alleged irregularities in implementation by BAJSS. Funds are released directly to the implementing agencies and no State-wise releases are made. However, funds released to the implementing agencies during the last three years are as under:-

Year	Amount Released
2009-10	Rs. 99.93 crore
2010-11	Rs. 69.36 crore
2011-12	Rs. 73.83 crore

(b) to (d) Yes, sir. The Ministry had received complaints of irregularities in the management of creches against Bhartiya Adim Jati Sevak Sangh which were enquired into by Chief Vigilance Officer (CVO) of the Ministry. On the basis of this report and as per advice of the Central Vigilance Commission (CVC), the Ministry has entrusted the investigation of the complaints to Central Bureau of Investigation (CBI).

A complaint regarding misappropriation of funds and malfunctioning of creches by ICCW and its State Councils was also received. The same was examined by this Ministry and after considering the point-wise comments/observations of ICCW on the allegations, an advisory was issued on 22.2.2012 to ICCW asking them

to expeditiously carry out an enquiry and take action on issues brought out in the complaint and submit a report to this Ministry within six months.

Shortage of staff in Sports Authority of India

‡3092. SHRI OM PRAKASH MATHUR: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether there is a shortage of staff and specialists in the institutes of the Sports Authority of India;

(b) the number of sanctioned posts of specialists, doctors and dieticians in the sports centres and hostels of the Sports Authority of India across the country and out of them number of posts lying vacant; and

(c) by when the vacant posts are proposed to be filled up?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) Yes, Sir.

(b) Details of sanctioned /filled posts in the Scientific cadre are as under:-

Name of the post	Sanctioned Posts	Filled Posts	Vacant Posts
Senior Scientific Officer	07	05	02
Scientific Officer	13	12	01
Junior Scientific Officer	25	05	20
Senior Scientific Assistant	02	03	--

(c) Keeping in view the immediate requirement, a proposal is under consideration to conduct the Departmental Promotion Committee (DPC) to fill up the vacant posts of Senior Scientific Officer and Scientific Officer by promotion. Requisite procedure as per Recruitment Rules has already been initiated to fill up the vacancies of Junior Scientific Officer through direct recruitment.

Interest of youth in outdoor sports

3093. SHRI P. BHATTACHARYA:

SHRI N. BALAGANGA:

Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether it is a fact that the youth of the country are not taking adequate interest in outdoor sports like football, hockey, basketball, lawn tennis, volley ball etc.;

‡Original notice of the question was received in Hindi.

(b) if so, the reasons thereof and the steps taken by Government to encourage the youth to take to such outdoor sports and excel in them; and

(c) the details of the funds allocated and expenditure incurred for each of these sports during the last three years, year-wise?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) No, Sir. Present day Indian youth are taking adequate interest in outdoor as well as indoor games.

(b) For encouraging youth of the country to take to sports, both as participating in sporting activities and as excelling in sporting competitions in National and International tournaments, the Ministry of Youth Affairs and Sports and Sports Authority of India (SAI) are implementing a number of Schemes such as Panchayat Yuva Krida aur Khel Abhiyan (PYKKA), Scheme of Assistance to National Sports Federations, National Sports Talent Contest (NSTC) Scheme, Army Boys' Sports Companies (ABSC) Scheme, SAI Training Centers (STC) Scheme, Special Area Games (SAG) Scheme, Centers of Excellence (CoE) Scheme.

Under the Scheme of PYKKA, sports competitions are held at block, district, State and National levels, so as to broad-base sports among local youth of the country. Further, SAI has in 2011-12 launched the 'Come and Play' Scheme with the objective of encouraging youth in the local area to use the sports facilities available at SAI centers across the country and to impart coaching, primarily to the beginners to encourage participation in sports.

(c) Details of grants given to National Sports Federations, which are primarily responsible for promotion and development of their respective disciplines, are given in the Statement.

Statement

Details of grants given in National Sports Federation

(Rs. in lakhs)

Sl. No.	Name of the Federation	2009-10	2010-11	2011-12 Upto Dec.2011	Total
1	2	3	4	5	6
1.	Athletics Federation of India, New Delhi	309.94	308.30	790.00*	1408.24
2.	Archery Association of India, New Delhi	360.31	42.10	606.00*	1008.41

1	2	3	4	5	6
3.	All India Chess Federation, Chennai	163.00	180.05	162.13	505.18
4.	National Rifle Association of India, New Delhi	658.45	509.53	1440.00*	2607.98
5.	All India Tennis Association, New Delhi	263.81	256.64	11.29*	531.74
6.	Judo Federation of India, N. Delhi	49.66	62.33	425.00*	536.99
7.	Rowing Federation of India, Secunderabad	88.79	64.71	319.00*	472.50
8.	Table Tennis Federation of India, New Delhi	375.51	356.36	360.00*	1091.87
9.	Swimming Federation of India, Ahmadabad	125.07	35.36	122.00*	282.43
10.	Squash Racket Federation of India, Chennai	168.25	146.54	68.40	383.19
11.	Indian Amateur Boxing Federation, New Delhi	174.30	165.89	1531.00*	1871.19
12.	Organizations relating to the discipline of Hockey (Men) and (Women)	762.82	435.76	1809.00*	3007.58
13.	Indian Weightlifting Federation, New Delhi	101.13	116.53	567.00*	784.66
14.	Badminton Association of India,	435.48	150.71	910.00*	1496.19
15.	Equestrian Federation of India, New Delhi	5.05	0.00	0.00	5.05
16.	All India Football Federation, Delhi	41.90	610.51	174.99	827.40
17.	Indian Golf Union, New Delhi	16.43	41.69	23.53	81.65
18.	Wrestling Federation of India, I.G. Stadium Delhi	470.00	153.98	983.00*	1606.98
19.	Yachting Association of India, New Delhi	147.85	85.95	255.00*	488.8
20.	Indian Amateur Kabaddi Federation, Jaipur	11.77	10.00	121.00	142.77
21.	Volleyball Federation of India, Chennai	73.91	150.53	84.68	142.77
22.	Gymnastics Federation of India, Jodhpur	87.8	18.43	636.00*	742.23
23.	Amateur Handball Federation of India, Jammu and Kashmir	13.55	46.44	78.70	138.69
24.	Basketball Federation of India, N Delhi	61.60	24.24	227.89	313.73

1	2	3	4	5	6
25.	Fencing Association of India, Patiala	30.56	174.06	36.06	240.68
26.	Indian Kayaking and Canoeing Association, New Delhi	26.21	0.00	185.72	211.93
27.	All India Sports Council of the Deaf, New Delhi	23.98	47.65	75.82	147.45
28.	Paralympic Committee of India, Bangalore	142.83	221.39	13.38	377.6
29.	Special Olympic Bharat, New Delhi	3.81	12.00	285.89	301.7
30.	All India Carrom Federation, New Delhi	13.58	23.77	10.96	48.31
31.	All India Karate-Do-Federation, Chennai	0.00	10.18	0.00	10.18
32.	Amateur Baseball Federation of India, Delhi	12.49	14.75	12.75	39.99
33.	Atya Patya Federation of India, Nagpur.	5.92	12.00	10.50	28.42
34.	Cycle Polo Federation of India, New Delhi	9.34	7.76	12.00	29.10
35.	Indian Power lifting Federation, Jameshpur	11.50	0.00	0.00	11.50
36.	Kho-kho Federation of India, Kolkata	4.50	7.50	16.50	28.50
37.	Korfball Federation of India, New Delhi.	13.31	5.50	2.50	21.31
38.	Netball Federation of India, Delhi	65.00	0.00	0.00	65.00
39.	Sepak Takraw Federation of India, Nagpur.	8.00	12.00	12.00	32.00
40.	Shooting Ball Federation of India, New Delhi	12.00	12.00	12.00	36.00
41.	Softball Federation of India, Indore	12.25	13.75	11.75	37.75
42.	Taekwondo Federation of India, Bangalore	11.89	55.10	490.00*	556.99
43.	Tenni-Koit Federation of India, Bangalore	9.00	19.75	15.25	44.00
44.	Tennis Ball Cricket Federation of India, Gorakhpur.	5.00	9.00	8.50	22.50
45	Tug of War Federation of India, New Delhi	9.75	16.00	11.25	37.00
46.	Wushu Association of India, New Delhi	30.91	0.00	90.56	121.47
47.	Billiards and Snooker Federation of India, Kolkata	38.87	50.11	50.20	139.18

1	2	3	4	5	6
48.	Indian Rugby Football Union, Mumbai	2.02	1.41	0.00	3.43
49.	Cycling Federation of India, Delhi	49.78	82.34	0.00	132.12
50.	Malkhamb Federation of India	0.16	11.50	0.00	11.66
51.	Amateur Soft Tennis Federation of India, Ahemdabad	10.75	14.75	11.75	37.25
52.	School Games Federation of India, Bhopal	43.54	5.20	0.00	48.74
53.	Indian Olympic Association, New Delhi	204.00	1324.60	39.54	1568.14
54.	Sports Authority of India, J.N. Stadium, N. Delhi	2000.00	3700.16	322.00	6022.16
55.	Association of Indian Universities (NSPO)	158.45	381.00	160.89	700.34
56.	Tenpin Federation of India	0.00	55.10	0.00	55.10
57.	Bowling Federation of India	56.86	64.27	0.00	121.13
TOTAL		7992.64	10337.20	13603.38	31766.85

* The figures include expenditure incurred for preparation for London Olympics 2012.

Samples tested for doping during National School Games

3094. SHRI P. RAJEEVE: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the number of samples tested for doping in the 57th National School Games;

(b) the percentage of samples that tested positive;

(c) the action taken against athletes who tested positive as well as their respective coaches;

(d) whether any of the above mentioned athletes and coaches are part of any national federation or Sports Authority of India programme;

(e) if so, the details thereof; and

(f) the steps being taken to educate school-going athletes against doping?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) and (b) On the initiative of the National Anti Doping Agency (NADA) to check doping at school level, samples were collected by

the NADA for the first time during the National School Games held in New Delhi between December 28, 2011 and January 3, 2012. Out of 81 samples collected/tested, 11 samples were found positive for the presence of banned substances and the percentage was 13.58%.

(c) The positive cases were referred to the Anti Doping Disciplinary Panel (ADDP) for appropriate action under the Anti Doping Rules of NADA.

(d) No, Sir.

(e) Does not arise.

(f) The concern of National Anti Doping Agency (NADA) in the incidence of Anti Doping Rules Violation by school children has been taken up with the School Games Federation, advising them to exercise greater control and checks in this regard. In addition, NADA has also held several awareness and educational sessions with students and their coaches participating in the School Games and also distributed anti-doping educational material in the form of brochures, handouts and pamphlets. Also, the Central Board of Secondary Education (CBSE) and Indian Certificate of Secondary Education (ICSE) have been requested to consider inclusion of the ill effects of doping in their syllabi.

Involvement in spot fixing

†3095. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether it is a fact that International Cricket Council has prepared a Report suggesting that 20 cricketers who took part in the second edition of the Indian Premier League played in South Africa in April, 2009 could be involved in spot fixing;

(b) if so, whether London-based Sunday Times had also made similar allegation and ICC's Anti-Corruption and Security Unit who had produced such a dossier; and

(c) whether views of BCCI have been sought and reaction of Government thereto?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) and (b) Sir, Board of Control for Cricket in India (BCCI) has informed that the International Cricket Council (ICC) has denied the presence of any such report.

(c) Does not arise in view of reply to parts (a) and (b) above.

†Original notice of the question was received in Hindi.

Scheme for sport and academic training

†43096. SHRI BHAGAT SINGH KOSHYARI: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether Government proposes to start a scheme to impart sports training along with academic education to the children having sports talent in the country;

(b) if so, the details thereof, plan-wise and State-wise; and

(c) the names of the States where the above schemes have been introduced?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) to (c) Currently there is no scheme to impart sports training alongwith academic education to the children having sports talent in the country. Sports Authority of India (SAI) is already implementing the following Schemes, in which talented sportspersons in the age group of 8-25 years are imparted training to excel at national and international sports events :

- (i) National Sports Talent Contest (NSTC) Scheme;
- (ii) Army Boys Sports Companies (ABSC) Scheme;
- (iii) SAI Training Centre (STC) Scheme;
- (iv) Special Area Games (SAG) Scheme; and
- (v) Centre of Excellence (COE) Scheme.

The main objective of the National Sports Talent Contest (NTSC) Scheme, which is in operation since 1984, is to 'Play and Study' in the same school and to "catch them young" for scouting talent essential for converting the genetically and physiologically gifted children into future medal hopes in various competitions at national and international level.

Under the Army Boys Sports Companies (ABSC) Scheme, Special Area' Games (SAG) Scheme, SAI Training Centre (STC) Scheme and the Centre of Excellence (COE) Scheme, the trainees are also provided assistance of Rs.1000 per annum towards education expenses, apart from assistance for sports kit, competition exposure, insurance.

Details of financial norms being given to the trainees under various schemes of SAI are given in the Statement-I (*See* below).

Details of SAI Regional Centres, SAI Training Centres (STCs), Special Area

† Original notice of the question was received in Hindi.

Games (SAG) Centres, Centres of Excellence (COE), State-wise are given in Statement-II (*See below*).

Statement-I

Financial Assistance under various Sports Promotional Schemes of SAI.

National Sports Talent Contest Scheme (NSTC)

(1) Regular Schools

Sl. No.	Particulars (Residential) Per head Per Annum	(Rupees)
1.	Boarding and Lodging @ Rs.75/- per head per day for 300 days	22500.00
2.	Sports Kit (per annum)	2000.00
3.	Competition exposure (per annum)	2000.00
4.	Accidental insurance including medical (p.a.) (Presently Rs. 32/- being paid per head P.a.)	150.00
TOTAL		26650

Sl. No.	Particulars (Non-Residential) Per head Per Annum	(Rupees)
1.	Sports Kit (per annum)	2000.00
2.	Competition exposure (per annum)	2000.00
3.	Stipend for 10 months (per head per annum)	3000.00
4.	Accidental insurance including medical (p.a.) (Presently Rs. 32/- being paid per head P.a.)	150.00
TOTAL		7150.00
5.	Annual grant to the school for purchase of sports equipment (per annum)	20000.00

(2) Indigenous Games and Martial Art

Sl. No.	Particulars Per head Per Annum	(Rupees)
1.	Sports Kit (per annum)	1500.00
2.	Accidental insurance including medical (per annum)	150.00
3.	Stipend for 10 months (per head per annum) (Presently Rs. 32/- being paid per head p.a.)	3000.00
TOTAL		4650.00
4.	Annual grant to the school for purchase of equipment (per annum)	20000.00

Sl. No.	Particulars Per head Per Annum	(Rupees)
5.	Annual grant to the school for organizing compet. for scouting talent (per annum)	25000.00
	TOTAL	45000.00

(3) Navodaya Vidyalayas

Sl. No.	Particulars Per head Per Annum	(Rupees)
1.	Sports Kit (per annum)	1500.00
2.	Competition exposure (per annum)	1500.00
3.	Stipend for 10 months (per head per annum)	3000.00
4.	Accidental insurance including medical (per annum) (Presently Rs. 32/- being paid per head p.a.)	150.00
	TOTAL	6150.00
5.	Annual grant to the school for purchase of equipment (per annum)	20000.00

(4) Akharas

Sl. No.	Particulars	(Amount)
1.	Stipend (per head per month)	1000.00
2.	Insurance	150.00
3.	The adopted Akharas in addition the service Mat/Multi-Gym. of experienced coach will be provided with one set of Wrestling	
4.	The Akharas identified for equipment support will be provided one set of wrestling mat or multi/gymn.	
	TOTAL	1150.00

(5) Sports Centre on Pattern of the Akharas

Sl. No.	Particulars	(Amount)
1.	The trainees of the adopted Sports Centres are provided with stipend (@ Rs. 1000/- per month per trainee)	1000.00
2.	The adopted Centre in addition the service of experienced coach will be provided Sports Equipments.	

Army Boys Sports Company Scheme (ABSC)**Residential:**

Sl. No.	Particulars Per head Per Annum	(Amount)
1.	Boarding/lodging @ Rs. 125/- per trainee for 300 days per head	37500.00
2.	Educational expenses (per head p.a.)	1000.00
3.	Sports Kit (p.a.)	2000.00
4.	Competition exposure	2000.00
5.	Medical	300.00
6.	Insurance (Presently Rs.32/- being paid per head p.a.)	150.00
7.	One time grant of linert and Blankets etc.	2000.00
	TOTAL	44950.00
8.	Sports Equipment (p.a.)	27500.00
9.	Maintenance of Playfield	20000.00
10.	Magazine/Periodical (p.a.) per unit	2500.00

Sai Training Centres (STC)

Annual Maintenance grants from Rs. 7.50 to Rs. 20.00 lacs in a graded manner based on the number of trainees in each centres (Residential Trainees):

Sl. No.	Particulars Per head Per Annum	(Amount in Rupees)	
		Non-Hilly	Hilly Area
1.	Boarding Expenses @ Rs. 125/- per day per head Non-Hilly Areas for 330 days @ Rs.140/- Per day per head for Hilly Areas for 330 Days	41250.00	46200.00
2.	Sports Kit	4000.00	4000.00
3.	Competition Exposure	3000.00	3000.00
4.	Education Expenses	1000.00	1000.00
5.	Medical Expenses	300.00	300.00
6.	Insurance (Presently Rs.32/- being paid per head p.a.)	150.00	150.00
7.	Other Expenses	100.00	100.00
	TOTAL	49680.00	54750.00

Non-Residential Trainees:

Sl. No.	Particulars Per head Per Annum	(Amount)
1.	Sports Kit (per trainee per year)	4000.00
2.	Competition exposure (per trainee per year)	3000.00
3.	Stipend (per trainee per year)	6000.00
4.	Insurance (Presently Rs.32/- being paid per head p. a.)	150.00
TOTAL		13150.00

Special Area Games Scheme (SAG)

Annual Maintenance grants from Rs. 7.50 to Rs. 20.00 lacs in a graded manner based on the number of trainees in each centres (Residential Trainees):

Sl. No.	Particulars Per head Per Annum	(Amount in Rupees)	
		Non-Hilly	Hilly Area
1.	Boarding Expenses Rs.125/- (per day per head) Non-Hilly Areas for 330 days Rs. 140/- Per day per head for Hilly Areas for 330 Days	41250.00	46200.00
2.	Sports Kit	4000.00	4000.00
3.	Competition Exposure	3000.00	3000.00
4.	Education Expenses	1000.00	1000.00
5.	Medical Expenses	300.00	300.00
6.	Insurance (Presently Rs.32/- being paid per head p.a.)	150.00	150.00
7.	Other Expenses	100.00	100.00
TOTAL		49800.00	54750.00

Non-Residential Trainees:

Sl. No.	Particulars	(Amount)
1.	Sports Kit (per trainee per year)	4000.00
2.	Competition exposure (per trainee per year)	3000.00
3.	Stipend (per trainee per year)	6000.00
4.	Insurance (per trainee per year) (Presently Rs.32/- being paid per head p.a.)	150.00
TOTAL		13150.00

Extension centre of STC/SAG centres to cover schools/colleges for wider coverage

Annual Maintenance grant upto Rs. 1.00 lacs per centre per annum for 20 players

Sl. No.	Particulars	(Amount)
1.	Sports Kit (per trainee per year)	4000.00
2.	Competition exposure	2000.00
3.	Stipend (per trainee for 10 months in a year)	6000.00
4.	Insurance (Presently Rs.32/- being paid per head p. a.)	150.00
	TOTAL	12150.00

Centre of Excellence Scheme (COE)

Residential Trainees:

Sl. No.	Particulars	(Amount)
1.	Boarding Expenses @ Rs.175/- per day per head for 330 days	57750.00
2.	Sports Kit	6000.00
3.	Competition Exposure	3000.00
4.	Medical Expenses	500.00
5.	Insurance (Presently Rs. 32/- being paid per head p. a.)	150.00
6.	Other Expenses	100.00
	TOTAL	67500.00

Non-Residential Trainees:

Sl. No.	Particulars	(Rupees)
1.	Sports Kit (per trainee per year)	6000.00
2.	Competition exposure	3000.00
3.	Stipend	9000.00
4.	Insurance (Presently Rs. 32/- being paid per head p. a.)	150.00
	TOTAL	18150.00

Statement-II*State-wise details of Sports Authority of India (SAI) Centres*

Sl. No.	State	Centres		
		SAI Training Centre (STC)	Special Area Games (SAG)	Centre of Excellence (COE)
1.	Andhra Pradesh	Secunderabad	--	--
		Eluru	--	--
		Kurnool	--	--
		Medak	--	--
		Vishakhapatnam	--	--
2.	Assam	Guwahati	Tinsukia	--
		Golaghat	Kokrajhar	--
3.	Arunachal Pradesh	---	Naharlagun	--
4.	Bihar	Patna	Muzzaffarpur	--
		--	Kishanganj	--
		--	Giddaur	--
5.	Chhatisgarh	Rajnandgaon	--	--
6.	Goa	Ponda	--	--
7.	Gujarat	Gandhinagar	--	Gandhinagar
8.	Haryana	Sonepat	--	Sonepat
		Kuru kshetra	--	Hissar
		Bhiwani	--	--
		Hissar	--	--
9.	Himachal Pradesh	Dharmshala	--	--
		Bilaspur	--	--
10.	Jammu and Kashmir	Udhampur	--	--
11.	Jharkhand	--	Ranchi	--
12.	Karnataka	Bangalore	--	Bangalore
		Dharwad	--	--
		Medikeri	--	--
13.	Kerala	Trichur	Alleppey	Kollam
		Kollam	Tellicherry	Trivandrum
		Calicut	--	--
		Trivendrum	--	--
14.	Madhya Pradesh	Bhopal	Dhar	Bhopal
		Dhar	--	--
		Indore	--	--
		Jabalpur	--	--
		Tikamgarh	--	--

Sl. No.	State	Centres	
15.	Maharashtra	Kandivali	-- Kandivali
		Aurangabad	-- --
16.	Manipur	Imphal	Imphal Imphal
		--	Utlov --
17.	Meghalaya	Shillong	-- --
18.	Mizoram	--	Aizwal --
19.	Nagaland	Dimapur	-- --
20.	Odisha	Cuttack	Jagatpur --
		Dhankanal	Sundergarh --
21.	Punjab	Mustana Sahib	-- --
		Badal	-- --
		Ludhiana	-- --
		Patiala	-- --
22.	Rajasthan	Jodhpur	-- --
		Alwar	-- --
23.	Sikkim	--	Namchi --
24.	Tamil Nadu	Chennai	Nagercoil --
		Salem	Mayiladuthurai --
25.	Tripura	--	Agartala --
26.	Uttar Pradesh	Raibarielly	-- --
		Jhansi	-- --
		Safai Etawah	-- --
		Lucknow	-- --
		Allahabad	-- --
		Bareilly	-- --
27.	Uttrakhand	Kashipur	-- --
28.	West Bengal	Kolkata	Bolpur --
		Lebong	-- --
		Burdwan	-- --
		Siliguri	-- --
Union Territory			
29.	Andaman and Nicobar	--	Port Blair --
30.	Chandigarh	Chandigarh	-- --
31.	Delhi (NCR)	Delhi	-- --
32.	Pududicherry	Pududicherry	-- --

Action plan to promote hockey and kabaddi

†3097. SHRI THAAWAR CHAND GEHLOT: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the action plans being implemented by Government to promote the sports like hockey and kabaddi;

(b) the amount spent on these games from the Central Government's sports budget during the last three years;

(c) whether Government would formulate any action plan to provide grounds for playing hockey and kabaddi in every district of the country; and

(d) if not, the reasons therefor and if so, by when?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) Sir, it is primarily the responsibility of the recognized National Sports Federations (NSFs) to prepare action plans for the concerned sport. The Government supplements the efforts of the recognized NSFs as per the agreed Long Term Development Plans (LTDPs). The Government provides financial assistance to the NSFs for promotion of sports activities such as holding of coaching camps for national level sportspersons, holding of zonal and national championships for sub-junior, junior and senior categories, organization of International tournaments in India, training and participation of sportspersons/teams in international tournaments abroad, procurement of sports and sports science equipment from indigenous sources or through import, appointment of National Coach, engagement of foreign coaches/experts. Further, identification and nurturing of the identified talent from the disciplines of hockey and kabaddi is done under the following Schemes of the Sports Authority of India (SAI):

- National Sports Talent Contest (NSTC) Scheme
- Army Boys Sports Companies (ABSC) Scheme
- SAI Training Centers (STC) Scheme
- Special Area Games (SAG) Scheme
- Centre of Excellence (CoE) Schemes

(b) Rs. 3007.58 lakhs and Rs. 142.77 lakhs were spent on hockey and kabaddi respectively from the Central Government budget during the last three years, *i.e.*, from 2009-10 to 2011-12 (upto December 2011).

†Original notice of the question was received in Hindi.

(c) and (d) The primary responsibility of development of sports infrastructure including grounds for playing of hockey and kabaddi is that of States, as 'Sports' is a State subject. However, for supplementing the efforts, the Government provides assistance to the States under the Scheme of Panchayat Yuva Krida Aur Khel Abhiyan (PYKKA) Scheme and Urban Sports Infrastructure Scheme (USIS). Scheme of PYKKA aims at providing playfields in all village panchayats and block panchayats of the country in a phased manner during Eleventh and Twelfth Plan period. So far 53,927 village panchayats and block panchayats have been covered. The Scheme of USIS provides for giving grants, *inter-alia*, for creation of sports infrastructure projects such as hockey turf/football turf/multi-purpose halls/athletic tracks, etc. Under the scheme, State Governments, local civic bodies, Schools, Colleges, Universities and Sports Control Boards are eligible for appropriate assistance.

Activities undertaken under PYKKA

‡3098. SHRI OM PRAKASH MATHUR: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) the details of the activities undertaken under the Panchayat Yuva Kreedaa and, Khel Abhiyan (PYKKA);

(b) the details of the funds allocated to the States during the last two years and current year, state-wise: and

(c) the method adopted for evaluating as to whether the allocated amount is being utilised properly or not by the States?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) Under the Panchayat Yuva Krida Aur Khel Abhiyan (PYKKA) scheme, which was introduced in 2008-09, playfields are developed in village and block panchayats across the country in a phased manner and competitions are conducted annually at block, district, state and national level. 51,759 village panchayats and 1,538 block panchayats have been covered under the PYKKA Scheme, during the last four years (2008-09 to 2011-12) for development and maintenance of playfields.

(b) Year-wise allocation and release of funds during last two years and current year under the PYKKA scheme to the States (including NYKS and SAI) for development of playfields in village/block panchayats and for holding annual sports competitions are given below:

‡Original notice of the question was received in Hindi.

(Rs. in crore)

Year	Budget allocation	Amount released to State Governments/SAI/NYKS
2010-11	350.00	348.89
2011-12	165.20	165.03
2012-13	235.00	—
TOTAL	750.20	513.92

The state-wise details, for the years 2010-11 and 2011-12 are given in the Statement (*See below*).

(c) State level Executive Committee (SLEC) chaired by Chief Secretary, District level Executive Committee (DLEC) headed by President, District Panchayat and Block level Executive Committee (BLEC) headed by the President of Block Panchayat are monitoring the PYKKA programme. Member of Parliament has also been associated in the respective DLEC. Eminent sportspersons, who have retired from active sports, have been engaged as observers for monitoring the ongoing PYKKA activities in the States. MIS-PYKKA, online operationalisation of PYKKA activities, also ensures transparency and accountability.

Statement

State-wise sanction and release of funds under PYKKA Scheme for development of playfields and for holding competitions during 2010-2011.

(Rs. in crore)

Sl. No.	Name of State/UT	Development of playfields		Competitions			Total amount released
		Amount approved	Amount released	Rural Competi-tion	Women Competi-tions	Total	
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	51.96	25.98	11.26	-	11.26	37.24
2.	Arunachal Pradesh	11.11	10.51	2.05	-	2.05	12.56
3.	Assam	-	-	2.96	0.38	3.34	3.34
4.	Bihar	-	-	6.19	-	6.19	6.19
5.	Chhattisgarh	-	-	2.01	-	2.01	2.01
5.	Goa	-	-	0.18	0.08	0.26	0.26

1	2	3	4	5	6	7	8
7.	Gujarat	11.35	02.55	2.69	-	2.69	5.24
8.	Haryana	14.43	14.43	1.50	0.31	1.81	16.24
9.	Himachal Pradesh	8.79	8.80	1.18	0.15	1.33	10.13
10.	Jammu and Kashmir	-	-	2.10	-	2.10	2.10
11.	Jharkhand	-	-	2.81	0.35	3.16	3.16
12.	Karnataka	12.47	14.86	2.52	0.42	2.94	17.80
13.	Kerala	11.17	11.17	1.32	-	1.32	12.49
14.	Madhya Pradesh	-	-	4.13	0.66	4.79	4.79
15.	Maharashtra	28.16	41.94	3.88	0.48	4.36	46.30
16.	Meghalaya	1.32	01.19	0.67	0.12	0.79	1.98
17.	Mizoram	2.25	02.27	0.58	0.13	0.71	2.98
18.	Nagaland	5.92	02.96	-	0.13	0.13	3.09
19.	Odisha	10.35	05.98	3.85	0.42	4.27	10.25
20.	Punjab	27.87	26.66	1.55	0.30	1.85	28.51
21.	Sikkim	0.67	2.02	-	-	-	2.02
22.	Tamil Nadu	-	-	4.66	0.44	5.10	5.10
23.	Tripura	7.06	03.24	0.67	0.11	0.78	4.02
24.	Uttar Pradesh	58.83	62.27	9.47	-	9.47	71.74
25.	Uttarakhand	19.43	19.43	1.38	0.09	1.47	20.90
26.	West Bengal		02.32	3.31	-	3.31	5.63
27.	Andaman and Nicobar	01.06	01.06	-	-	-	1.06
28.	Lakshadweep	00.51	00.51	-	-	-	0.51
29.	Puducherry	00.69	00.69	-	-	-	0.69
30.	UT of Chandigarh	-	-	-	0.03	0.03	0.03
31.	Through NYKS			3.22	-	3.22	3.22
32.	Fund released to NYKS to hold Inter-School Competitions in 626 districts and 35 states.					7.31	7.31
GRAND TOTAL		285.40	260.84	76.14	4.60	88.05	348.89

(-) - Nil

(b) State-wise sanction and release of funds under PYKKA Scheme for development of playfields and holding competitions during 2011-2012.

(Rs. in crore)

Sl. No.	Name of State/UTs	Development of playfields		Competitions Amount released	Total amount released
		Amount approved	Amount released		
1	2	3	4	5	6
1.	Andhra Pradesh	-	25.98	-	25.98
2.	Arunachal Pradesh	-	-	-	-
3.	Chhattisgarh	-	-	2.23	2.23
4.	Gujarat	2.08	13.43	-	13.43
5.	Haryana	5.09	5.09	1.60	6.99
6.	Himachal Pradesh	4.02	3.66	1.24	4.90
7.	Jammu and Kashmir	-	0.56	-	0.56
8.	Jharkhand	-	2.40	-	2.40
9.	Karnataka	-	-	2.17	2.17
10.	Kerala	-	-	0.23	0.23
11.	Madhya Pradesh	23.65	39.99	4.91	44.90
12.	Maharashtra	-	-	-	-
13.	Meghalaya	1.32	1.72	0.09	1.81
14.	Manipur	-	0.22	-	0.22
15.	Mizoram	-	2.07	0.10	2.17
16.	Nagaland	1.48	4.70	-	4.70
17.	Odisha	-	7.34	-	7.34
18.	Punjab	-	-	-	-
19.	Rajasthan	7.82	2.75	1.72	4.47
20.	Sikkim	1.66	1.66	1.20	2.86
21.	Tripura	4.09	4.09	0.79	4.88
22.	Uttar Pradesh	-	18.39	8.20	26.59

1	2	3	4	5	6
23.	Uttarakhand	-	-	1.40	1.40
UTs					
24.	Andaman and Nicobar	-	-	-	-
25.	Lakshadweep	-	-	-	-
26.	Puducherry	-	-	-	-
27	Fund released to SAI for holding national level competitions.			5.10	5.10
TOTAL		51.21	134.05	30.98	165.03

(-) - Nil

Grants under NPYAD to Himachal Pradesh

3099. SHRIMATI BIMLA KASHYAP SOOD: Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) whether second instalment out of 9.75 lakh respectively both for the financial year 2008-09 and 2009-10, *grant-in-aid* under National Programme for Youth and Adolescent Development (NPYAD) Scheme have not been given to Himachal Pradesh Government;

(b) if so, by when this pending amount will be given to the Government of Himachal Pradesh; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) to (c) Under the National Programme for Youth and Adolescent Development (NPYAD) Scheme, Rs. 9.75 lakh each was sanctioned to Atal Bihari Vajpayee Institute of Mountaineering and Allied Sports, Manali, through the Himachal Pradesh Government for conducting adventure programme for the financial years 2008-09 and 2009-10 respectively. For the financial year 2009-10, the 2nd instalment out of sanctioned amount of Rs. 9.75 lakh has been released on 27.03.2012 to Atal Bihari Vajpayee Institute of Mountaineering and Allied Sports, Manali, Himachal Pradesh. As regards to release of second installment for the Financial Year 2008-09, certain clarification has been sought from the Institute and

on receipt of the same, the case for release of 2nd installment to the institute will be considered.

Special Policy for Youths

3100. SHRI BHARATSINH PRABHATSINH PARMAR:

SHRI PARSHOTTAM KHODABHAI RUPALA:

Will the Minister of YOUTH AFFAIRS AND SPORTS be pleased to state:

(a) why Government is not serious enough to shape out special policy for youths which may be helpful to them to choose their carrier keeping in view their interest as currently our younger generation are directionless;

(b) what policies are currently implemented by the Ministry; and

(c) the number of Youth hostels already constructed and under process in Gujarat State; and

(d) the State-wise detail thereof?

THE MINISTER OF STATE OF THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI AJAY MAKEN): (a) and (b) The National Youth Policy-2003 was designed to galvanize the youth to rise up to the new challenges, keeping in view the global scenario, and aims at motivating them to be active and committed participants in the exciting task of National Development.

We have drafted a revised Youth Policy and it is available on the departmental website <http://www.yas.nic.in> for public information and feedback. We will finalize this policy after receipt of comments from State Governments and the public.

One of the objectives of the National Youth Policy to provide the youth with proper educational and training opportunities and to facilitate access to information in respect of employment opportunities and to other services, including entrepreneurial guidance and financial credit. Keeping these in view, the Government in 2011 has launched a new Youth Employability Skill (YES) Project on 4th April, 2011, in collaboration with the National Skill Development Council and the National Skill Development Corporation (NSDC) started the Youth Employability Skill (YES) Project to impart training in employable skills to unemployed youth.

Moreover, Skill Upgradation Training Programme (SUTP) for women in 200

Border/Tribal/Backward Districts and Skill Development Training Programme(SDTP) under National Council Vocational Training (NCVT) Scheme for additional 100 districts of the country was implemented for Skill Development and Livelihood Generation.

(c) and (d) 80 Youth Hostels have so far been constructed in the country and 4 Youth Hostels are under various stages of construction. Out of 80 Youth Hostels, 68 are under the Department of Youth Affairs and 12 Youth Hostels have been transferred to NYKS, SAI and respective State Governments for optimum uses for Youth and Sports development. At present there is one youth hostel in Gujarat. Under the MPLADS Scheme we are proposing to include the Youth Hostel Scheme. A statement showing list of functional Youth Hostels, State-wise, is given in Statement.

Statement

State-wise list of Functional Youth Hostels

Sl. No.	Name of State/UT	No. of Youth Hostels in the State	Location of Youth Hostel (s)
1	2	3	4

General States

1.	Andaman and Nicobar Islands	1	Port Blair
2.	Andhra Pradesh	7	Secunderabad, Vijayawada, Tirupati, Visakhapatnam, Nagarjunasagar, Warangal, Vizianagaram
3.	Bihar	1	Patna
4.	Goa	2	Panaji, Padam Mapusa,
5.	Gujarat	1	Gandhinagar
6.	Haryana	7	Panchkula, Kurukshetra, Bhiwani, Gurgaon, Sirsa, Yamuna Nagar, Rewari.
7.	Himachal Pradesh	1	Dalhousie
8.	Jammu and Kashmir	3	Patnitop, Srinagar, Udhampur

1	2	3	4
9.	Karnataka	4	Mysore, Hassan, Tirthameshwar, Sogalu
10.	Kerala	3	Trivandrum, Ernakulam (Kochi), Calicut (Kozhikode)
11.	Madhya Pradesh	3	Bhopal, Jabalpur, Khajuraho
12.	Maharashtra	1	Aurangabad
13.	Odisha	4	Puri, Joshipur, Gopalpur-on-Sea, Koraput
14.	Puducherry	1	Puducherry
15.	Punjab	5	Ropar, Amritsar, Sangrur, Patiala, Tarn Taran
16.	Rajasthan	4	Jaipur, Jodhpur, Ajmer, Udaipur
17.	Tamil Nadu	5	Chennai, Madurai, Thanjavaur, Trichy, Ooty
18.	Uttar Pradesh	2	Agra, Lucknow
19.	Uttarakhand	4	Mussoorie, Uttarkashi, Nainital, Badrinath
20.	West Bengal	1	Darjeeling
North East States			
21.	Assam	2	Guwahati, Tezpur
22.	Manipur	1	Imphal
23.	Meghalaya	1	Shillong
24.	Mizoram	1	Aizwal
25.	Nagaland	1	Dimapur
26.	Sikkim	1	Gangtok
27.	Tripura	1	Agartala
TOTAL		68	

(THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair)

PAPERS LAID ON THE TABLE

MOU between Government of India and NSTFDC

THE MINISTER OF TRIBAL AFFAIRS AND THE MINISTER OF PANCHAYATI RAJ (SHRI V. KISHORE CHANDRA DEO): Sir, I lay on the Table, a copy (in English and Hindi) of the Memorandum of Understanding between the Government of India (Ministry of Tribal Affairs) and the National Scheduled Tribes Finance and Development Corporation (NSTFDC), for the year 2012-13. [Placed in Library. *See* No. L.T. 6677/15/12]

Notification of Ministry of External Affairs

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI E. AHAMED): Sir, I lay on the Table, under sub-section (2) of Section 42 of the Nalanda University Act, 2010, a copy (in English and Hindi) of the Ministry of External Affairs Notification No. S/321/23/2011, dated the 31st March, 6th April, 2012, publishing the Nalanda University Statutes, 2012. [Placed in Library. *See* No. L.T. 6655/15/12]

Notification of the Ministry of Personnel, Public Grievances and Pensions

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE AND PENSIONS AND THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Sir, I lay on the Table, under sub-section (2) of Section 3 of the All India Services Act, 1951, a copy each (in English and Hindi) of the following Notifications of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training):-

- (1) G.S.R. 919(E), dated the 30th December, 2011, publishing the Indian Administrative Service (Fixation of Cadre Strength) Second Amendment Regulations, 2011.
- (2) G.S.R. 920(E), dated the 30th December, 2011, publishing the Indian Administrative Service (Pay) Second Amendment Rules, 2011.
- (3) G.S.R. 921(E), dated the 30th December, 2011, publishing the Indian Administrative Service (Fixation of Cadre Strength) Amendment Regulations, 2011.
- (4) G.S.R. 922(E), dated the 30th December, 2011, publishing the Indian Administrative Service (Pay) Amendment Rules, 2011.

- (5) G.S.R. 56(E), dated the 31st January, 2012, publishing the All India Services (Death-Cum-Retirement Benefits) Amendment Rules, 2012.
- (6) G.S.R. 93(E), dated the 16th February, 2012, publishing the Indian Administrative Service (Fixation of Cadre Strength) Amendment Regulations, 2012.
- (7) G.S.R. 94(E), dated the 16th February, 2012, publishing the Indian Administrative Service (Pay) Amendment Rules, 2012.
- (8) G.S.R. 143(E), dated the 13th March, 2012, publishing the, Indian Forest Service (Fixation of Cadre Strength) Amendment Regulations, 2012.
- (9) G.S.R. 144(E), dated the 13th March, 2012, publishing the Indian Forest Service (Pay) Amendment Rules, 2012.
- (10) G.S.R. 145(E), dated the 13th March, 2012, publishing the Indian Forest Service (Fixation of Cadre Strength) Second Amendment Regulations, 2012.
- (11) G.S.R. 146(E), dated the 13th March, 2012, publishing the Indian Forest Service (Pay) Second Amendment Rules, 2012.
- (12) G.S.R. 216(E), dated the 17th March, 2012, publishing the Indian Forest Service (Fixation of Cadre Strength) Third Amendment Regulations, 2012.
- (13) G.S.R. 217(E), dated the 17th March, 2012, publishing the Indian Forest Service (Pay) Third Amendment Rules, 2012.
- (14) G.S.R. 218(E), dated the 17th March, 2012, publishing the Indian Forest Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 2012.
- (15) G.S.R. 219(E), dated the 17th March, 2012, publishing the Indian Forest Service (Pay) Fourth Amendment Rules, 2012. [Placed in Library. See No. L.T. 6649/15/12]

I Notification of the Ministry of Road Transport and Highway.

II Report and Accounts (2010-11) of the IRCC Ltd. N. Delhi and a related papers.

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI JITIN PRASADA): Sir, I lay on the Table:—

I. A copy each (in English and Hindi) of the following Notifications of the

Ministry of Road Transport and Highways, under Section 10 of the National Highways Act, 1956:—

- (1) S.O. 390(E), dated the 18th February, 2011, regarding appointment of competent authority for acquisition of land from km. 82.700 to km.120.400 on National Highway No. 24B in Raebareilly District in the State of Uttar Pradesh.
- (2) S.O. 455(E), dated the 1st March, 2011, regarding appointment for competent authority for acquisition of land from km. 90.700 to km. 140.176 on National Highway No. 232(A) in the State of Uttar Pradesh.
- (3) S.O. 800(E), dated the 26th April, 2011, regarding acquisition of land, with or without structure, from km. 0.000 to km. 131.700 (Jhansi-Lalitpur Section) on National Highway No. 26 in Lalitpur District in the State of Uttar Pradesh.
- (4) S.O. 930(E), dated the 29th April, 2011, regarding appointment of competent authority for acquisition of land from km. 0.000 to km. 40.000 on National Highway No. 2 in Varanasi District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6708/15/12]
- (5) S.O. 940(E), dated the 29th April, 2011, regarding appointment of competent authority for acquisition of land from 0.000 to km. 10.514 and from km. 0.000 to km. 102.106 on National Highway No. 5 in the State of Punjab. [Placed in Library. *See* No. L.T. 6639/15/12]
- (6) S.O. 968 (E), dated the 3rd May, 2011, regarding acquisition of land, with or without structure, from km. 70.700 to km. 179.285 (Yamunanagar-Panchkula Section) on National Highway No. 73 in Yamunanagar District in the State of Haryana. [Placed in Library. *See* No. L.T. 6639/15/12]
- (7) S.O. 985(E), dated the 4th May, 2011, regarding appointment of competent authority for acquisition of land from km. 323.475 to km. 350.800 on National Highway No. 2 (Etawah-Chakeri Section) in Etawah District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6708/15/12]
- (8) S.O. 986(E), dated the 4th May, 2011, regarding acquisition of land, with or without structure, from km. 32.250 to km. 66.250 (Kurali-Kiratpur Section) on National Highway No. 21 in Roopnagar District in the State of Punjab. [Placed in Library. *See* No. L.T. 6639/15/12]
- (9) S.O. 1128(E), dated the 20th May, 2011, regarding appointment of

- competent authority for acquisition of land from km. 0.000 to km. 79.000 on National Highway No. 93 in Agra District in the State of Uttar Pradesh.
- (10) S.O. 1136(E), dated the 20th May, 2011, regarding appointment of competent authority for acquisition of land from km. 123.000 to km. 155.000 on National Highway No. 233 in Ambedkar Nagar District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6708/15/12]
- (11) S.O. 1138(E), dated the 20th May, 2011, regarding acquisition of land, with or without structure, from km. 30.000 to km. 86.500 (Bahadurgarh-Rohtak Section) on National Highway No. 10 in Jhajjar District in the State of Haryana.
- (12) S.O. 1203(E), dated the 26th May, 2011, regarding acquisition of land, with or without structure, from km. 417.650 to km. 450.800 (Rohtak-Bawal Section) on National Highway No. 71 in Rewari District in the State of Haryana. [Placed in Library. *See* No. L.T. 6639/15/12]
- (13) S.O. 1272(E), dated the 2nd June, 2011, regarding acquisition of land, with or without structure, from km. 176.760 to km. 199.600 (Delhi-Agra Section) on National Highway No. 2 in Agra District in the State of Uttar Pradesh.
- (14) S.O. 1275(E), dated the 2nd June, 2011, regarding acquisition of land, with or without structure, from km. 93.800 to km. 176.760 (Delhi-Agra Section) on National Highway No. 2 in Mathura District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6708/15/12]
- (15) S.O. 1317(E), dated the 7th June, 2011, regarding acquisition of land, with or without structure, from km. 0.000 to km. 13.035 (Sonapat Section) on National Highway No. NE-II (Eastern Peripheral Expressway) in Sonapat District in the State of Haryana. [Placed in Library. *See* No. L.T. 6639/15/12]
- (16) S.O. 1321(E), dated the 7th June, 2011, regarding appointment of competent authority for acquisition of land from km. 0.000 to km. 44.000 on National Highway No. 231 (Raibareilly-Jaunpur Section) in Raibareilly District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6708/15/12]
- (17) S.O. 1360(E), dated the 13th June, 2011, regarding appointment of competent authority for acquisition of land, from km. 115.000 to km.

169.960 (Raibareilly-Jaunpur Section) on National Highway No. 231 in Jaunpur District in the State of Uttar Pradesh.

- (18) S.O. 1361(E), dated the 13th June, 2011, regarding appointment of competent authority for acquisition of land, from km. 44.000 to km. 115.000 (Raibareilly-Jaunpur Section) on National Highway No. 231 in Pratapgarh District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6639/15/12]
- (19) S.O. 1550(E), dated the 8th July, 2011, regarding appointment of competent authority for acquisition of land from km. 190.000 to km. 308.655 (Ner Chowk-Manali Section) on National Highway No. 21 in Mandi District in the State of Himachal Pradesh.
- (20) S.O. 1553(E), dated the 8th July, 2011, amending Notification No. S.O. 985(E), dated the 4th May, 2011, to substitute certain entries in the original Notification.
- (21) S.O. 1555(E), dated the 8th July, 2011, regarding acquisition of land, with or without structure, from km. 107.100 to km. 140.200 (Ghaziabad-Aligarh Section) on National Highway No. 91 in Aligarh District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6639/15/12]
- (22) S.O. 1556(E), dated the 8th July, 2011, regarding appointment of competent authority for acquisition of land from km. 134.500 to km. 190.000 (Bilaspur-Ner Chowk Section) on National Highway No. 21 in Bilaspur District in the State of Himachal Pradesh. [Placed in Library. *See* No. L.T. 6639/15/12]
- (23) S.O. 1561(E), dated the 8th July, 2011, regarding acquisition of land, with or without structure, from km. 288.000 to km. 343.400 (Bareilly-Sitapur Section) on National Highway No. 24 in Shahjahanpur District in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6639/15/12]
- (24) S.O. 1574(E), dated the 8th July, 2011, amending Notification No. S.O. 1713(E), dated the 13th July, 2009, to substitute certain entries in the original Notification.
- (25) S.O. 2594(E), dated the 18th November, 2011, regarding fee to be collected from the users of the stretch from km. 0.000 to km. 88.000 (Sambalpur-Baragarh-Odisha/Chattisgarh border Section) on National Highway No. 6 in the State of Odisha.

- (26) S.O. 2794(E), dated the 14th December, 2011, regarding fee to be collected from the users of the stretch from km. 262.739 to km. 309.000 (Uttar Pradesh/Madhya Pradesh Border-Lakhnadon Section) on National Highway No. 26 in the State of Madhya Pradesh.
- (27) S.O. 2795(E), dated the 14th December, 2011, regarding fee to be collected from the users of the stretch from km. 49.700 to km. 99.005 (Jhansi-Lakhnadon Section) on National Highway No. 26 in the State of Uttar Pradesh.
- (28) S.O. 2836(E), dated the 19th December, 2011, regarding fee to be collected from the users of the stretch from km. 90.000 to km. 155.000 (Madhya Pradesh/Uttar Pradesh Border-Shivpuri-Bhognipur Section) on National Highway No. 25 in the State of Uttar Pradesh.
- (29) S.O. 2839(E), dated the 20th December, 2011, regarding fee to be collected from the users of the stretch from km. 322.400 to km. 405.000 (Durg Bypass to Chattisgarh/Maharashtra Border Section) on National Highway No. 6 in the State of Chhattisgarh.
- (30) S.O. 2840(E), dated the 20th December, 2011, regarding fee to be collected from the users of the stretch from km. 175.000 to K.M 230.000 (Nagpur-Hyderabad Section) on National Highway No. 7 in the State of Andhra Pradesh/Maharashtra. [Placed in Library. See No. L.T. 6708/15/12]
- (31) S.O. 2841(E), dated the 20th December, 2011, regarding fee to be collected from the users of the stretch from km. 146.000 to km. 163.895 on National Highway No. 37 in the State of Assam.
- (32) S.O. 2842(E), dated the 20th December, 2011, regarding fee to be collected from the users of the stretch from km. 333.000 to km. 421.273 (Dindigul-Trichy Section) on National Highway No. 45 in the State of Tamil Nadu.
- (33) S.O. 2901(E), dated the 27th December, 2011, regarding fee to be collected from the users of the stretch from km. 110.000 to km. 189.500 (Devihalli-Hassan Section) on National Highway No. 48 in the State of Karnataka.
- (34) S.O. 2915(E), dated the 28th December, 2011, regarding fee to be collected from the users of the stretch from km. 0.000 to km. 244.000 (Bewar-Pali-Pindwara Section) on National Highway No. 14 in the State of Rajasthan.

- (35) S.O. 70(E), dated the 13th January, 2012, regarding fee to be collected from the users of the stretch from km. 0.000 to km. 134.000 (Salem-Ulundurpet Section) on National Highway No. 68 in the State of Tamil Nadu.
- (36) S.O. 80(E), dated the 17th January, 2012, regarding fee to be collected from the users of the stretch from km. 18.600 to km. 54.000 (Hyderabad-Yadgiri Section) on National Highway No. 202 in the State of Andhra Pradesh.
- (37) S.O. 195(E), dated the 31st January, 2012, regarding fee to be collected from the users of stretch from km. 17.600 to km. 129.000 (Dhankuni-Kharagpur Section) on National Highway No. 6 in the State of West Bengal.
- (38) S.O. 196(E), dated the 31st January, 2012, regarding fee to be collected from the users of stretch from km. 410.700 to km. 447.000 (Purnea-Goyerkata Section) on National Highway No. 31 in the State of Bihar.
- (39) S.O. 247(E), dated the 8th February, 2012, regarding fee to be collected from the users of stretch from km. 58.000 to km. 93.000 on National Highway No. 24 in the State of Uttar Pradesh.
- (40) S.O. 248(E), dated the 8th February, 2012, regarding fee to be collected from the users of the stretch from km. 103.000 to km. 29.100 (Gujarat/Maharashtra Border-Surat Hazira Port Section) on National Highway No. 6 in the State of Gujarat.
- (41) S.O. 249(E), dated the 8th February, 2012, regarding fee to be collected from the users of stretch from km. 185.000 to km. 216.800 (Porbandar-Rajkot-Bamanbore Section) on National Highway No. 8B in the State of Gujarat.
- (42) S.O. 250(E), dated the 8th February, 2012, regarding fee to be collected from the users of the stretch from km. 38.000 to km. 94.020 (Kanpur-Varanasi Section) on National Highway No. 2 in the State of Uttar Pradesh. [Placed in Library. *See* No. L.T. 6708/15/12]
- (43) S.O. 259(E), dated the 10th February, 2012, regarding fee to be collected from the users of stretch from km. 398.240 to km. 521.120 (Barwa Adda-Panagarh Section) on National Highway No. 2 in the States of Bihar and West Bengal.
- (44) S.O. 315(E), dated the 22nd February, 2012, regarding fee to be collected

- from the users of stretch from km. 29.700 to km. 87.000 (Delhi/Haryana Border-Rohtak-Hissar Section) on National Highway No. 10 in the State of Haryana.
- (45) S.O. 327(E), dated the 24th February, 2012, regarding fee to be collected from the users of stretch from km. 308.000 to km. 367.000 (Armur-Adloor-Yellareddy Section) on National Highway No. 7 in the State of Andhra Pradesh.
- (46) S.O. 349(E), dated the 29th February, 2012, regarding fee to be collected from the users of stretch from km. 69.500 to km. 148.550 (Purnea-Jhanjharpur-Dharbhanga-Muzaffarpur Section) on National Highway No. 57 in the State of Bihar.
- (47) S.O. 357(E), dated the 1st March, 2012, regarding fee to be collected from the users of stretch from km. 447.000 to km. 498.970 (Dalkhola-Islampore Section) on National Highway No. 31 in the States of Bihar and West Bengal.
- (48) S.O. 358(E), dated the 1st March, 2012, regarding fee to be collected from the users of stretch from km. 522.700 to km. 551.000 (Chalsa-Siliguri-Dalkola Section) on National Highway No. 31 in the State of West Bengal.
- (49) S.O. 359(E), dated the 1st March, 2012, regarding fee to be collected from the users of stretch from km. 123.000 to km. 153.000 (Nagpur-Hyderabad Section) on National Highway No. 7 in the State of Maharashtra.
- (50) S.O. 360(E), dated the 1st March, 2012, regarding fee to be collected from the users of stretch from km. 135.000 to km. 190.000 (Lucknow-Faizabad-Gorakhpur-Uttar Pradesh/Bihar Section) on National Highway No. 28 in the State of Uttar Pradesh.
- (51) S.O. 376(E), dated the 5th March, 2012, regarding fee to be collected from the users of stretch from km. 462.164 to 533.619 (Andhra Pradesh/Karnataka Border-Devanhalli Section) on National Highway No. 7 in the State of Karnataka. [Placed in Library. *See* No. L.T. 6708/15/12]

II. A copy each (in English and Hindi) of the following papers, under subsection (1) of Section 619A of the Companies Act, 1956:—

- (a) Thirty-sixth Annual Report and Audited Statement of Accounts of the Indian Road Construction Corporation Limited (IRCC), (under liquidation), New Delhi, for the year 2010-11.
- (b) Review by Government on the working of the above Corporation. [Placed in Library. *See* No. L.T. 6710/15/12]

Report and Accounts (2010) of ALIMCO Kanpur and related papers

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI D. NAPOLEON) Sir, I lay on the Table:—

I. A copy each (in English and Hindi) of the following papers, under subsection (1) of Section 619A of the Companies Act, 1956:—

- (a) Thirty-eighth Annual Report and Accounts of the Artificial Limbs Manufacturing Corporation of India (ALIMCO), Kanpur, 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.

II. Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (I) above. [Placed in Library. *See* No. L.T. 6299/15/12]

**REPORTS OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON HUMAN RESOURCE DEVELOPMENT**

SHRI PRAKASH JAVADEKAR (Maharashtra): Sir, I present the following Reports (in English and Hindi) of the Department-related Parliamentary Standing Committee on Human Resource Development:—

- (i) 243rd Report on Demands for Grants 2012-13 of the Ministry of Women and Child Development;
- (ii) 244th Report on Demands for Grants 2012-13 of the Department of School Education and Literacy; and
- (iii) 245th Report on Demands for Grants 2012-13 of the Ministry of Youth Affairs and Sports.

**REPORTS OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON ENERGY**

SHRI MOTILAL VORA (Chhattisgarh): 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 Energy (2011-12):—

- (i) Twenty-sixth Report on Action Taken by the Government on the recommendations contained in the Tenth Report on 'Availability of Gas and Coal for Power Sector';
 - (ii) Twenty-seventh Report on 'Demands for Grants (2012-13)' of the Ministry of New and Renewable Energy; and
 - (iii) Twenty-eighth Report on 'Demands for Grants (2012-13)' of the Ministry of Power.
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12.00 NOON

**REPORTS OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON FOOD, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION**

SHRI SANJAY RAUT (Maharashtra): 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 Food, Consumer Affairs and Public Distribution (2011-12):—

- (i) Seventeenth Report on 'Demands for Grants (2012-13)' of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution); and
- (ii) Eighteenth Report on 'Demands for Grants (2012-13)' of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).

**REPORTS OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON LABOUR**

SHRI MOHD. ALI KHAN (Andhra Pradesh): 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 Labour (2011-12):—

- (i) Twenty-eighth Report on 'Demands for Grants (2012-13)' of the Ministry of Labour and Employment;
- (ii) Twenty-ninth Report on 'Demands for Grants (2012-13)' of the Ministry of Textiles; and
- (iii) Thirtieth Report on action taken by the Government on the Recommendations/Observations contained in the Seventeenth Report (Fifteenth Lok Sabha) on 'Welfare of Beedi Workers'.

**REPORTS OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON RURAL DEVELOPMENT**

श्रीमती माया सिंह (मध्य प्रदेश): महोदय, मैं विभाग संबंधित ग्रामीण विकास संबंधी संसदीय स्थायी समिति (2011-12) के निम्नलिखित प्रतिवेदनों की एक-एक प्रति (अंग्रेजी तथा हिन्दी में) सभा पटल पर रखती हूँ:—

- (i) Twenty-ninth Report on 'Demands for Grants (2012-13)' of the Ministry of Panchayati Raj; and
 - (ii) Thirtieth Report on 'Demands for Grants (2012-13)' of the Ministry of Rural Development (Department of Rural Development).
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**REPORTS OF THE DEPARTMENT-RELATED PARLIAMENTARY STANDING
COMMITTEE ON WATER RESOURCES**

DR. GYAN PRAKASH PILANIA (Rajasthan): 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 Water Resources (2011-12):—

- (i) Thirteenth Report on Action Taken by the Government on the Observations/Recommendations contained in the Eighth Report on 'Demands for Grants (2011-12)' of the Ministry of Water Resources; and
- (ii) Fourteenth Report on 'Demands for Grants (2012-13)' of the Ministry of Water Resources.

MATTER RAISED WITH PERMISSION

**Agony of lakhs of home buyers in NOIDA Extension of U.P. due to delay in
approval of master plan by N.C.R. Planning Board**

श्री मुख्तार अब्बास नकवी (उत्तर प्रदेश): उपसभाध्यक्ष महोदय, मैं आपके माध्यम से एक बहुत ही महत्वपूर्ण मुद्दे पर इस सदन का ध्यान आकर्षित करना चाहता हूँ और उसका प्रारम्भ मैं इस शेर के साथ करना चाहता हूँ:

लोग टूट जाते हैं एक घर बनाने में।
तुम तरस नहीं खाते बस्तियां गिराने में।।

महोदय, आपको मालूम होगा, दिल्ली से सटा हुआ नोएडा एक्सटेंशन और उस एक्सटेंशन से जुड़े हुए तमाम तरह के विवाद। उन विवादों का समाधान उत्तर प्रदेश की पिछली सरकार ने और वहां की वर्तमान सरकार ने काफी हद तक कर दिया। उसके बाद हाई कोर्ट के निर्णय के बाद वहां के किसानों की जो समस्या थी, उसका काफी हद तक समाधान हो गया। खास तौर से 10 लाख से ज्यादा लोग, जिन्होंने वहां पर अपने आशियाने का सपना लेकर अपने पूरे जीवन की जमा-पूंजी उस पर लगा दी थी, उनका भी समाधान हो गया था। लेकिन, केन्द्र सरकार की लालफीताशाही नीतियों के चलते आज वे 10 लाख से ज्यादा परिवार और लाखों से ज्यादा वे लोग, जो कि रोजगार के कारण उससे जुड़े हुए हैं, वे आज सड़कों पर आ गए हैं तथा वे आज भुखमरी के कगार पर हैं। इसके साथ ही वे लोग, जिन्होंने अपने पूरे जीवन की जमा-पूंजी लगाकर और कर्ज लेकर उसमें अपना निवेश किया था, आज चौतरफा परेशान हैं और जन्तर् मन्तर पर आन्दोलन कर रहे हैं।

उपसभाध्यक्ष महोदय, मैं केन्द्र सरकार से कहना चाहता हूँ कि केन्द्र सरकार ने एन.सी.आर. बोर्ड को अधिकृत किया था कि वह प्लानिंग कमेटी के माध्यम से उस पूरे-के-पूरे नोएडा एक्सटेंशन से जुड़े हुए विवाद का समाधान करे, उस प्लानिंग कमेटी ने पूरे-के-पूरे मास्टर प्लान को स्वीकृति दे दी थी। स्वीकृति देने के बाद फिर review पर review होता है, तारीख

पर तारीख दी जाती है और उसका नतीजा यह हो रहा है कि एक तरफ तो आम आदमी इससे पूरी तरह परेशान है और दूसरी तरफ किसानों को जो 64 परसेंट मुआवजा देने की बात हुई थी, वह भी किसानों को सिर्फ इसलिए नहीं मिल पा रहा है, क्योंकि जो पिछली सरकार का निर्णय था, जो वर्तमान सरकार का निर्णय है और जो हाई कोर्ट का निर्णय था, उनका पालन नहीं हो पा रहा है। साथ ही साथ केन्द्र सरकार द्वारा एन.सी.आर. बोर्ड के माध्यम से इसको लागू करवाना चाहिए था, उसमें देरी की जा रही है। सर, मैं आपके माध्यम से माननीय मंत्री जी से यह कहना चाहूंगा कि वे तत्काल एन.सी.आर. बोर्ड को निर्देशित करें कि जो मास्टर प्लान अभी फाइलों में बंद है वहां धूल फांक रहा है, वे उस पर तत्काल कार्रवाई करें। लालफीताशाही और नौकरशाही के चक्कर में दस लाख से ज्यादा परिवारों को सड़कों पर आंदोलन करने के लिए मजबूर किया जा रहा है।...**(व्यवधान)**...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Your time is over. Please sit down. Now Shri Tapan Kumar Sen..**(Interruptions)** आपका समय समाप्त हो गया, इसलिए कृपया आप बैठ जाइए।

श्री मुख्तार अब्बास नकवी: सर, यह बहुत महत्वपूर्ण विषय है।...**(व्यवधान)**...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): हां, यह महत्वपूर्ण विषय है, लेकिन आपने इस विषय पर बोल दिया, इसलिए कृपया अब आप बैठ जाइए।

श्री मुख्तार अब्बास नकवी: *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, Shri Tapan Kumar Sen..**(Interruptions)** Naqviji, it is not going on record..**(Interruptions)** ठीक है, कृपया आप बैठिए।

श्री मुख्तार अब्बास नकवी:*

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): आप बोल चुके हैं, इसलिए कृपया आप बैठिए।

श्री प्रकाश जावडेकर (महाराष्ट्र): महोदय, मैं स्वयं को इस विषय से संबद्ध करता हूं।

श्री प्रभात झा (मध्य प्रदेश): महोदय, मैं स्वयं को इस विषय से संबद्ध करता हूं।

श्री अनिल माधव दवे (मध्य प्रदेश): महोदय, मैं स्वयं को इस विषय से संबद्ध करता हूं।

श्री बलवीर पुंज (ओडिशा): महोदय, मैं स्वयं को इस विषय से संबद्ध करता हूं।

SHRI BIRENDRA PRASAD BAISHYA (Assam): Sir, I associate myself with it.

DR. CHANDAN MITRA (Madhya Pradesh) : Sir, I also associate myself with it.

Miserable Plight of Farmers

SHRI TAPAN KUMAR SEN (West Bengal): Sir, I rise to draw the attention of this august House as well as of the Government to the severe distress and crisis

* Not recorded

[Shri Tapan Kumar Sen]

being faced by our farmer community who actually feed 120 crores of our population. Farmers' suicides are increasing every day. Crops are being burnt and people are abandoning agriculture, thus creating a very dangerous situation for our food security in the days to come. Sir, even in my State West Bengal where suicides were not a common thing, the crisis has gone to such an extent that 41 farmers have committed suicide...*(Interruptions)*

SHRI KUNAL KUMAR GHOSH (West Bengal): It is, totally, a baseless allegation...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please sit down...*(Interruptions)* It is no allegation...*(Interruptions)*

SHRI TAPAN KUMAR SEN: More than 40 farmers have committed suicide. Twelve thousand peasants have been evicted, and they have lost their livelihood...*(Interruptions)* My friend has not understood the issue which I am raising. That is the tragedy. Sir, the whole thing is flowing from the faulty policy of the Government on public investment in agriculture as well as an absolutely faulty credit policy. The public investment in agriculture is going down in a consistent manner, and the overall expenditure towards agriculture, as a percentage of GDP, has gone down over the years. On the other hand, the whole credit system is such that although we are talking of agricultural credit, yet the fact remains that more than two-thirds of our farming community are outside the institutional credit network, and they are victims of private money lenders and sharks. In such a situation, whatever rural credit network our country is having, we have developed it through 60 years of development exercise after Independence. A policy drive is there to prune and limit their area of operation deliberately to divert the funds. The funds are not coming from Government's own pocket. The funds are generated by the savings of the people of the country. They go to banks, they go to rural regional banks, they go to NABARD. Those funds meant for agriculture are being cornered, diverted to the farm houses. As on date, even if somebody scrutinises the priority sector rural credit, you will find that this has been diverted to the rich and major landlords and farm houses. It is not going to poor and marginal farmers who actually produce more than 75 per cent of our country's food. In such a situation, the most disturbing trend is that NABARD (*Time-bell rings*) has decided to close its 15 district base offices.

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): माइक ऑफ हो गया।

SHRI TAPAN KUMAR SEN: I am just concluding. NABARD is reducing, closing down its 15 district base offices and also the rural regional banks, autonomy

is being scurbed by imposing sponsored banks so that the deposits of the regional banks are diverted for non-rural purposes. I think, policy reversion is required and I insist the Government to seriously consider reversion of the policy in the matter.

श्री वी. हनुमंत राव (आन्ध्र प्रदेश): सर, हिन्दुस्तान में लोग...(व्यवधान)...पूजा करते हैं।...(व्यवधान)...

THE VICE-CHAIRMAN (PROF P. J. KURIEN): What is the matter? No, no; your Zero Hour is not admitted. What are you saying?...(*Interruptions*)...It is not permitted. Please take your seat...(*Interruptions*)...It is not permitted. Please take your seat.

श्री वी. हनुमंत राव: *

THE VICE-CHAIRMAN (PROF P. J. KURIEN): Mr. V. Hanumantha Rao, you are not permitted. Please take your seat...(*Interruptions*)..We are going to have an important discussion. Please take your seat. We will now take up the Short Duration Discussion. Shri Satish Chandra Misra to initiate.

SHORT DURATION DISCUSSION

Issue of reservation for Scheduled Castes and Scheduled Tribes in promotions during services

श्री सतीश चन्द्र मिश्रा (उत्तर प्रदेश): माननीय उपसभाध्यक्ष महोदय, मैं सबसे पहले माननीय सभापति महोदय और आपको इस बात के लिए धन्यवाद देता हूँ कि आपने इस महत्वपूर्ण मुद्दे पर हमारे नोटिस को स्वीकार करते हुए, इसकी urgency को देखते हुए, इस matter को आज take up कर लिया है। इसके साथ-साथ, मैं अपनी पार्टी की प्रेजिडेंट, इस सदन में हमारी पार्टी की नेता, हमारी पार्टी की अध्यक्षा को भी धन्यवाद देना चाहता हूँ कि उन्होंने इस मौके पर, इस महत्वपूर्ण मामले पर हमको बोलने का मौका दिया। इस विषय पर पहले उन्होंने अपनी बात रखी थी और उसके बाद उन्होंने माननीय प्रधान मंत्री जी को, जो कि इस हाउस के लीडर हैं, माननीय लीडर ऑफ दि अपोजिशन को और सभी दलों के नेताओं को एक व्यक्तिगत विस्तृत पत्र लिख कर, उसमें सारे तथ्यों को लिखते हुए इससे अवगत कराया था और उनसे सहयोग की अपेक्षा की थी। वे तथ्य, जिन्हें हमारी पार्टी की राष्ट्रीय अध्यक्षा ने अपने पत्र में पहले ही रख दिया है, को मैं आपके और सदन के सभी सदस्यों के सामने रखना चाहता हूँ।

मान्यवर, जहां तक article 16(4) of the Constitution है, उसमें reservation के लिए provision दिया गया है। Article 16(4), Constitution में उसके inception से मौजूद है। Constitution, जिसके architect बाबा साहब डा. भीमराव अम्बेडकर थे। उसमें article 16(4) के तहत बहुत सोच-समझ कर इस प्रोविजन को रखा गया था। जो लोग सदियों से इस देश

* Not recorded

[श्री सतीश चन्द्र मिश्रा]

में inequality से suffer कर रहे हैं और जहां social backwardness है, जो कि economic backwardness और educational backwardness को lead करती है, उसके तहत उसको दूर करने के लिए जो गैरबराबरी चल रही थी, उसको बराबर करने के लिए उन्होंने Constitution में article 16(4) को डाला था जिससे कि नौकरियों में रिजर्वेशन मिल सके और यह रिजर्वेशन बैकवॉर्ड और शैड्यूल्ड कॉस्ट, शैड्यूल्ड ट्राइब्स के दोनों लोगों को दिया जा सके। उसके तहत में जब से कांस्टीट्यूशन बना था, तब से अनवरत जो रिजर्वेशन 16(4) में था, appointment का वर्ड जरूर यूज था लेकिन उसके साथ में उसमें प्रमोशन में भी रिजर्वेशन दिया जा रहा था। इन्दिरा साहनी का जजमेंट 16-11-1992 को आया। This judgment was delivered by a Nine-Judge Bench of the Supreme Court. In this judgment, for the first time, Article 16(4) was interpreted that it only includes initial appointments and does not include promotions within the ambit of Article 16(4). Therefore, reservations by way of promotions cannot be given under Article 16(4). But, the Supreme Court also noted in this very judgment that 'all the previous judgments of the Supreme Court have been holding consistently that Article 16(4) includes reservation for promotion and since this was going on, therefore, we now hold that reservation in promotion will be allowed to continue for another five years.' Before this period could come to an end and when reservation in promotions was continuing, the Constitution (Seventy Seventh Amendment) Act was brought and made effective from 17th September, 1995. Through this amendment, a new Article was added to Article 16 and that is (4A). Under this Article 16(4A), it was provided that there will also be reservation in promotion for SC and ST. Before incorporation of this amendment, there was an Act passed in the State of Uttar Pradesh in 1994. It was relating to reservation for SC/ST and Backward Classes. In this, there is Section 3(7). Under this Section, reservation was granted in promotions also. After the Constitution (Seventy-Seventh Amendment) Act, the protection to that Section was automatically given. Thereafter, there were certain litigations. In those litigations, it was said in certain judgments that so far as 16(4A) is concerned, it, no doubt, include promotion by way of reservation, but this accelerated reservation would not bring in accelerated seniority and there will be no consequential seniority into this. Once these interpretations were given by the Supreme Court in Veer Pal Singh Chauhan and Ajit Singh cases, a further amendment was necessitated to the Constitution.

Sir, an amendment was made to Article 4A itself. It was provided therein that when promotion is given, by way of reservation to SC/ST, accelerated seniority would also be given to them. In this manner, after the judgment delivered in Veer Pal Singh Chauhan and Ajit Singh's case, they were done away with it as per the Amendment brought by Parliament. Now, after this, there was another amendment

which became necessary. It was because there were other judgments which came in between. These judgments said that reservation in promotion, if they have not done in the year in question for which vacancies arisen, will lapse. As the things were going on, everyone is trying to find out a method to give equality to SC/ST by providing them reservation so that these categories of persons can also rise and they may have administrative control in their hands at the higher posts. Unless there is administrative control to persons belongs to such castes, it is understood, even if there is political power, ultimately, it has to be exercised by the executive. Therefore, when one takes these considerations into account, all the persons who are at the helm of affairs in various States, appointments by way of promotions were not given in time, which resulted in lapse of posts after one year. So, to overcome this situation, the Constitution was further amended. Through the Constitution (Eighty-First Amendment) Act of 2000, which came into effect on 9-6-2000, another Article was added to 16 and it was 16(4B). And by means of this, it was provided that vacancies which are not filled in a particular year would continue to remain alive and will be carried forward into the next, year and, thereafter, into later years till they are actually filled up, and that this carrying forward of vacancies would not disturb the 50 per cent quota because the 50 per cent quota, even if it is exceeded because of this carrying forward of vacancies, the carried forward vacancies would be filled up because they would be treated as vacancies of the year in which they arose. Now, after this judgement was given, there were certain disputes again and certain matters again went up to the Supreme Court where in and it was said that article 335 of the Constitution which provides that efficiency in work has also to be kept in mind while providing reservation, and you cannot give any relaxation while giving promotion to candidates belonging to the Scheduled Castes and Schedule Tribes in spite of the accelerated reservation permitted under article 16(4)(a). Later, a fresh amendment was brought in to do away with this. The intention was that these particular castes should get their rights enforced through promotion by way of reservation and accelerated seniority. So, a fresh amendment was brought and that is the 82nd amendment which came into effect from 08.09.2000. Under this, a proviso was added, to article 335, which empowered the States, while making the Act or the rules thereunder, that they can give relaxation to the Scheduled Castes and Schedule Tribes with respect to their qualifying marks and also for lowering the standards of evaluation while making appointments by way of promotion. So, this amendment was incorporated through the 82nd amendment to the Constitution. After this, it was thought that the matter was now settled, that all these amendments have taken care of the Indira Sahnji judgement and other judgements that came from time to time, and that these people belonging to the Scheduled Castes and Schedule Tribes would

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continue to get their right to promotion enforced through reservation. But, in the meantime, this 77th Amendment was challenged again in various High Courts and the matter went to the Supreme Court. That was the M. Nagaraj case. Ultimately, the judgement came in the M. Nagaraj case, which was given by the five-Judge Bench. This came on 19.10.2006. This judgement upheld the validity of the amendment to article 16(4)(a) and 16(4)(b). The court held, it said that it is not *ultra vires*, but while holding so, the five-Judges Bench, overlooking the nine-Judges Bench's judgement, put certain self-imposed conditions, which are not there in the Constitution. There were three such conditions which had been imposed. They said that the States and the Centre, before making reservation rules, by means of a quantifiable data — the court used this word 'quantifiable data' — will have to ascertain three things: (i) whether they have adequate representation in the service; (ii) their backwardness would be ascertained by quantifiable data; (iii) whether efficiency in administrative work is being affected as per of article 335.

Sir, I would come to these three conditions imposed as a consequence of the M. Nagaraj case after narrating the incident that has led this House to consider and discuss this issue today as account of the judgement that came on 27th April, 2012. The State of Uttar Pradesh had brought in this 1994 Act, about which I had referred earlier that under Section 3(7) there was reservation, hereafter, the UP Government servants' seniority rules of 2002 were also framed. By means of the 2002 rules, which were incorporated on 18.10.2002 in the State of UP when *Sushri* Mayawatiji was the Chief Minister of Uttar Pradesh, rule 8A was inserted. Rule 8A provided nothing more than what was already contained in the 85th amendment as it only said that as far as reservation in promotions was concerned, consequential seniority would also be available to those who had been promoted by means of reservation in promotion. Sir, about this rule 8A and section 3(7), after the change of Government in Uttar Pradesh, when the Government of another party was in power, on 13th May, 2005, the State of Uttar Pradesh had deleted this rule 8A. But, in 2007, a new Government of BSP, was formed where *Sushri* Mayawatiji again became the Chief Minister. Immediately thereafter, on 4.9.2007, this rule 8A was re-inserted providing consequential seniority. This was made operative with effect from 16.6.1995 when the 85th Amendment was brought to the Constitution. About this rule 8A as well as section 3(7), which is in operation since 1994, 18 years have passed since under 3(7) promotions have been made; the promotions were continuing since 1950. Section 3(7) simply said that whatever rules and orders continuing for reservation will remain in operation.

Validity of section 3(7) and rule 8A were challenged by means of various writ petitions. One was filed at the Allahabad Bench and another was filed at the Lucknow Bench of the Allahabad High Court. The Allahabad Bench gave its judgment prior in time. The Allahabad Bench, after considering the entire matter held that the provision of section 3(7) of the Act as well as rule 8A were perfectly valid and that they could not be declared *ultra vires*, in view of the provisions as contained in the amended Constitution. After that, the Lucknow Bench gave its decision and the decision from the Lucknow Bench came from the same number of judges as was of the Allahabad Bench, which had two judges' Bench. But, in spite of there being a judgment of the Allahabad Bench which was binding; and if there was a difference, it could have only been referred to the Allahabad High Court's larger Bench. But, the Lucknow Bench of two judges, proceeded further to decide the issue and after hearing the parties, they gave a separate judgment. In that judgment, they declared both, section 3(7) as well as rule 8A as *ultra vires*. These matters came to the Supreme Court. In the Supreme Court, the matters were taken up. The judgment has now come on 27th April, 2012. This judgment, which has come upholds the judgment of the Lucknow Bench. While criticizing the Lucknow Bench that they should not have proceeded to decide the matter by the two judges because two judges had already given a judgment at the Allahabad High Court which was binding on them. After criticizing this, they proceeded to decide the matter on merits and it was a five judge Bench. The *Nagaraj Vs. Union of India* judgment imposes three conditions before framing the rules under the Act. Sir, there is another judgment in respect of the same matter relating to Rajasthan services, which is a case known as *Suraj Bhan Vs. State of Rajasthan*, which also came to the Supreme Court. The Supreme Court also has relied upon *Nagaraj Vs. Union of India* case, and have declared the rule of Rajasthan also as *ultra vires*. Therefore, following these two decisions of Rajasthan as well as *Nagaraj Vs. Union of India* case the Supreme Court on 27.4.2012 have upheld the Lucknow Bench's decision. Sir, the consequence of this is very grave. The consequence of this is that persons who have-been promoted belonging to the Scheduled Castes and Scheduled Tribes right from 1994 onwards, no protection has been given to them. They are not being protected as the protection was given in *Indira Sahani* case. In the *Indira Sahani* case, the 9 judge Bench had given a protection to all those who had already been promoted; their promotions were not affected. But, in the present case, the Supreme Court has not given any protection to all these employees having been promoted for the last 18 years. The enforcement of this judgment will affect not only thousands of employees belonging to the Scheduled Castes and Scheduled Tribes who have been promoted in the State of Uttar Pradesh, but all such employees throughout the country.

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Rajasthan has already been a victim of it. Now, throughout the country, all the employees who have got promotions ever since the 77th Amendment would be how reverted. All the rules and the provisions of the Act with respect to reservation and promotion will be liable to be declared *ultra vires*, and lakhs of these employees would stand reverted to their posts on which they were initially appointed. As such today, it has created a situation which is very grave. The effect of this is that the employees belonging to the Scheduled Castes and Scheduled Tribes not only in the States of U.P. and Rajasthan but also in the whole country are highly agitated. It is not just the existing employees who are going to be affected by it. All those who are likely to get employment in future, those who are students and are still studying and will be getting employment in future, their future rights are also going to be affected by it. So, almost the entire Scheduled Caste and Scheduled Tribe community in the country is affected by it. Therefore, this issue was raised in this House by my party leader Sushri Mayawati with the urgency it deserves. She has also written a letter to all the leaders of the parties, including the hon. Prime Minister and the Leader of the Opposition, and stated the facts and the repercussions which are going to arise out of this.

Now, the question arises as to what is the effect of this judgement and how we can overcome it. This is a question which I am putting to myself also. While considering this question — and which this House also will have to consider — a few things which are very important. There are three pre-conditions which have been imposed by M. Nagraj case. One is about backwardness. It is ascertainment of backwardness by a quantifiable data with respect to Scheduled Castes and Scheduled Tribes. Now, while giving the two-judges' judgement of Rajasthan and U.P. by the Supreme Court, they refer to the five-judges' judgement, and they say that the dictum laid thereon in Nagraj's case is binding through in M. Nagraj's judgement which has been given by the five judges, they have completely overlooked the nine-judges' judgement of Indira Sahni case. Sir, I will take all the three issues one-by-one. The first issue is with respect to ascertainment by way of quantification of the backwardness. Now, the nine judges of the hon. Supreme Court, in Indira Sahni case, had discussed about backwardness socially, economically and educationally, and they had discussed 'socially, economically and educationally backward' words used in article 15, they had also interpreted in article 16. They had also looked article 335, and Articles 341 and 342 under which the President issues an order and notifies as to which castes of this country would be Scheduled Castes and Scheduled Tribes.

Now, after considering all that, the nine-judge bench of the Supreme Court in *Indira Sawhney* case conclusively held that SC/ST are deemed Backward went through the judgement to find out if some judge has dissented on this point whether in the case of Scheduled Castes and Scheduled Tribes, it is yet to be ascertained whether they are backward or not; but I could not find any dissent among the nine judges. Though the final judgement was given by a majority of six, still on this issue, all of them were together, and they have held therein that so far as ascertainment of backwardness is concerned, with respect to Scheduled Castes and Scheduled Tribes, it is indubitable that they are backward once they are notified, under articles 341 and 342, as Scheduled Castes or Scheduled Tribes, and as soon as this exercise is done, they are deemed to be backward the words used are, "they will be deemed to be backward". This finding has not been at one place, but in several paragraphs of the judgement of the hon. Supreme Court it has been discussed. A few of the paragraphs are 264, 319, 323, 367, 567, 571, 781, 788, 796, 797, 798, etc. In these paragraphs the hon. Supreme Court has considered why the reservation was required. It has also gone into the concept of why there should be reservation for Scheduled Castes and Scheduled Tribes. It has gone into the history of this reservation, and the speeches given by Dr. Baba Saheb Bhimrao Ambedkar in the Constituent Assembly, and thereafter, as the Law Minister also in this Parliament have been quoted in that judgement. Thereafter, they have said it is unfortunate that there are two groups in our country who are inherently unequal, one is, the Scheduled Castes and the Scheduled Tribes and the other is the so-called 'upper caste'. They are inherently unequal and this we have to admit. Equality of unequals is secured only by treating them unequally and to bring equality in real sense, a positive and affirmative action is required. That is why the necessity of bringing reservation under article 16 and under article 15 has arise. Undisputedly, it is the social backwardness which leads to economic and educational backwardness. This is very important. The Supreme Court into judgment trace the entire history and after tracing the history they have concluded that social backwardness is the basic thing which has to be considered and kept in mind. On the basis of social backwardness only, the economic and educational backwardness comes into play. We all know even today after these many years of promulgation of the Constitution what is happening in our country. We all are seeing it. We cannot have a blind eye to what is happening around us. We have seen what has happened in the State next to Delhi, in Haryana, in Mirchipur. What happened to the Scheduled Castes and the Scheduled Tribe people there, they had to flee and leave their places. What happened during the common wealth games which were held in Delhi one year back to all the Scheduled Caste and the Scheduled Caste people who were living in and

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they were living in these hutments? They were socially backward and they were having their livelihood by living there, but all these hutments were demolished. The special component which was provided under the Special Component Plan, the amount of almost of Rs. 7000 crores earmarked for upliftment of the Scheduled Castes and the Scheduled Tribes was used for the games. When we raised this issue in this House, the Home Minister had given a statement at that time that, 'yes, it is accepted that this has been done and we will return back the money.' Now two years have passed and not even a single *naya* paisa is given back. Even if now the money would have been returned, what about those people who have been dislocated and who were forced to go and live beneath the flyovers and later on thrown away from there also? It was done for cleanliness of Delhi, because we live here. All the Ministers, all the Secretaries, the Judges and parliamentarians are living in Delhi, and it is the Capital as such all of us do not want the Scheduled Castes and the Scheduled Tribe people to live in huts around us. This we have to keep in mind and we have to accept this reality, the stark reality which glares into our eyes.

This discrimination is still continuing till today. What happened in Odisha, where the persons belonging to the Scheduled Castes were not allowed to cross in front of the houses belonging to the upper castes? So, these things have to be kept in mind while finding out why it is so. This is background what the hon. Supreme Court and the nine-Judges Bench had traced out and looked into the social backwardness and then found that the reservation is a must to make them equal, it is not discrimination with respect to equality which is contained in article 14 of the Constitution. It rather interpreted that this is for bringing the equality for which it is necessary to give reservation. Now this reservation is being sought to be done away with by a judgment of five Judges which completely ignores the nine-Judges dictum on the question of backwardness. The Supreme Court had also considered that higher castes, even if economically backward are not socially backward and this makes a vast difference between the two. They even considered this aspect. Every time argument is made that even higher caste people are also poor, therefore, what about their reservation. Earlier reservation was given through an Office Memo by the Government of India of 10 per cent to such persons also who are economically backward. But that was struck down by the Supreme Court. It says that higher castes are not socially backward. Even if economically backward, they traced out that the difference between the two is, and said it may be all right, they are poor, but still socially they are not backward. Whenever they sit in any social gathering, they are given a different place, even being poor. They have a different position because

they are socially forward and they are not socially backward and all this was taken into consideration while bringing this article. The judgment also said that the SCs and the STs will otherwise be never allowed to reach the top, if they are not given reservation. Every effort and power would be used, which is being used even today by those who come into power and who are still against the reservation of the Scheduled Castes and Scheduled Tribes or their upliftment and want to keep them down or push them down. And, for this reason, Dr. Bheem Rao Ambedkar had stated that empowerment of the unrepresented is necessary in service so that administration can look to their problems also. And, this empowerment, he said, is necessary in the administration because political empowerment only will not suffice since even if we achieve political empowerment, still the work is to be done through the administrator. Therefore, unless the people of these particular castes and communities reach at the higher places, through reservation, the desired results cannot be achieved. Therefore, it is necessary that reservation should be provided at that place also. Here, I would like to read a few lines of the Indira Sawhney Case. In paragraph 788, it says, "Further, if one keeps in mind the context in which article 16(4) was enacted, it would be clear that the accent was upon social backwardness. It goes without saying that in the Indian context, social backwardness leads to educational backwardness and both of them, together, lead to poverty, which, in turn, breeds and perpetuates the social and educational backwardness. They feed upon each other, constituting a vicious circle. It is a well-known fact that till Independence the administrative apparatus was manned almost exclusively by the members of the 'upper' castes. This is a fact, which we have to accept. The Scheduled Castes and the Scheduled Tribes and other similar backward social groups, among Muslims and Christians, had practically no entry into the administrative apparatus. It was this imbalance which was sought to be redressed by providing for reservations in favour of such backward classes.

In this sense, Dr. Rajiv Dhawan may be right when he says that the object of Article 16(4) was "empowerment" of the backward classes. The idea was to enable them to share the State power. This is very important to be considered and noted. We are accordingly of the opinion that the backwardness, contemplated by article 16(4), is mainly social backwardness. It would not be correct to say that the backwardness under article 16(4) should be both, social and educational. The Scheduled Castes and the Scheduled Tribes are without a doubt backward for the purposes of the clause, no one has suggested that they should satisfy the test of social and educational backwardness. Now, in the teeth of this, a five-judges judgement comes into effect. A nine-judges bench had discussed it. Not in one but in several judgements, the hon. Supreme Court have also considered article 141.

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And, while considering the article 141 about the orders passed by the Supreme Court, in one of the latest judgements in 2010 case of Small-Scale Industries *versus* Harmeet Singh, volume 3sc, page 330, while interpreting article 141, it was held that the decision of the smaller bench cannot override the decision of the larger bench. But we have that judgement; and, we have the consequence of such judgement, which has resulted in declaring the provisions as *ultra vires*, on the basis of this five-judges judgement, sitting over the nine-judges judgement. And, the two benches of judges, of course, say that they are bound by the five-judges judgement. Therefore, a situation has arisen which will have to be considered urgently and needs to be necessarily looked into by this House and the Parliament to overcome this type of a situation, otherwise it will lead to a very bad situation. Therefore, it has to be considered most urgently by us.

In the end, I will also be making some suggestions with respect to overcoming the situation which has been brought before us. But before that, I would like to mention two other issues. Sir, there are three conditions that have been imposed. The second condition is ascertainment of adequacy of representation in the service. This is the second condition which was imposed in Nagaraj case and also in the State of UP and also in Rajasthan, case relying on the Nagaraj case. This condition is that before making promotion of the Scheduled Castes and the Scheduled Tribes by way of reservation, an ascertainment has to be made whether adequacy of representation in the service is there or not. To do so is, absolutely impossible. This is a condition, which has now been directed to be imposed. Accordingly to it, whenever a promotion is to be made with respect to the Scheduled Castes/Scheduled Tribes then first, an ascertainment is required to be made about the inadequacy of representation in the services. Every State, including the Union Services, on the basis of the population of the Scheduled Castes/Scheduled Tribes in their States, has ascertained and fixed some quota. Ascertainment is made not only in UP but also in every State. All the States in the country, including the Union of India, ascertain the quota which is required to be filled by these persons in all the posts, including appointments at the initial stage or at the time of promotion. In UP, it is 21 per cent for the Scheduled Castes and 2 per cent for the Scheduled Tribes. In some States, it is more for the Scheduled Tribes and less for the Scheduled Castes. It depends on the population or the situation existing in the respective State. So, this ascertainment is done in every State. Therefore, this is sufficient. Once the ascertainment has been made, no further inquiry is required to be made for ascertaining whether adequacy of representation is there or not. If we read article

16(4-A) or read the article 16(4-B), we will find that it is literally making a provision which is not existing in the Constitution, which is inoperative and ineffective. According to me, if the quota under the reservation of SC/ST for promotion which has already been fixed or ascertained for a particular State Service or for the Union of India Service, has not been achieved or reached, then, in that case, it shows that adequate representation in that particular category of post is not there. It is not at all violative of article 16(4-A). Therefore, a clarification by means of an amendment would be required, which I would be suggesting after submitting the third issue.

The third issue is ascertaining of efficiency in working while making promotions. The judgement imposes this condition also. It says that whenever you are going to make a promotion, you cannot ignore article 335. Therefore, you have to see that whenever you make a promotion, whether by way of appointment or by way of promotion, of the Scheduled Caste or the Scheduled Tribe, you first have to look into article 335 and see that the efficiency is not being affected. Ascertain this in every promotion. This, again, negates completely not only the provisions of articles 16(4-A) and 16(4-B) but also the article 335. Keeping this situation in mind, only this amendment was made in article 335 on 8th of June, 2000. Through this amendment, a proviso was added. What is that proviso? I will just read that out because that will make it clear. It says, "Provided that nothing in this article shall prevent making of any provision in favour of the members of the Scheduled Castes and the Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of the State." So, giving relaxation has already been incorporated under article 335. It is under this article that all rules have been framed and it is under this that the Act has also been framed in UP and elsewhere. If, in any individual case, it is not followed and if that individual case goes to the court and is challenged, which if it is found that the qualifying marks or the relaxation which was determined under article 335 has been violated, then, in that individual case alone it can be looked into. But a general condition should not be imposed for ascertainment, before framing the rules, of seniority or of promotion, by reservation rules have already been framed in the State of UP and wherein eligibility conditions have been imposed even for the promotion of the Scheduled Castes and the Scheduled Tribes. Almost in every State and the Union of India, rules are there saying that this is the minimum number for qualifying and this is the requirement of the length of service which you have to put in, which is conditions are common for all; it may be Upper Caste, Scheduled Caste or Backward Class or any other category. Such minimum requirements, which ascertain the requirement of efficiency, are already there. A person who has put in 25 years of service and, only when he becomes eligible for

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promotion. If he is promoted on the basis of reservation and given seniority, it is but still such promotion is violating article 335, though he has already attained efficiency. Therefore, all these above three pre-conditions which have been incorporated in the judgments of Supreme Court, have to be looked into. Parliament has to consider this because we have no other remedy. It is not a case where under article 143, the President can refer the matter to the Supreme Court for answer, because it cannot be done. That is not binding. It is not binding upon the Supreme Court to even answer the reference. Therefore, that is no remedy. What the five judges in M. Nagraj case have held the two judges have refiled on, and they have reiterated in the same. So, we have to find a remedy. We will have to sit together to find a remedy. That is why, our Leader, Sushri Mayawatiji, has written a detailed letter requesting all the leaders of the Parties to come together, sit together and look into this aspect to overcome the judgements. Whatever I have said just now is contained in the letter that she has sent to every one.

In this regard, I would like to make two suggestions. First in respect to the issue of backwardness. The 5 judyer judgment overreaching the judgement of nine judges while holding that inspite of the name being declared under articles 341 and 342, that backwardness is yet to be ascertained. But since that judgement has come; in my view, it becomes necessary that we should amend articles. 341 and 342 by adding this after article 342. Here, I would like to make some suggestions, because it is very important to overcome this situation. Articles 341 and 342 provide for declaration of certain castes as 'Scheduled Caste and Scheduled Tribes' after an exercise which is to be done looking at the social, educational and economic backwardness. Therefore, they are, under this Supreme Court judgement, treated as 'backward.' But now, looking at the five judges judgement, article 341 is required to be amended by adding this. It says, "and shall for all the purposes of the Constitution be deemed to be Scheduled Caste in relation to that State or Union Territory or as the case may be." Now, my suggestion is, if we make amendment then this will settle the issue of ascertainment of backwardness.

The second suggestion is with respect to article 16(4A) where they say ascertainment of adquency in service is required to be done. Why do they say that ascertainment is to be done? Article 16(4A) says, "Nothing in this article shall prevent the State from making any provision or reservation in matters of promotion in consequential seniority to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes, which in the opinion of the State are not adequately represented in the services under the State."

This last sentence is being used for saying that ascertainment of adequate representation is necessary. Therefore, my submission is that by ways of amendment, the following sentence should be deleted. '... which in the opinion of the State are not adequately represented in the services under the State' and, in its place, the following sentence should be substituted, 'to the extent of percentage of reservation provided to the Scheduled Castes, Scheduled Tribes in the services of the State'. ...(Interruptions)...Since such percentage have already been fixed by all the States, therefore as soon as this is added, it will take care of this present controversy.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, please.

SHRI SATISH CHANDRA MISRA: Sir, I will take only two minutes more. If this is incorporated into this by deleting this sentence, this issue would be closed for all times to come and it would take away the adverse effect which has been created by Nagraj's case.

So far as the efficiency is concerned, Article 335 is already there and, therefore, it has to be provided that if the rules are framed in accordance with Article 335, then that is sufficient to conclude that efficiency has been determined.

Now, after saying this, I would like to...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, please.

SHRI SATISH CHANDRA MISRA: Sir, there about five minutes left for lunch. I will take that much time only. I will take only two minutes. I am really grateful. हम आपको इस बात के लिए धन्यवाद देते हैं कि आपने हमको पूरा मौका दिया है, लेकिन मैं यह समझता हूँ इस विषय पर मैं जितनी बात रख रहा हूँ, किसी को यह लगता है कि शायद मैंने इस पर ज्यादा समय ले लिया है या चेयर समझती है कि मैंने कुछ ज्यादा समय ले लिया है, तो I am sorry for that. But I felt that for considering and understanding the whole issue, the gravity of the issue, it is necessary that we should look into all this. अंत में, हम लोगों को यह नहीं भूलना चाहिए कि शैड्यूल्ड कास्ट/शैड्यूल्ड ट्राइब्स के लोग किस तरीके से चलकर यहां तक पहुंचे हैं। आज उनको यह अधिकार, जो बाबा साहब डा. भीमराव अम्बेडकर जी ने दिया था, इसको पहले भी इंदिरा साहनी की जजमेंट के बाद छीनने की कोशिश की गई थी, जिसके बाद, इसको लेकर पूरे देश में शैड्यूल्ड कास्ट/शैड्यूल्ड ट्राइब्स के लिए लोग आंदोलित हुए थे और इस आंदोलन को लीड करने का काम मान्यवर श्री कांशी राम जी और सुश्री मायावती जी ने किया था तथा उसके बाद यह अमेंडमेंट आया। लेकिन आज फिर वही सिचुएशन अराइज हो गई है, आज फिर से ऐसी सिचुएशन आई है कि इनके जो राइट्स हैं, उनको फिर से आघात पहुंचाने की, और छीनने की कोशिश की जा रही है। चूंकि हम लोग आज भी अपनी मानसिकता नहीं बदल पा रहे हैं यहां तक कि बैकवर्ड क्लास या शैड्यूल्ड कास्ट के जो मसीहा संत व गुरु लोग हैं, यदि काम उनके नाम पर भी कुछ किया

[श्री सतीश चन्द्र मिश्रा]

जाता है, तो लोग उस पर उंगली उठाते हैं, जबकि इस तरह की उंगली दूसरों पर नहीं उठती है। अगर कोई कार्य को किया जाता है, कोई स्मारक बनाया जाता है या उनके नाम पर कोई जगह बनाई जाती है तो लोग उस पर आघात करने की कोशिश करते हैं और कहते हैं कि इसकी जरूरत नहीं है, जबकि इस तरह की चीजे जो अन्य लोगों के सम्बंध में कभी उंगली नहीं उठाई जाती है। यदि शैड्यूल्ड कास्ट/शैड्यूल्ड ट्राइब्स और बैकवर्ड लोगों के सम्बंध में कोई कार्य किया जाता हो तो सभी लोग विरोध में उठकर खड़े हो जाते हों, इसलिए जहां अभी भी ऐसी मानसिकता विद्यमान हो, उसमें यह ध्यान में रखना जरूरी है कि इस कंडीशन के तहत, जिसमें आज पूरे देश के शैड्यूल कास्ट/शैड्यूल ट्राइब्स के एम्प्लॉइज इन्वॉल्व हैं, वे अफेक्टिड हो रहे हैं। इससे खाली एग्जिस्टिंग एम्प्लॉइज ही अफेक्टिड नहीं हो रहे हैं, बल्कि वे भी अफेक्टिड हो रहे हैं, जो अभी एम्प्लॉएमेंट में नहीं आये हैं और आगे एम्प्लॉएमेंट की उम्मीद रख रहे हैं। यह जो भेदभाव है, उसको ध्यान में रखते हुए ही डा. भीमराव अम्बेडकर ने इससे संबंधित कानून संविधान में बनाने का कार्य किया था। हम लोग यह अच्छी तरह से जानते हैं कि एक लड़का जो सेंट स्टीफन से पढ़ा है और एक लड़का दूसरे किसी ऐसे स्कूल में पढ़ा है, जहां पर कि बिल्डिंग भी नहीं है, वह वहां से पढ़कर कम्पीटीशन में आ रहा है तो दोनों में **Competition** के अन्दर कितनी गैर बराबरी होगी। इस गैर बराबरी को कैसे दूर किया जाए, इसको ध्यान में रखकर ही आर्टिकल 15, आर्टिकल 16(4) और इन सारी चीजों को रखा गया था, कांस्टीट्यूशन का बेसिक स्ट्रक्चर बनाया गया था, जिसके तहत प्रीएम्बल में था। यह **social equality** को अचीव करने के लिए कहा गया है, लेकिन अफसोस की बात है कि आज इस तरह के आदेशों को सुप्रीम कोर्ट के निर्देशों के तहत, इस तरह के जजमेंट्स के तहत खत्म करने की कोशिश हो रही है। इसलिए इस पूरे सदन से, सभी से हमारा यह आग्रह है, जैसा आग्रह उस दिन अपने पक्ष के द्वारा सुश्री मायावती जी ने किया था, इस विषय पर डिस्कशन स्टार्ट किया था, इसकी शीघ्रता को देखते हुए केंद्र सरकार से आग्रह किया था। हम खास तौर से चाहेंगे कि लॉ मिनिस्टर साहब, जो कि श्री नारायणसामी जी हैं, जिनके अंदर यह सारा एम्प्लॉएमेंट का इश्यू आता है, जो पर्सनल के मिनिस्टर हैं, वे आज अपना स्टैण्ड जरूर रखें।

आज पूरे देश में भयावह स्थिति उत्पन्न हुई है, आज पूरे देश में ज्वलंत स्थिति उत्पन्न है। आज जो लोग शांत हुए हैं, वे उस दिन से शांत हुए हैं, जिस दिन इस सदन में सुश्री मायावती जी ने इस बात को उठाने का कार्य किया, जिसे पूरे देश के शैड्यूल्ड कास्ट्स, शैड्यूल्ड ट्राइब्स के लोगों ने देखा और उसके बाद उनमें यह उम्मीद जगी। चूंकि आपने इसकी **urgency** को देखते हुए इस मैटर को बहुत शीघ्र लेने का भी कार्य किया, इसलिए आज थोड़ी शांति हुई है। इसी को ध्यान में रख कर इस क्लास में यह भावना है कि पार्लियामेंट उनके इन अधिकारों की रक्षा जरूर करेगी, इसी सदन में करेगी और इसी सत्र में करेगी।

इसके साथ ही मैं अपनी बात समाप्त करता हूं और आपको धन्यवाद देता हूं कि आपने मुझे बोलने का पूरा मौका दिया।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall start with the next speaker, Dr. Mungekar, after lunch.

The House is adjourned for one-hour lunch break.

The House then adjourned for lunch at one minute past one of the clock.

The House re-assembled after lunch at one-minute past two of the clock,

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair.]

DR. BHALCHANDRA MUNGEKAR (Nominated): Mr. Vice-Chairman, Sir, I thank you, very much for allowing me to speak on this extremely important national issue. By no way, this issue could be considered as sectarian because the dimensions of this issue are very widespread from the point of view of social justice. I compliment my colleague, Satish Chandraji, for raising this issue, and also you, Sir, for taking up the matter for discussion in the most urgent manner. At the outset, before I come to the particular matter with respect to reservation in promotions, I must make some qualifying statements. Sir, centuries old exploitation, destitution and oppression resulting from the pernicious caste system based on highly iniquitous social order perpetuated due to the sanctity given by the religious scriptures in the country. Sir, there are several countries in the world which are experiencing inequalities. But nowhere is there a country which has experienced, for hundreds of years, not only inequality, but graded inequality and graded hierarchy. This graded inequality and graded hierarchy accompanied by social, economic and educated backwardness of certain sections of the society, which were earlier referred to as 'depressed classes' and various other nomenclatures, were first systematically scheduled in the Government of India Act, 1935 and came to be known, for official purposes and governance purpose of this country, even during the time when the Britishers were ruling, as the 'Scheduled Castes' and the 'Scheduled Tribes'. Sir, the Constitution of the free India, at the nascent stage, has demonstratively committed to the objectives of social, economic and political equality. In fact, the entire essence of the Constitution is summarized in the Preamble. Sir, this definitely made imperative, not only imperative but also obligatory, to incorporate the principle of affirmative action in the Indian Constitution. This is time for me to put on record my sense of gratitude to the Founding Fathers of the Constitution for incorporating this clause, that is, the policy of affirmative action. I also must make a tribute to Dr. Babasaheb Ambedkar, who, throughout his tenure in the Constituent Assembly, took uncompromised stand, time and again, when the issues relating to social justice were being discussed and who came to be known later as the principal architect of the Indian Constitution. Sir, also, I must not fail in putting on record my gratitude to the Indian National Congress as the moving spirit behind framing of the Indian Constitution, since the Indian National Congress was the principal instrument in fighting for political freedom of this country.

[Dr. Balchandra Mungekar]

Sir, this House, and every Member in this House, amply knows that the Constitution of every country in the world is the product of social, economic, cultural, educational and historical conditions. Had it not been the case, probably, Constitutions of all the countries in the world would have been identical. But, that is no more the case. That is why, the Indian Constitution is committed to the principal of 'affirmative action' and its uniqueness lies in the prescribed 'quota' in the fields of legislatures, employment and education for the members of the Scheduled Caste and the Scheduled Tribe communities. This affirmative action is unique to India where prescribed quota is enshrined in the Indian Constitution by law.

Sir, there have been several faults in the implementation of reservation policy since independence. But, I must not overlook the fact that the reservation policy meant for the Scheduled Castes and Scheduled Tribes has largely proved an effective instrument to bridge the gap between the Scheduled Castes and Scheduled Tribes on the one hand; and the general population, on the other. I wonder if the welfare of the members of the Scheduled Caste and the Scheduled Tribe communities would have been left only to the autonomous process of academic development, probably, whatever level of socio-economic and educational development, the members of the Scheduled Caste and the Scheduled Tribe communities are witnessing today after 63 years of independence, would not have certainly been seen. That is why, despite faults in the implementation, and I can mention a number of them, in the States and at the Centre level, there is no denying the fact that reservation policy played an important and catalytic role in achieving the level-playing field and improving the overall socio-economic conditions of the Scheduled Castes and the Scheduled Tribes.

So far as the matter raised by Shri Satish Chandra Misra is concerned, I also carefully read the letter which was written by Sushri Mayawatji to the Members of the Parliament giving the detail records of the entire case.

Sir, till 1992, reservations in direct recruitment and promotions were admissible to the Scheduled Castes and the Scheduled Tribes in the States and the Central Government services only on the basis of article 16(4) of the Indian Constitution which was read in the morning by Shri Satish Chandra Misra, it was only for the first time in the case of Indra Sawhney that a nine-Judge Bench of the hon. Supreme Court held that article 16(4) does not provide for reservation in promotions. After going carefully through article 16(4), it was found partly true. That is why, the Parliament wisely, in its wisdom, amended article 16(4) and added article 16(4)(A) where the reservation in promotions was also included. Now, I don't want to read it

again because the House is totally aware of this. Sir, once again, in the case of Virpal Singh Chauhan, a two-Judge Bench of the hon. Supreme Court in 1995, a three-Judge Bench in 1996 and a five-Judge Bench in 1999 introduced the 'catch-up principle'. Now, the House also knows the 'catch-up principle', but I will take the risk of repeating the same. The Scheduled Castes, and Scheduled Tribes, who have been given promotion in reservation despite the fact that they are junior to the senior members of the General Category people, the general category people, when they will get the promotion in due course, will regain their seniority. This is simply the meaning of 'catch up principle', which totally came in the way of retaining the seniority of the members of the Scheduled Castes and Scheduled Tribes. Sir, the 77th Amendment to the Constitution, which added article 16(4A), and, the 85th Amendment to the Constitution, in order to deal with this particular case, gave effect to the reservation in promotions. Now, once again, 77th and 85th Amendments to the Constitution were challenged by the general category employees, and, the 5-Judge Bench of the Supreme Court, clubbing all the petitions challenging the amendments, in the case of M. Nagaraj, gave a decision that these amendments were constitutionally valid with certain conditions, which were laid down by the hon. Court in its judgement in the same case. I do not want to read the judgement but, Sir, three principles were added, namely, (1) social backwardness, (2) inadequate representation, and, (3) efficiency. Sir, I do not want to take much time of the House because in the morning, Mr. Misra eloquently explained the situation.

Once article 341 and 342 deal with the identification of the Scheduled Castes and the Scheduled Tribes by using certain criteria, allowing the Central and the State Governments to identify certain social sections as belonging to the Scheduled Castes and the Scheduled Tribes, I fail to understand the hon. Supreme Court's added criteria that they need to be proved to be 'socially backward', which is absolutely redundant. With all respect to the hon. Supreme Court, I venture to say that it is absolutely uncalled for so far as the ethics of jurisprudence are concerned. Only after confirmation, certain sections of the society, those who are experiencing social and economic backwardness, and, those who are not coming up to the level of general population, are clubbed in the list of the Scheduled Castes and Scheduled Tribes. We know the distinction between Scheduled Castes and Scheduled Tribes. Scheduled Caste people are those who were having certain element of untouchability, and, Scheduled Tribe people generally are those who suffer from geographical isolation. This is the distinction between the Scheduled Castes and the Scheduled Tribes. The concept of social backwardness is absolutely redundant, and, that is why, I fully endorse the amendments to article 341 and 342 suggested by Shri Satish Chandra Misra that this social backwardness criteria should not

[Dr. Balchandra Mungekar]

absolutely be required because only those categories are included in the Scheduled Castes and the Scheduled Tribes.

Sir, I am a layman. I was concerned with elementary economics but I can further say that Kesavananda Bharati case has given the concept of, what is popularly known as, the Basic Structure of the Constitution. Before this House, and, through this House, before the nation and the entire faculty of the jurisprudence, *I will venture to say that taking into account the basic caste system as the foundational feature of the Indian society, reservation policy enshrined in the Indian Constitution should be considered as part of basic features of the Indian Constitution. Sir, there should not be absolutely any doubt.*

As I mentioned in the beginning, it is not the popular law, Unfortunately, till today, the reservation policy does not have any statutory backing. It is implemented through orders and Government notifications. I will come to this point later on, a point, which the Forum of the Members of the Scheduled Caste and Scheduled Tribe of both the Houses of Parliament is demanding.

Second point is 'inadequate representation'. Inadequate representation is the quantification but here, again, I fail to understand the judgement of the hon. Supreme Court—'Inadequate' in relation to what? First we have to have certain objective standard. For example, 1st class means sixty per cent marks. A person who does not get adequate marks does not get 1st class—what does it mean? It means that a person who does not get sixty per cent marks will not be declared to have passed in 1st class. This inadequate representation and quantifiable data is in relation to what? That is why I fully endorse the suggestion and the amendment suggested by Mr. Misra that article 16(iv)(a) which added 'inadequate representation' in the opinion of the State should be altogether deleted. Conventionally, it has been followed since 1954 that the people belonging to the Scheduled Castes and the Scheduled Tribes are given representation in proportion to their population in education and in employment in the Central Government, the State Governments as well as in Parliament and the State Legislatures. Surprisingly, the Supreme Court has also mentioned it earlier in the Kesavananda Bharati Case. The question is not about accepting the powers of the Union Government or the Parliament to amend the Constitution with respect to reservation, but the question is about the width of the power. The width of the power means to what extent reservation can be provided. And then the criterion of not more than 50 per cent reservation came. Taking into account the overwhelming backwardness of nearly 60, 70, 80 per cent of the population of the country belonging to the Scheduled Castes

and the Scheduled Tribes, OBCs and minority communities, I am personally not in favour of 50 per cent cut off point. But that is not the subject matter of today's discussion. What I am submitting is that conventionally the proportion of population is considered as the basis. Over a period of time, the Central Government and the State Governments are working out the backlogs. On what basis they are working out the backlogs? It means, there is implicit criterion that there will be 15 per cent reservation for Scheduled Castes, seven-and-a-half per cent for Scheduled Tribes and 27 per cent for OBCs, after Mandal Commission. That is why your total reservation is not coming more than 50 per cent. That is why inadequate representation also, according to me, should be done away with.

The last point is about efficiency. Sir, the question is, can efficiency be a quantifiable criterion? In this country, unfortunately, I am forced to say being in the public life in various capacities for the last 20 years, efficiency is associated with one's caste, gender, religion, language, ethnic group and even the place of domicile. This is highly unacceptable in a country which considers itself to be a democratic country. Still, article 335 talks about efficiency. Now, there was not a single political party having overriding prerogative power to make the Constitution. That is why the Indian Constitution is basically a compromise formula. There is no doubt in my mind that it is the first major intervention. *During the last 3000 years of India's known social history, Indian Constitution is the first major intervention to correct the social, economic, political and cultural imbalances prevailing in different sections of the society and coming in the way of making this country a modern nation state.* That is why, from that point of view, Sir, I submit that I fully endorse the amendment suggested by Mr. Misra.

Lastly, when we are talking about implementation of various programmes of the Government, I do not want to take much of your time, but since a fringe of data is available with me, without antagonizing any section of the society, I must mention that the latest report indicates that there is no candidate to represent in the top echelons of administration of Government of India. There is not a single Secretary belonging to the Scheduled Castes against the total number of 88. There is only one Additional Secretary as against the total number of 66 which is 1.52 per cent only. There are only 13 Joint Secretaries belonging to the Scheduled Castes against total number of 249 which is 5.04 per cent only. There are 471 Director-level posts and the Scheduled Castes have representation only of 31, which is 6.20 per cent only. A new report published by a newspaper on 27th March, 2011, states that there is no Scheduled Castes Secretary in the Government of India Departments and only 3 per cent vacancies are filled with those in the top bureaucracy. It is a matter of grave concern and required to be pondered over immediately.

[Dr. Balchandra Mungekar]

Sir, I, once again, endorse the amendments and request the House, as has been suggested by Sushri Mayawatiji and all the Members, that we should immediately bring a comprehensive Reservation Bill. Sir, I will take two-three minutes more.

It was introduced in 2008. According to it, in 46 educational institutions of national excellence, reservation will not be there. I fail to understand who decides 'national excellence, What is the meaning of 'national excellence'? Today, nearly 45 per cent of the teaching posts are vacant in all universities in the country; they are not filled. And we want top-class education! What is the meaning of 'efficiency'? What is the meaning of 'excellence'? Farmers, without having any PhD or any honorary degree, have been doing farming for the last 5,000 years. We consider them as 'unskilled'. This is the nomenclature. A carpenter in this country is considered as 'unskilled'. His skills are ten times better than mine, a person who is not able to sit properly on chair. We met the hon. Prime Minister several times over this issue. The Bill was introduced in Parliament and subsequently withdrawn because of opposition. Its clause 4 says, 'no reservation in 46 nationally excellent institutions.' Sir, I was Vice-Chancellor of the University of Mumbai for five years. I don't want to mention my autobiography. Not a single university in the country could achieve a one hundredth level of Oxford or Cambridge because they are on a different footing. Harvard's total corpus, donation by students and alumni may equivalent to nearly one-fifth of India's total national income. Here, 50 per cent of the schools don't have chalks, dusters, and blackboards. We are having totally dissimilar conditions. The Reservation Policy, which is just operationalised through the orders of the Government and notifications, which can be interpreted at the sweet will of certain sections of society, is not acceptable. My submission is that Parliament should pass a comprehensive legislation, including reservation in promotions. Thank you very much, Sir.

श्री थावर चन्द गहलोत (मध्य प्रदेश): धन्यवाद, उपसभाध्यक्ष महोदय। यह सदन एक अत्यधिक महत्वपूर्ण विषय, उत्तर प्रदेश पॉवर कार्पोरेशन बनाम राजेश कुमार एवं अन्य की अपील संख्या 2608/2011 पर सर्वोच्च न्यायालय के निर्णय दिनांक 27-4-2012 से उत्पन्न स्थिति, पर चर्चा कर रहा है। मैं भी इस पर चर्चा करने के लिए खड़ा हुआ हूँ। निश्चित रूप से यह निर्णय देश के अनुसूचित जाति और जनजाति वर्ग के लाखों कर्मचारियों को प्रभावित करने वाला है और इतना ही नहीं, उनके परिवार से संबंधित करोड़ों ऐसे भी लोग हैं जो इससे प्रभावित होंगे और इस निर्णय के कारण उनको काफी परेशानी होगी। आदरणीय सतीश चन्द्र मिश्रा जी ने इस विषय पर विस्तार से चर्चा की है। यह अल्पकालीन चर्चा है, परन्तु उन्होंने एक घंटे तक अपने विचार व्यक्त करते हुए जो-जो कानूनन प्रोविजन हैं, उन सब की विस्तार से व्याख्या

की है। निश्चित रूप से उनके द्वारा कही गई बात और संवैधानिक प्रावधानों की जो व्याख्या की गई है, वह समर्थन योग्य है। महोदय, मैं भारतीय जनता पार्टी का कार्यकर्ता हूँ और मुझे गर्व है कि हम भारत के संविधान में अनुसूचित जाति व जनजाति से सम्बन्धित प्रावधानों का समर्थन करते हैं और समय-समय पर हमको जब भी अवसर मिला है, हमने संवैधानिक प्रावधानों के संरक्षण का प्रयास भी किया है।

महोदय, संविधान निर्माताओं ने आरक्षण सम्बंधी जो प्रावधान किए हैं, उन पर विस्तार से चर्चा हुई है और समय-समय पर सुप्रीम कोर्ट में उठाए जाने वाले अनेक विषयों पर चर्चा करने के बाद ही आरक्षण सम्बंधी प्रावधान किए गए हैं। परंतु हमारे यहां प्रजातांत्रिक व्यवस्था में विचारों की अभिव्यक्ति का सभी को अधिकार है और माननीय न्यायालय में जाकर भी अपनी बात रखने का अधिकार है। महोदय, समय-समय पर आरक्षण संबंधी विषयों को लेकर अनेक याचिकाएं दायर हुई हैं और उनमें निर्णय भी हुए हैं जिनमें से कुछ निर्णय अनुकूल व कुछ प्रतिकूल भी हुए हैं। महोदय, जैसा कहा गया है, 1992 तक संवैधानिक प्रावधान के अंतर्गत आरक्षण व प्रमोशन में आरक्षण भी मिलता रहा है, किन्तु उसके बाद उच्चतम न्यायालय के निर्णय के कारण इसमें कुछ बाधाएं आयीं और उन बाधाओं को दूर करने के लिए उनमें 5 साल के लिए फिर से वृद्धि की गयी कि वह *as it is* चलता रहेगा। बाद में सन् 1997 में तत्कालीन केन्द्र सरकार ने पांच कार्यालयीन आदेश जारी किए जिनके माध्यम से, जो संवैधानिक प्रावधान थे, उनको यह कहकर कि उच्चतम न्यायालय ने इस-इस प्रकार से निर्णय दिए हैं और माननीय उच्चतम न्यायालय के निर्णय पर अमल करना आवश्यक है, वे आदेश जारी किए गए और उन आदेशों में आरक्षण सम्बंधी प्रावधानों पर रोक लगा दी गयी। महोदय, मैं 1996 से 2009 तक लोक सभा का सदस्य रहा हूँ और मुझे यह कहते हुए खुशी हो रही है कि जब अटल बिहारी वाजपेयी जी देश के प्रधान मंत्री बने, तो संसद के एस.सी./एस.टी. फोरम के सदस्यों ने एक बैठक आहूत की और उसमें उस समय के प्रधान मंत्री आदरणीय अटल बिहारी वाजपेयी जी को आमंत्रित किया। उनको हमने बताया कि ये जो पांच कार्यालयीन आदेश जारी हुए हैं, उनके कारण उन्हें नौकरियों में आरक्षण में जो छूट मिलती है, आवागमन में यात्रा का **relaxation** मिलता है, कम अंकों पर प्रवेश दिया जाता है और कम अंकों पर नौकरी में भी नियुक्ति दी जाती है और प्रमोशन में आरक्षण भी होता है, इन पर रोक लगी हुई है। इसके साथ ही एक निर्णय और था जिसमें सुप्रीम कोर्ट ने 50 प्रतिशत की जो प्रतिबंधित सीमा रखी है, उस पर भी संविधान में संशोधन हुए जिस के फलस्वरूप संविधान में तीन संशोधन किए गए और उन से आरक्षण की सुविधाएं फिर से बहाल हुईं। महोदय, 50 प्रतिशत की सीमा के बारे में यह संशोधन किया गया कि **backlog** की पूर्ति के लिए 50 प्रतिशत की सीमा का बंधन नहीं होगा और प्रमोशन में आरक्षण भी होगा। यह संशोधन पिछली तारीख से लागू किया गया, जिस तारीख को याचिका दायर हुई थी अर्थात् 1995 से यह संशोधन लागू किया गया जबकि वह आदेश 1997 में लागू हुआ था। उनमें दो मामले रोस्टर सम्बंधी थे व एक अन्य विषय था जिन पर पुनर्विचार याचिका दायर की गयी थी और ये विषय न्यायालय में लम्बित थे। उस समय हम इस कारण से उन मुद्दों पर संशोधन नहीं कर पाए थे और ये संशोधन 2002 में लागू हुए। अच्छा होता, उसके बाद वाली सरकार संविधान संशोधन के तुरंत बाद कार्यालयीन आदेश निकालती और उन पर अमल का कार्य प्रारम्भ होता। परन्तु उस पर अमल करने में रुचि नहीं दिखाई गई। इस प्रकार के निर्णय आने के पीछे मैं कारण सोचता हूँ कि आखिर

[श्री थावर चन्द गहलोत]

ऐसे निर्णय क्यों होते हैं? मैं समझता हूँ कि याचिका दायर करने वाला व्यक्ति तो अपना वकील स्वयं करता है, पूरी तैयारी करता है और तैयारी करने के साथ अपने वकील के साथ कोर्ट में हाजिर होता है, परन्तु शासन की ओर से जो प्रतिनिधित्व होना चाहिए, वह ठीक से नहीं होता है। एक प्रमुख कारण तो यह होता है। दूसरा कारण होता है कि अगर कोई रुचि लेने वाला भी होता है, तो वह संवैधानिक प्रावधान के अंतर्गत जो तर्क-वितर्क होने चाहिए, वे तर्क-वितर्क ठीक से नहीं कर पाता है, जिसके कारण इस प्रकार के निर्णय हो जाते हैं।

महोदय, यह जो निर्णय आया है, इस निर्णय में उन्होंने बताया है कि अगर कोई राज्य सरकार आरक्षण संबंधी प्रोविजन करने वाला कोई कानून बनाए, तो वह प्रमुख रूप से तीन बातों का ध्यान रखे। एक तो यह कि यथोचित प्रतिनिधित्व हुआ है कि नहीं। मैं सोचता हूँ कि यह निष्कर्ष अन्यथा लेकर ही निकाला गया होगा, क्योंकि आरक्षण का प्रतिशत तय है, केन्द्रीय स्तर पर भी आरक्षण का प्रतिशत तय है और राज्य स्तर पर भी तय है। राज्यों की नौकरियों में, भिन्न-भिन्न राज्यों में जनसंख्या के आधार पर वहाँ लोकल सर्विसेस में, उनका प्रतिशत तय होता है और राष्ट्रीय स्तर पर अनुसूचित वर्ग के लिए 15 प्रतिशत आरक्षण तय है और अनुसूचित जनजाति के लोगों के लिए 7.5 प्रतिशत तय है, इस प्रकार से यह 22.5 प्रतिशत होता है। उत्तर प्रदेश की सरकार ने जो किया, वह तो 21 प्रतिशत ही होता है, यानी केन्द्र सरकार के मापदंड के अंतर्गत भी वह विदइन लिमिट है। फिर यह प्रश्न क्यों उठा कि यथोचित प्रतिनिधित्व है कि नहीं है? मैं इस अवसर पर यह भी कहना चाहूँगा कि इसमें फिर पूछा गया कि इनका पिछड़ापन दूर हुआ कि नहीं हुआ या वैसे का वैसे ही है? अब यह प्रश्न भी पूछने की आवश्यकता नहीं होनी चाहिए, क्योंकि संविधान में जो प्रावधान किया गया है, जैसे राजनीतिक आरक्षण तो दस साल के लिए है, दस साल में फिर पुनर्विचार होता है। उसमें अगर लगता है कि एक्सटेंड करना चाहिए, तो करते हैं और अभी तक यह महसूस किया जाता रहा है।...(व्यवधान)...

SHRI ISHWAR SINGH (Haryana): I am on a point of order.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): What is the point of order? No point of order.

श्री थावर चन्द गहलोत: परन्तु नौकरियों के आरक्षण में समयावधि की लिमिटेशन नहीं है। जब वह नहीं है, तो इस प्रकार के मुद्दे सामने क्यों लाए जाते हैं? फिर तीसरी बात और है संविधान के अनुच्छेद 335 को ध्यान में रखते हुए आरक्षण और पदोन्नति से प्रशासन की दक्षता प्रभावित तो नहीं होगी? जब भरती के नियम बने हुए हैं और आरक्षण संबंधी प्रतिशत तय है, तो भरती नियम के अंतर्गत अगर कोई नियुक्ति प्राप्त करता है, चूंकि योग्यता के दायरे में आता है तभी तो नियुक्ति प्राप्त करता है, फिर यह संदेह क्यों है? और इस, प्रकार के विषयों पर चर्चा क्यों होती है? मैं तो सीधे-सीधे यह कहना चाहता हूँ कि इसमें अनुसूचित जाति और जनजाति वर्ग के पक्ष के हित में ठीक से पैरवी नहीं हुई है और इसी कारण यह अर्थ का अनर्थ निकाल कर के यह निर्णय लिया गया है।

महोदय, मैं प्रमोशन में आरक्षण वाली बात पर कहना चाहूंगा कि हर राज्य में डिपार्टमेंटल प्रमोशन कमेटी होती है और वह जांच-पड़ताल करती है कि यह प्रमोशन की योग्यता के दायरे में आता है या नहीं आता है। उसकी सी.आर. देखी जाती है। उसकी वर्किंग एफिशिएंसी देखी जाती है और यह सब ठीक होने के बाद ही डी.पी.सी. उसको प्रमोशन देने का निर्णय करती है अदरवाइस नहीं करती है। तो फिर यह प्रश्न क्यों उठ गया कि उसकी एफिशिएंसी काम करने की है कि नहीं है और यदि प्रमोट हो गया, तो उसकी प्रशासनिक काम की दक्षता प्रभावित तो नहीं होगी? मैं यहां एक शंका व्यक्त करना चाहता हूं। हम सांसद चुनकर आते हैं, हम में से कोई प्रधान मंत्री बनता है और वह प्रधान मंत्री उन सांसदों में से मंत्रिमंडल का गठन करता है। हम सांसद बन गए, यानी मंत्री बनने की योग्यता के दायरे में आ गए। कोई कोर्ट कल यह कहेगी कि यह सांसद, मंत्री बनने योग्य नहीं है और वह फैसला दे देगी कि यह मंत्री बनने योग्य नहीं है और इसे मंत्री नहीं बना सकते। तो DPC का काम योग्यता देखने का है और वह यही करती है।

मैं यह कहना चाहता हूं कि आज भी इस देश में राज्यों की नौकरियों में और केन्द्र की नौकरियों में अत्याधिक स्थान रिक्त पड़े हैं। उनको भरने की आवश्यकता है, लेकिन उनको भरा नहीं जा रहा है। सही मायनों में निर्णय तो यह होना चाहिए कि रिक्त स्थानों की पूर्ति कर दी जाए। अब रिक्त स्थान होते हुए भी वे कहते हैं कि यथोचित प्रतिनिधित्व यानी **appropriate representation** है या नहीं? इसका सवाल ही नहीं उठता। रिक्त स्थान हैं, अभी और भर्ती करने की आवश्यकता है, लेकिन इस प्रकार के प्रश्न उठाकर अनुसूचित जाति और अनुसूचित जनजाति के लोगों के साथ निश्चित रूप से अन्याय हो रहा है। हम चाहते हैं कि संवैधानिक प्रावधानों के अंतर्गत **Article 16(4-A)**, **Article 16(4-B)** के तहत जो आरक्षण की सुविधा है और **Article 335** के बारे में जो अन्यथा अर्थ लगाया जाता है, उसमें भी अगर ऐसा लगता है कि उसको ठीक करने की आवश्यकता है, तो उसे ठीक करना चाहिए। NDA की सरकार ने उसको ठीक करने का काम किया था। हम चाहते हैं कि संवैधानिक प्रावधानों के अंतर्गत जो-जो अधिकार, जो-जो सुविधाएं दी गई हैं, वे जिस उद्देश्य से दी गई हैं, उस उद्देश्य के पूरा होने तक वह निरंतर जारी रखी जाएं। इसके लिए दो-तीन उपाय हो सकते हैं। पहले एक निर्णय 9 जजों की बेंच ने दिया था, अब 5 जजों की बेंच ने एक निर्णय दिया है। अब 5 जजों ने 9 जजों की भावना को अन्यथा लेकर या नजरअंदाज करके कुछ और निर्णय दिया है। इसलिए मैं सरकार से निवेदन करना चाहता हूं कि यदि समयावधि बाकी है, तो वह सुप्रीम कोर्ट की फुल बेंच में अपील करे, मेरे ख्याल में समयावधि बाकी है, क्योंकि निर्णय तो अभी हाल ही में आया है। एक तो सरकार अपील करे...**(व्यवधान)** या तो सरकार अपील करे या अपने स्तर पर ऐक्ट में संशोधन कर दे अन्यथा संविधान में संशोधन करने की कार्यवाही करे।

डा. भीमराव अम्बेडकर और उस समय के जो मूर्धन्य नेता थे, महापुरुष थे, उस समय इस देश में जो असमानता का वातावरण था, छुआछुत का वातावरण था, समरसता नहीं थी, उन्होंने समरसता लाने के लिए, बराबरी लाने के लिए यह तय किया था और संविधान में आरक्षण संबंधी **provisions** किए थे। इनके साथ कोई छेड़छाड़ न हो, इसके लिए चाहे आप संविधान में संशोधन करें या किसी और आधार पर किया जा सकता है, तो वह करें। आज हम यह निर्णय आने पर ठगा सा महसूस कर रहे हैं और लगता है कि संविधान ने हमको

[श्री थावर चन्द गहलोत]

एक हाथ से आरक्षण संबंधी सुविधाएं दी हैं और न्यायालय ने दूसरे हाथ से संविधान में दी गई सुविधाएं छीन ली हैं। जब ऐसा हुआ है, तो निश्चित रूप से जिस उद्देश्य से ये आरक्षण संबंधी प्रावधान किए गए हैं, ये पूरे नहीं होंगे और जब ये पूरे नहीं होंगे, तो इस देश में अलगाववाद की स्थिति निर्मित हो सकती है। हम चाहते हैं कि हमारा देश अलगाववाद की ओर न जाए और हम समरसता की ओर आगे बढ़ें, हम सब मिलकर देश के विकास में सहभागी बनें, इस देश से रूढ़िवादिता, और कुरीतियों को दूर करें और गरीब से गरीब व्यक्ति भी उच्च वर्ग या ज्यादा धन-सम्पदा कमाने वाले व्यक्तियों की श्रेणी में पहुंचने के लिए जो उनके अधिकार हैं, उनका उपयोग कर सकें।

मैं इस अवसर पर आपके माध्यम से सरकार से निवेदन करना चाहता हूँ कि वह तत्काल संविधान में संशोधन करने की प्रक्रिया प्रारम्भ करे और न्यायालय के निर्णय के कारण हमारे जो अधिकार छीने गए हैं, उनको फिर से बहाल करने का कष्ट करे। धन्यवाद।

SHRI T. K. RANGARAJAN (Tamil Nadu): Mr. Vice-Chairman, Sir, this is a very important discussion on the depressed class, socially and economically neglected for the past 60 years. Both the Houses of Parliament have discussed several times about the uplift-of SCs and STs. But still we needed a special discussion as proposed by Kumari Mayawatiiji have heard Shri Misra and the other hon. Member on this subject. If a Constitution amendment comes, we will definitely discuss that. But the question is: why aren't you able to implement it even today? Yes, the hon. Member has talked about how many Secretaries were there from SC/ST; how many Government officials were there would. I like to know from the hon. Minister as to how many Directors are there from the SCs and STs in the public sector; how many posts of Chairmen you have filled up and how many promotions you have given. I am a trade unionist. I have dealt with so many cases like this. I would like to quote one or two examples here. There was one very efficient engineer in the BHEL. It happened some 25 years ago. He was in-charge of the Narora Plant in Uttar Pradesh. He was a senior engineer. He was asked to complete the job within 24 months. But he had completed the job in 18 months. There was a panel for promotion to the post of General Manager. He was efficient and he had completed his work before time, but he was not given that post. I was a member of the Joint Committee of the BHEL. We represented this case; I and one-senior Member, Shri R. Umanath, who was a Member of the other House for two terms, represented this case. What did the Chairman of the Board say? He said, "it is a post of an officer. You are a leader of the workers. Why do you discuss about the promotion of an officer?" This is a public sector. Even today, look at the attitude of the public sector towards the eligible and efficient people? If he belongs to the SC or ST, he will not be considered. You can make all kinds of amendments in the Act, but when it comes to

implementation, practically, there is nobody to implement them in this country. I am a Marxist. I respect Dr. Ambedkar; I respect Mahatma Gandhi. But even today, the Marxists and the Leftists are fighting for the education of the ordinary SC and ST people and against untouchability. So our Party has a right to argue this case. Why do they neglect them? Is it not the attitude? Against female, you have a male chauvinist attitude. It is a part of feudal attitude. This attitude has to change. We used to say even if he is a Cabinet Minister, inside the Cabinet, the SCs and STs are untouchable. This is the thing which is happening in this country. Dr. Ambedkar said, "One man one vote". He also said, "You must have one man one value". We are discussing the same thing again and again. We have these 77th and 85th amendments to the Constitution. There are judgements against this and that. So, whatever we decide, the hon. court decides otherwise. Under pressure, we change certain provisions of the Constitution. Under pressure, judges give different types of judgements. How do you solve this contradiction? Unless you solve the contradiction, how are you going to help the SCs and the STs? I heard the speech of Shri Misra; he spoke well. I thought he would say as to how many eligible people were promoted in Uttar Pradesh during the tenure of Mayawati. I wanted him to quote some examples; I don't have any examples. Sir, we have no right to delay the job or promotion to anybody. I don't want to create a gulf between the SCs and STs and the other communities. My suggestion, which we have to put before the BHEL and others, is this. What happens is that they don't want to promote an SC or an ST person. Instead, they promote some 'XYZ' because he belongs to the Upper Caste. We have told several Managements, "If you want to promote any non-SC or non-ST person, then, give promotion to the SC and ST persons as well. For this, you create supernumerary post." What is wrong in creating a supernumerary post? Don't create a fight between the SCs and STs, and the non-SC and STs. You create a supernumerary post. Give them promotion. Give the right promotion to the SC and ST persons. I can tell you of a case in a university in Madurai where they don't want to make an Assistant Professor the Head of the Department. Last year, one IIT qualified man came to me. He was not offered the PhD I think his name is Mr. Prasant Bohslay or something. He was with me for four years. He was highly depressed that he might even commit suicide. He was an eligible candidate. The Professor didn't even want to meet him. Sir, this attitude must be changed. The law can be changed. If the attitude can be changed, then, so many things can happen in this country.

Sir, my suggestion is that in the panel of promotions or in the Selection Committee, there must be representation from the SCs and the STs. Now, there is no SC or ST member in the panel, if there is an SC or ST member in the panel, I will have the confidence to appear before the panel. Today, even before appearing in the

[Shri T.K. Rangarajan]

panel, I know that I will not be selected. I must have some confidence. If you do not have an eligible SC or ST person in a particular institution or a department, then, why don't you borrow from some other department? So, do not wait for a law to be framed. The Government can give instruction to the selection committees or the promotion panel that there must be representations from the SC and STs. If that is there, then, people, who appear for these examinations or promotions, will have the confidence to feel that there will be some reasonable argument in his favour in the committee. So, Sir, I have put two suggestions before the Government. One is to create supernumerary posts. Don't stop either SC and ST promotions or non-SC and ST promotions. The second is, in every panel, there must be a representation from the SCs and the STs. I don't think it requires any law. Even tomorrow you can implement it.

Sir, with these words, I would like to conclude. This is an important discussion. On some of the aspects, I agree with the hon. Member, Shri Misra, and the hon. Member from that side. I feel that there should be some action on the ground. Mere discussion will not help. We have been having discussion after discussion, but we are implementing nothing. So, I would request the Government to implement this. Thank you.

श्री सुखेन्दु शेखर राय (पश्चिमी बंगाल): सर, हिन्दी में एक कहावत है, हालांकि मैं ठीक से हिन्दी बोल नहीं पाता हूँ। मैंने कभी सुना था। हिन्दी में एक कहावत है कि रात भर अंडा पकाया, फिर भी अंडा कच्चा रह गया।

[उपसभाध्यक्ष (श्री तारिक अनवर) पीठासीन हुए]

हम इसलिए यह बात बोल रहे हैं कि 10 दिन बाद हम इस पार्लियामेंट की 60वीं साल गिरह मनाने जा रहे हैं। पिछले 60 साल में इस पार्लियामेंट ने पिछड़े वर्गों के लिए कितने सारे अमेंडमेंट कांस्टीट्यूशन में किए, कितने सारे प्रावधान कांस्टीट्यूशन में रखे, ताकि उनको ठीक से तरक्की मिले, बढ़त मिले, लेकिन हमारी पार्लियामेंट को 60 साल बाद भी, फिर से रिजर्वेशन पर चर्चा करनी पड़ती है। कब तक इस पर चर्चा चलती रहेगी? पार्लियामेंट कुछ सेटल करती है, तो जुडिशियरी उसको अनसेटल कर देती है। जब बंगाल का 1905 में पार्टिशन हुआ था, तो सारे देश में क्रांति आ गई थी against the partition of Bengal. At that point of time, the then Viceroy, Lord Curzon, said that partition of Bengal is a settled fact. Then, Rashtraguru Swarna Bandyopadhyay quipped that we shall unsettle the settled fact. So, reservation for the SCs, STs and Other Backward Classes is a settled fact. Unfortunately, this is being unsettled, time and again, on different pleas. Now it is the question of reservation in promotions. All of us, in this House, since the discussion was initiated by hon. Member, Shri Satish Misra and other hon. Members, also participated, have spoken in favour of certain actions on the part of

the Government so that some amendments can be initiated to protect the interest of the SC, ST and Other Backward Classes, and I fully support those Bills. Without any hesitation, this House should unanimously decide on this issue, and I urge upon the Government to make a fresh amendment because all of us know that last week, the Supreme Court over-ruled the Allahabad High Court judgment of 2011 which upheld the Government to grant reservation in promotions to all the reserved categories among Government employees. The Apex Court has ruled that the decision of UP Government was *ultra-vires* of the Constitution and declared that there could be no reservation in promotions. Even in the Indira Sahni case also, in the past, the Apex Court holds that reservation in promotion is unconstitutional. However, through the Constitution (82nd amendment) Act of 2000, this Parliament amended article 335, which Satish Misraji and other hon. Members referred to, and I fully support this view. What was the background of that amendment? The background of that amendment was that hon. Supreme Court again, in the case of S. Vinod Kumar *versus* Union of India held that various instructions of the Government providing for lower qualifying marks and lesser standard of evaluation of SCs, STs in the matter of promotion were withdrawn by the Government with effect from 22nd of July, 1997. That was the background. It was related to reservation, evaluation etc., in promotions. Now, thereafter, the Parliament decided to, once again, restore the relaxations and concessions in promotion and a proviso to article 335 was inserted. What did this proviso say? I will only quote one part of the proviso that “nothing in this article shall prevent in making of any provision in favour of the members of SCs, STs for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion.” That is most important. I am putting emphasis on this particular part of the proviso that “for reservation in matters of promotion”. Therefore, this amendment has accepted reservation in the matter of promotion. So, once the amendment has accepted reservation in the matter of promotion and that is being set side by the judiciary, then, it is the duty of the Parliament to come out with a fresh amendment so that the interest of the SCs, STs and Other Backward Classes are protected. This is my humble submission to the Government because I think, after that amendment of article 335, the Department of Personnel and Training also issued an order vide OM No. 36012/23/96-Estt. (Res.)-vol. 2, dated 3rd October, 2000. Whereby, the amendment was given effect to by the Department of Personnel and Training. Now, again, the time has come that the Department of Personnel and Training has to rise to the occasion once again and bring out the amendment as desired by the hon. Members in the right earnest at the earliest possible time. Thank you.

प्रो. राम गोपाल यादव (उत्तर प्रदेश): श्रीमन्, सदन में बहुत ही महत्वपूर्ण मुद्दे पर बहस चल रही है। समाजवादी पार्टी कई नामों से समाजवादियों की पार्टी रही है, जैसे कांग्रेस के

[प्रो. राम गोपाल यादव]

अंदर कांग्रेस सोशलिस्ट पार्टी बाद में किसान प्रजा पार्टी, प्रजा सोशलिस्ट पार्टी, सोशलिस्ट पार्टी, संयुक्त सोशलिस्ट पार्टी और अब समाजवादी पार्टी है। हमने हमेशा विशेष अवसर के सिद्धांत का समर्थन किया है। इस विशेष अवसर के सिद्धांत के आधार पर ही आरक्षण की व्यवस्था है। जो वंचित वर्ग के लोग हैं, वे सदियों से शोषित, पीड़ित और उपेक्षित रहे हैं। उनको उनका हक मिल सके, इसलिए आरक्षण की बात कही गई है और संविधान में इसकी व्यवस्था है।

मैं शुरु में ही यह स्पष्ट कर देना चाहता हूँ कि समाजवादी पार्टी आरक्षण के पक्ष में है और प्रमोशन में आरक्षण के पक्ष में भी है। हमने अपने चुनाव घोषणापत्र में केवल परिणामी ज्येष्ठता के खिलाफ होने की बात कही थी और उस पर हम आज भी कायम हैं। उत्तर प्रदेश की बसपा सरकार का **Consequential Seniority** का बहुत खतरनाक स्टेप था, जब उसने नियमावली के अंतर्गत सर्विस रूल्स में 8(a) को इन्क्लूड किया था। उसी 8(a) को लेकर ही मामला सुप्रीम कोर्ट में आया। सुप्रीम कोर्ट का क्या फैसला हुआ, वह अलग बात है, लेकिन 8(a) एक ऐसी व्यवस्था करता है, अगर यह कानून रहेगा तो कोई भी नान SC, ST चाहे वह जनरल कैटगरी की अधिकारी हो, चाहे OBC का अधिकारी हो, अनन्तकाल तक उत्तर प्रदेश में किसी विभाग का अध्यक्ष नहीं बन सकता। यह एक बहुत ही गंभीर मामला है। इसकी वजह से समाज के लगभग 75-80 फीसदी लोगों के मन में यह होगा कि हमारे साथ अन्याय हो रहा है। हम चाहते हैं कि लोगों को प्रमोशन में आरक्षण मिले। हम इसके पक्षधर हैं, लेकिन एक बार प्रमोशन होने के बाद की date से Seniority निर्धारित की जाए। यदि दो व्यक्ति एक साथ एसिस्टेंट इंजीनियर भर्ती हुए, एक जनरल कैटगरी का और एक एस.सी. का, तो पांच साल बाद एस.सी. कैटगरी का व्यक्ति एग्जिक्यूटिव इंजीनियर हो जाता है, आठ साल बाद जनरल कैटगरी का व्यक्ति भी एग्जिक्यूटिव इंजीनियर हो जाता है। इस तरह से पन्द्रह साल के बाद एक चीफ इंजीनियर बन जाता है और एक सुप्रीटेंडेंट इंजीनियर भी नहीं हो पाता है। यह 8(a) की स्थिति है। जहां तक सुप्रीम कोर्ट के निर्देश की बात है, तो मैं बताना चाहता हूँ कि उत्तर प्रदेश में क्लास वन में आज भी SC के लोगों का 22.3 per cent प्रतिनिधित्व है और क्लास टू में 26.6 per cent प्रतिनिधित्व है। इसमें किसी तरह की कोई कमी नहीं है। आज यहां पर इसके ऊपर बहस चल रही है। हम से भी कहा गया था कि आप इसके खिलाफ हैं जबकि उत्तर प्रदेश में 1994 में मुलायम सिंह की सरकार ने ही सबसे पहले सर्विस नियमावली बनाते हुए विधान सभा से यह कानून पारित करवाया था।

उन्होंने कहा था कि प्रमोशन में भी 21 परसेंट रिजर्वेशन शैड्यूल्ड कास्ट के लिए और 2 परसेंट रिजर्वेशन शैड्यूल्ड ट्राइब्स के लिए होना चाहिए। यह मुलायम सिंह गवर्नमेंट का ही 1994 का फैसला था। हमें इस रूप में पेश करना कि हम रिजर्वेशन के खिलाफ हैं, प्रमोशन में रिजर्वेशन के खिलाफ हैं, यह बात सही नहीं है। हमने अपने चुनाव घोषणा-पत्र में केवल परिणामी ज्येष्ठता के खिलाफ बात की थी। जैसा कि मिश्रा जी ने बताया है इलाहाबाद हाई कोर्ट की दो बेंच ने अलग-अलग फैसले दिए थे, एक ने उसको वैलिड ठहराया था और दूसरे ने उसको रद्द किया था। गवर्नमेंट इसके खिलाफ सुप्रीम कोर्ट में आई और सुप्रीम कोर्ट ने 27 तारीख को फैसला दे दिया। उस पर परिणामी ज्येष्ठता के साथ-साथ प्रमोशन में आरक्षण की जो बात थी, प्रमोशन में आरक्षण को खत्म करने की जो बात थी, हम उससे सहमत नहीं हैं,

3.00 P.M.

लेकिन परिणामी ज्येष्ठता वाला हमारा 8(ए) का जो रूल है, जो उसमें लागू किया गया था, हम उसके खिलाफ हैं, वह नहीं होना चाहिए, हम उससे बिल्कुल भी सहमत नहीं हैं। उससे पूरी ब्यूरोक्रेसी में वैमनस्य पैदा होगा, लोगों के अंदर दूरियां बढ़ेंगी और उसका एफिशिएंसी पर भी एडवर्स असर पड़ेगा। अभी कांग्रेस के हमारे बहुत ही विद्वान वक्ता श्री मुंगेर साहब बोल रहे थे। उन्होंने आंकड़े देखकर बताया कि केंद्र में कोई सेक्रेट्री नहीं है। जब शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के अधिकारी उपलब्ध हैं, तो उनका एम्पैनलमेंट क्यों नहीं होता है, यह नारायाणसामी जी जानें। **Who is responsible for that?**

इसके लिए कोई रिजर्वेशन पॉलिसी जिम्मेदार नहीं है। **When officers are available, why are they not being empanelled?** उनका एम्पैनलमेंट क्यों नहीं हो रहा है, वे क्यों सेक्रेट्री नहीं बन सकते हैं, केंद्र सरकार में ऐसा क्यों नहीं हो पा रहा है, यह अलग चीज है और इसको इस चीज से जोड़कर नहीं देखा जा सकता है। हां, अगर रिजर्वेशन को लागू न किया जाए, उसकी नीति का पालन न किया जाए, तो अलग बात है। मैं उत्तर प्रदेश के अपने साथियों को याद दिलाना चाहता हूँ कि मुलायम सिंह यादव जी पहले मुख्यमंत्री थे, जिन्होंने यह कानून बनाया था कि जो अधिकारी आरक्षण को पूरा नहीं करेगा, उसके खिलाफ दंडात्मक कार्यवाही होगी और उसको जेल भी भेजा जा सकता है। उत्तर प्रदेश में कहीं भी यह बात नहीं है कि बैकलॉग के जरिए और भरिए, वह सब पूरा है, कहीं किसी तरह की कोई कमी नहीं है। ये जो तमाम तरह की बहसें हुईं, तमाम तरह की बातें चलीं, मैं इस पर अपनी स्थिति स्पष्ट करते हुए कहना चाहता हूँ कि जिस तरह से सर्विस नियमावली में संशोधन करके, उत्तर प्रदेश में जोड़ा गया था, अगर आप इस तरह का कोई संशोधन ला रहे हैं, संविधान में इस तरह की कोई बात आती है तो हम उसका विरोध करेंगे, अगर इस तरह की बात नहीं होती है तो हम सहमत हैं। कानून मंत्री जी बैठे हुए हैं, आप सभी कुछ उठाकर देख सकते हैं कि किस तरह से जो आदमी बहुत नीचे था, वह सीनियर है और जो बहुत सीनियर था, वह उसके नीचे काम कर रहा है। यह अननैचुरल है, यह नैचुरल जस्टिस के भी खिलाफ है, यह जूरिप्रूडेंस के मान्य सिद्धांतों के खिलाफ है। इसलिए हमने इसको अपने चुनाव घोषणा-पत्र में दिया था, उसमें मंडेट दिया था। मैं यहां पर यह स्पष्ट कर देना चाहता हूँ कि उत्तर प्रदेश में लोक सभा की 70 रिजर्व्ड कांस्टीट्यूटेंसी हैं, उनमें से 10 समाजवादी पार्टी जीती थी, 84 सीटें विधान सभा की रिजर्व्ड हैं, उसमें से 57 समाजवादी पार्टी जीती है। हमारा यह मंडेट, यह चुनाव घोषणा-पत्र 8(ए) के खिलाफ दिए जाने के बाद भी अगर हमें इतने बड़े पैमाने पर रिजर्व्ड कांस्टीट्यूटेंसी में समर्थन मिलता है, तो हमें इसका मंडेट हासिल है और हम 8(ए) जैसे किसी भी कानून का विरोध करेंगे। आपका बहुत-बहुत धन्यवाद।

श्री सतीश चन्द्र मिश्रा: सर, मैं आपकी permission से केवल एक बात clear कर देना चाहता हूँ कि परिणामी ज्येष्ठता का जो एक provision है, वह पार्लियामेंट ने Article 16(4A) में amend करके पहले से डाला हुआ है, वह मौजूद है। उसी के तहत 8(a) बना है। हम लोग यह नहीं मांग रहे हैं कि उसको दोबारा से लाया जाए, वह तो पहले से ही मौजूद है। 1994 में जो एक्ट बना था, आपने कहा कि श्री मुलायम सिंह यादव जी उस समय मुख्य मंत्री थे। वह बहुजन समाज पार्टी के साथ एक coalition government थी और उसी Pressure में आकर आपने यह कानून बनाया था, स्वेच्छा से नहीं बनाया था।

SHRIMATI VASANTHI STANLEY (Tamil Nadu): Thank you Mr. Vice-Chairman, Sir, for giving me this opportunity to raise my views on behalf of my party on the discussion on the very important issue of reservation for the Scheduled Castes and Scheduled Tribes in promotions during service. I would really like to thank my dear sister and hon. former Prime Minister of Uttar Pradesh and hon. Member of Parliament now... – Sorry, Chief Minister; she may become in future and she is welcome—for mooting out this discussion.

I would like to firstly mention the reason for mooting out this discussion. She has, as a right and royal Chief Minister of Uttar Pradesh, brought in reservation in her State which was questioned by the Allahabad High Court and which is upheld by the Supreme Court. The DMK has been consistently demanding that the percentage of fixation of reservation should be left to the State Governments because the State Governments can provide reservation depending on the percentage of the Scheduled Castes, Scheduled Tribes and Backward Classes, as this varies from State-to-State. If the ruling party or the people's Government is not able to do this and, time and again, if the courts are intervening in this, then this is the right time for this discussion.

At this juncture, Sir, on behalf of the DMK, I would like to say this is my pride and prejudice to discuss this issue because in the mid-20's, the first communal GO was passed in the erstwhile Madras Presidency by the Justice Party, the founder of the Dravidian Movement, in which all communities were given opportunities in the Government jobs. In 1950, Sir, when the new Constitution came into force and the earlier orders became null and void, our leaders, Tandhai Periyar and Arignar Anna, conducted various agitations and, ultimately, the first amendment to the Constitution was passed on reservation for the socially and educationally backward classes. It was given in Government employment and education. Subsequently, reservation for the Scheduled Castes, Scheduled Tribes and Backward Classes Was increased to 69 per cent by the State of Tamil Nadu by our leader, Dr. Kalaignar. In 1989, the DMK was instrumental in implementing the Mandal Commission's recommendations providing 27 per cent reservation for the OBCs. So, we are here discussing that the same proportion of reservation be provided in promotion also since once again the socially and educationally backward classes are deprived of holding higher positions in any organisation.

At this juncture, Sir, one may just wonder what the difficulty for Scheduled Castes and Scheduled Tribes could be. They are given reservation in colleges and in all educational institutions; and, then, getting into jobs also they are given reservation. Then, what could be the difficulty for them to get promotion on par with

the other employees'. This would be the question in the minds of other candidates. As a former Government servant, who has put in 20 years of Government service in the State Government of Tamil Nadu, I would like to mention here that there are certain departmental examinations which are mandatory for getting promotion. These examinations are really very tough to the core that even after 3 or 6 attempts they will not be able to pass. This is for all the employees, not only for the Scheduled Castes and Scheduled Tribes. So, if this be the case for all the employees, I would like to reiterate here that the logic which applies for getting admission in educational institution, the same logic that applies for getting into the Government employment, should be applied for the reservation in promotion also. Only after three attempts or six attempts, some of them have to be exempted from appearing in departmental examinations. So, for promotions, it should be mandatory that reservation should be there. Sir, our leader, Dr. Kalaignar Karunanidhi, has spent his entire life in public career speaking, writing and fighting for the rights of poor, downtrodden and socially backward, especially for the rights of the SCs, STs and the Backwards. He has, many times, written to the Prime Minister about the need to amend the Constitution suitably to treat the converted Christians and Muslims on a par with other SCs and STs. Hence, we are second to none to fight on this issue.

Sir, here, I would like to say that this is not just a legal issue but a social issue. Hence, it should be left to the popular Government to decide on the issue, and not to the judicial forums. One may wonder that once the Supreme Court has intervened, how can the Parliament intervene? No, Sir; we have proved many times, including in the Shah Bano's case, that the Parliament is supreme. So, here, I would like the hon. Minister and the Government of India to rise to the occasion and see to it that the Constitution is amended suitably. Thank you, Sir.

SHRI SHASHI BHUSAN BEHERA (Odisha): Mr. Vice-Chairman, Sir, this is an issue of national importance, and this issue is very much linked with social justice. If you see the country as a whole, on the issue of reservation, the country has two opinions. Some people are in favour of continuance of reservation, and some are against it. But the reality is that the country is to be ruled as per the Acts and rules and regulations which have been enacted in Parliament and which have been given to us by our Constitution. It is certainly a matter of pride that we have got a Constitution which gives protection to the Scheduled Castes, Scheduled Tribes and the weaker sections. Sir, our Constitution intends to mitigate the social inequality which is still prevailing from thousands of years in this country. Sir, today's discussion emerged from a case whose judgement was pronounced on 27th April, only five days back. This is a matter not only for UP but also for the whole country.

[Shri Shashi Bhushan Behra]

Sir, I belong to Odisha. I come from a State where the population of the Scheduled Castes and Scheduled Tribes is 38 per cent of the total population. Out of that, 22 per cent is tribal population, and nearly 16 per cent is the Scheduled Caste population. But the Central Government national cap about reservation is 15 per cent and 7 ½, a total of 22 ½ per cent. The States whose population is greater in number are not enjoying the benefits of reservation as per their population. The State Governments are giving reservation to these people. We have already discussed the issue about the percentage of these people in class I jobs and class I jobs. These reserved posts are still lying vacant. The question about their eligibility and backwardness is already defined in articles 341 and 342...where it is scheduled with certain criteria. That is already a settled matter and it is being opened again by certain sections for creating confusion in the society. Sir, this matter already comes under 77th, 81st, 85th and 92nd amendment in constitution brought in this House, which have given protection to article 16(4a) and (4b). It is already there and the judgment of the Supreme Court is a question in the minds and that is why Behanji, Ms. Mayawati, a former Chief Minister, has brought this in a Short Duration Discussion. Most important discussions are taking place in the last minutes. Satishji elaborated it in a very wider manner. I am only making some suggestions that with this amendment, namely 77th and 85th in promotion, the SCs/STs are being protected under article 16(4a) and (4b) which is now in question. So, this august House which has framed a law to protect the Backwards, SCs and STs has to rethink over this matter that this social backwardness still exists in these communities. Maybe, some economic improvement is there, maybe, social improvement is there, but it is not hundred per cent. Social backwardness is still there and it will not allow these communities to go ahead with this reservation facility, if this judgment continues to confirm, thousands and thousands of employees will lose their interest as they will be kept in utter helpness position. Those who are already having 18 years of service or employment, how can they go 18 years back? It is putting a question mark on their future. So, I suggest that this House must consider and make some amendment to effect this correction. I hope for the best. Thank you very much.

SHRI A.W. RABI BERNARD (Tamil Nadu): Hon. Vice-Chairman, Sir, I rise to assure the unwavering support of the All India Anna Dravida Munnetra Kazagam in the fight for equality and struggle for social justice through affirmative actions. We in the AIADMK stand shoulder to shoulder with all those who engage themselves in uplifting the marginalized, subaltern women and men of this nation. As I participate in this discussion on the issue of reservation for the Scheduled Castes and the Scheduled Tribes in promotion during service, I bring to the attention of

this august House the words of the former Philippine President, Dr. Ramon Magsaysay. When asked for the need for the affirmative actions, Dr. Magsaysay said that those who have less in life should have more in law. Sir, can mankind identify any other group of people in the world who has less in life as Ramon Magsaysay said than the Indian Scheduled Castes and the Scheduled Tribes? Is it not that the Indian caste system is apartheid of gigantic proportion? Is it not that the untouchability in India practised for several hundred years is jinerourism of colossal magnitude? Is it not the economic deprivation, social oppression, political marginalisation of a large population of this country, have resulted in an overall underdevelopment of this country? Dr. John F. Kennedy while inaugurating the American Peace Corps said, that pockets of poverty anywhere threaten prosperity everywhere. Yes, to ensure a social equilibrium, to ensure a sustainable, safe, cultured living for everyone, it is essential that not only equal opportunities are given to everyone, but affirmative actions are also guaranteed through legal measures, which Magsaysay called 'giving more in law'.

The founding father of my party, Bharat Ratna Dr. M.G.R. remained totally committed to this cause; and, my beloved leader, Chief Minister of Tamil Nadu, Madam Jayalalitha, ensured 69 per cent reservation in education and job opportunities in the State and got them included in the Ninth Schedule of the Constitution.

The roots of discrimination in India go so deep that social and economic disparities are deeply intervened, rather in increasingly complex ways. We put our faith in reservations to correct the situation not because they are the perfect instruments to rectify centuries-old discriminations that make us shrink in shame in the comity of nations and so inhuman that no philosophy or theology can justify, but because reservations are the most workable method to move in this direction. The nature of Indian society ensures that without such measures, social discrimination and exclusion will only persist and will be strengthened. Those of us who have lived in decades in casteless societies will vouch for my views.

In the case of the Scheduled Castes and the Scheduled Tribes, discrimination is more evident since it has been historically compounded by oppression which still continues in a blatant and often vicious form in many parts of the country. This has persisted despite the official policy of reservations for these communities in Government employment and education. But it does not reflect the failure of reservation policy as much as its inadequate implementation in both, letter and spirit.

It is usually argued that reservation will affect quality and undermine merit and efficiency. This was mentioned in the Supreme Court too while deciding the

[Shri A.W. Rabi Bernard]

question of reservation in promotions. The supposed contradiction between reservations, on the one hand, and the merit and efficiency on the other, is a false one. First of all, there are many reasons to believe that drawing upon a wider social base increases the diversity and, thereby, the quality of the workplace. Secondly, there are good reasons to be sceptical regarding the extent to which current systems of promotions are genuinely 'merit-based'.

Sir, the Parliament has, several times in the past, discussed the issue of affirmative actions through reservation and may discuss several times in future too. Let us remember that reservations do not address the most fundamental problems of economic inequality or access to opportunities in India, particularly in the context of globalisation and liberalisation.

There is no question that asset inequalities and related income inequalities are at the heart of the issue of unequal access in our country. The lack of asset ownership among deprived communities is critical in determining other forms of discrimination. That is where the question of actions, mostly economical, from the part of the Government come, like special component plan, credit facility, etc. I am proud to inform this august House that Madam Jayalalitha has made an unprecedented allocation of Rs. 6,000 crores for the special component plan for the SCs and STs in Tamil Nadu, this year. Sir, from time to time, Parliament discusses the issue of reservations and looks for the ways to safeguard it, but when it comes to implementation, there is no institutional mechanism of incentives and disincentives to ensure affirmative action. At the moment, there are legal requirements for filling certain quotas, but there are no penalties for public institutions that do not fill them. As we discuss reservations in promotions, we should pay attention to this issue also. We should ensure that quotas do, actually, get filled. Reservation must be ensured in all appointments, particularly, appointments to the Judiciary, appointments made by the Government of India in the World Bank, in the IMF, in the United Nations, Asian Development Bank and all other international appointments.

THE VICE-CHAIRMAN (SHRI TARIQ ANWAR): Please conclude.

SHRI A.W. RABI BERNARD: Finally, reservations have been found to be a very transparent and an inexpensive method to implement and monitor when compared to other affirmative actions. So, let us strengthen them by providing them reservation in promotions during services also. Thank you.

SHRI D. RAJA (Tamil Nadu): Sir, at the outset, I congratulate the leader of the BSP, Mayawati, for raising this issue at an appropriate time. I fully endorse the

views expressed by Shri Satish Chandra Misra as well as my beloved friend Dr. Mungekar. Sir, the judgement is an assault on the rights of the Scheduled Castes and the Scheduled Tribes. It is an assault on the very policy-making power of Indian Parliament. This has raised several serious issues. What is the power of Judiciary? What is the power of Parliament and Legislature? Parliament and Legislative Assemblies, in their wisdom, enact certain legislations in favour of the Scheduled Castes and the Scheduled Tribes, but the Judiciary, instead of upholding the implementation of these policies tries to enter into the domain of policies and dismisses whatever the Parliament or Legislature has been proposing. This is a very serious situation. That is why I urge upon the Government that the time has come when the Government should think of constituting a National Judicial Commission and the Judiciary will have to reflect the social reality that exists in India. The composition of Judiciary will have to reflect the social reality of India...*(Interruptions)*...I am talking about the Judiciary. Now, I am coming to the issue that we are discussing, that is, reservation in promotions during service. Sir, everybody has referred to Dr. Ambedkar, the architect of the Indian Constitution. It is Dr. Ambedkar who introduced reservations in public services for the Scheduled Castes and the Scheduled Tribes under article 16 of the Indian Constitution, which we all adopted in the year 1950. The article 15(4), which was the first amendment to the Indian Constitution, ensured admissions for the Scheduled Castes and the Scheduled Tribes in educational institutions. Dr. Ambedkar also ensured that representation should be available at not only entry levels but also in public services; it should be ensured in all classes and at all levels of administration. The concept of reservations in promotions was introduced with the same purpose. The complication arose after the Supreme Court gave its verdict on Mandal Commission. In Mandal Commission judgment, the Supreme Court imposed a ceiling of 50 per cent, to which I don't agree. In fact, I have said on other occasions also in this very House that it should be left to the States on the basis of total quantum of reservation. It also annulled reservations in promotions for Scheduled Castes, which was restored by the 77th Amendment to the Constitution in 1996. Later on, consequential seniority to 'Reserved Category' employees was denied in the process of reservation in promotions by the Supreme Court, which was set right by the very same Parliament by the 85th Amendment. So, the position is very clear. Even then, the five-member Bench has given this verdict on three major issues, and these three major issues were dealt efficiently by my colleague, Shri Satish Chandra Misra. Even then, I would like to make a few observations on these three issues.

On the issue of adequate representation, I think, they must ask the Government as to why the Government is not ensuring the implementation of SC/ST

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quota according to the percentage which has been accepted—22.5 per cent put together for Scheduled Castes and Scheduled Tribes. Who has to answer the Supreme Court? It is the Government which has to answer saying that ‘yes, we have been implementing it and we have been fulfilling this quota which has been reserved for Scheduled Castes, Scheduled Tribes and OBCs’.

Sir, the second point is related to the backwardness. What do they mean by ‘backwardness’? Here, I find that a sinister design is emerging from the Judiciary to scuttle the very Policy of Reservation and do away with the Policy of Reservation that we have. Sir, the Constitution is very clear; Dr. Ambedkar was very clear. The Scheduled Caste and Scheduled Tribe people are backward. That is why, they have said, ‘Other Backward Classes’. Otherwise, they would have said, ‘Backward Classes’. Why did they add the adjective ‘Other’ and said ‘Other Backward Classes’? It means that Scheduled Castes and Scheduled Tribes are already backward. So, they have said, ‘Other Backward Classes’. Then, it has to be ‘socially and educationally backward’. It was understood. Now, the Judiciary should read it properly and it cannot give its own interpretation, questioning the backwardness of Scheduled Caste or Scheduled Tribe people.

Sir, we are a nation where, whether we like it or not, the caste prejudices do exist and do exist strongly, and, untouchability, constitutionally and legally, must have been abolished. But untouchability is practised in different ways even in modern era, in cities as well as in towns. This aspect will have to be kept in mind. That is why when the Judiciary questions the backwardness of the Schedule Caste and Scheduled Tribe people, I think, there is some sinister design. This is what I understand. The sinister design is to do away with the entire Reservation Policy. I ask in this august House, do we agree with such an understanding of the Judiciary? And, I find — irrespective of political parties — that every one is for reservation to Scheduled Castes and Scheduled Tribes in jobs and also in promotions. But the Judiciary gives a different interpretation, which the Parliament should reject. The Parliament should reject it.

Moreover, there is the entire question of efficiency. What is this efficiency? Is there any scientific proof to show that the Scheduled Caste and Scheduled Tribe people are inferior and they do not have merit? Is there any scientific data? Is there any scientific study? The learned Judges must tell us that ‘we have this scientific study at our disposal, and, based on that, we say that the Scheduled Caste and Scheduled Tribe people are inferior; they don’t have efficiency, they don’t have merit’. Let them say it. What is this argument? This is a very inhuman and

undemocratic argument. It is an insult to the people who belong to the 'Schedule Caste' and 'Schedule Tribe' categories. It is an insult to the children born to the Schedule Caste parents. The learned Judges must understand that.

Sir, I would like to quote here a scholar about whom many of us know. He was the Chairman of UGC, Prof. S.K. Thorat. He had conducted a study to show how discrimination was taking place. Even though the Schedule Caste applicants had the same efficiency, possessed the same certificates and the same merit, after looking at their caste titles, they were denied jobs in the private sector. Prof. Thorat had well brought out how lack of efficiency was just a camouflage to deny the rightful place to the Scheduled Castes and Scheduled Tribes. That is why I say that this argument citing efficiency is a baseless and unscientific argument. I do not understand why the Judiciary has been raising all these questions. There is a contradiction in the understanding of the Judiciary and the understanding of the Legislature. This contradiction has become very serious. Some previous speakers referred to one case from IIT, that of Mr. Bhonsle. I had met that candidate too. He has not been awarded the Ph.D. He is ready with all his certificates and other details. We have raised this issue, many times in this House. Also, I am a member of the Parliamentary Committee on the Welfare of SCs and STs, and we have produced a number of documents. But I have not come across even one Scheduled Caste or Scheduled Tribe member in any Board of Governors. We have seen it in a number of cases. What is the reason given to that? They say, it is because of non-availability of suitable candidates. After 60 years of Independence, the Government says that no suitable candidate is available! Then, when I press for further details, they say that it is as per DoPT orders. So, I ask the Minister in charge of the DoPT, 'what is your answer? What is the guideline you have for the public sector undertakings, banks and other industries? Why is there no Chairman or MD in any public sector from that class?' To cite an example, in a Vizag steel plant, one SC person could have become Chairman, but some false cases and charges were framed; a raid was organized and his chances of becoming Chairman were destroyed. That is how it is happening with SC candidates. What I mean to say is, even if one or two SC or ST candidates come up to the level, they are consciously denied their rightful claims. This is what the Government will have to take note of. This is a very serious issue. Does the Government have the political will to see to it that there is effective implementation of the reservation policy in the country?

Sir, talking of reservations in promotions, the previous speaker wanted to know how many Secretaries to the Government belonged to this class? Do they mean to say that after 60 years of Independence, no IAS man or woman from the Scheduled Castes is available for the post of Secretary to the Government of India?

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Then whose Government is this? If that Government does not belong to the Scheduled Castes and Scheduled Tribes, then whose Government is it? You say that there is no efficient IAS officer belonging to the Scheduled Castes to become Secretary and there is no Scheduled Tribe IAS officer efficient enough to become Secretary. What is happening in this country? Are we a nation or, are we having a *jungle raj*? Does the Government want to follow the theory of survival of the fittest? Does the Judiciary want to implement this? This is nothing but social Darwinism, Sir, 'survival of the fittest'? Historically, the Scheduled Caste and Scheduled Tribe people don't have access to many things. Now, what they are asking for is their due share, fair share, in the nation's wealth. They are asking for due place in the administration at all levels. Are we willing to concede their demand? They don't want pity; they don't want mercy from any Government. Today you may be in Government and tomorrow somebody else may be in Government, but they don't want mercy or philanthropy from the Government; they want to have it as their right. That is what we should understand. Are we willing to concede that or not? If we deny them their rights, let us be ready for social upheaval. Satish Chandraji used a different word, but I can say that if you deny them their rights and their due demands, then we will have to face a social revolution. That is what Dr. Ambedkar meant. In fact, I give my respect to Dr. Ambedkar. He wanted everything to be done constitutionally; he wanted everything to be done through constitutional methods. If Constitution is tampered like this or if Constitution is subverted like this by the judiciary, where else can we go? Again we come back to the Constitution-making body, the law-making body, that is, Parliament.

THE VICE-CHAIRMAN (SHRI TARIQ ANWAR): Please conclude.

SHRI D. RAJA: I support the amendments proposed by my hon. colleague, Shri Satish Chandra Misra. There is a need to consider those amendments to ensure the policy of reservation not only at the entry level but also in promotions for the people of Scheduled Castes and the Scheduled Tribes. With these words, I conclude. Thank you.

SHRI PRAVEEN RASHTRAPAL (Gujarat): Sir, I just go back to history and refer to the erstwhile King of Kohlapur, Sahu Maharaj. It was Sahu Maharaj, who gave financial assistance to Dr. B.R. Ambedkar. Gaekwads of Baroda also gave financial assistance. As a result, Dr. Ambedkar was able to go to the United States, the UK and Germany and obtained Degrees in Law, Economics and wrote a thesis on the 'Problem of Rupee'. I want to give you information that Sahu Maharaj was the first Indian King in the western and the northern part of the country who introduced

reservation in Government services 110 years ago. That order was passed when he was in the UK and it was sent by telegram. Why did he make reservation in services? When he acquired the seat of King, he called for the list of the staff working in the Palace from his Prime Minister. A list of 57 staff members was given to him. Then he asked about their caste. There were three or four Brahmins and all others were Marathas. Even in his Palace staff, no member of his own caste was there. Then he called for the officers working in the State. There was also the same position — Brahmins and Marathas. I am talking with reference to Maharashtra. You know, these are the two dominant classes there' even now. ...(*Interruptions*)...

SHRI D. RAJA: Please allow me. I want to say something. ...(*Interruptions*)...

SHRI PRAVEEN RASHTRAPAL: I will allow you everything provided you start social revolution. ...(*Interruptions*)...

SHRI D. RAJA: The concept of reservation was first implemented by Maharaja of Mysore. ...(*Interruptions*)...

SHRI PRAVEEN RASHTRAPAL: I have already made it clear by saying 'western and northern part of the country' ...(*Interruptions*)...

SHRI D. RAJA: It was to ensure reservation to Kannada Brahmins to counter Tamil Brahmins. ...(*Interruptions*)...

SHRI PRAVEEN RASHTRAPAL: I am coming to that. And that reservation was not for 'backward class' or for 'forward class'; it was for every community of the State. The reservation was according to population. Everybody was happy. Again you go to the period of Akbar. Akbar had a *Senapati* whose name was Raja Man Singh. He was Rajput. Man Singh's sister Jodhabai married to Akbar. What a casteless society it was! Nobody objected to it. But if a Scheduled Caste marries a Kshatriya woman or a Brahmin woman, heaven will fall from the sky on the Earth. In spite of that, people have forgotten reservation which was 100 per cent for certain communities before 1500 years. In Indian Army, only Kshatriyas were allowed before Mughals came to this country. Before Mughals came to this country, in the armies of various Maharajas, only Kshatriyas were allowed. And, who were allowed to work in the temples? Even now, who are allowed to work in the temples? Only Brahmins are allowed. So, there is hundred per cent reservation for Brahmins for working in the temple's sanctum sanctorum. उसे हिन्दी में गर्भगृह कहते हैं। No non-Brahmin can enter temple even now in the year 2012 in India, which is a secular, socialist, sovereign, democratic republic. But, you cannot enter गर्भगृह; बाहर खड़े रहो, धोती पहनकर आओ, पजामा नहीं चलेगा। In Southern States, there is generally one room behind the temple which is full of golden ornaments. Even the court has directed not

[Shri Parveen Rashtrapal]

to open it. They are afraid of opening that because of religion. But, there were good Maharajas also Kohlapur Maharaja, Bhavnagar Maharaja, Gaekward Maharaja, Gondan Naresh. Education was compulsory in Gujarat. If a child was not sent to school on attaining the age of seven years, his father was penalised with one rupee per month. I am talking of 1935-36 and the States were Gondan, Bhavnagar and Baroda. There was a provision of compulsory education. As a result, we have got number of teachers from the Scheduled Caste category in Gujarat. My father was uneducated. I was not sent to school even at the age of eight. He was penalised. Then only, I could go to school and I passed my matriculation at the age of 20 years. But, today, we have an Act passed in the year 2009 in our Parliament for compulsory education. Even now, it has not been implemented. The cut off date for implementation of that law was 1st April, 2010. Even now, the State Governments are asking for money. The Education Minister of Gujarat, Shri Raman Lal Vohra, spoke four days back that they would not be able to implement the Constitutional amendment regarding reservation, or, hundred per cent education to all because they did not have the money. This is the situation in this country. Similar is the situation about this issue of reservation.

श्री भरतसिंह प्रभातसिंह परमार (गुजरात): केन्द्र की ओर से गुजरात सरकार को सर्व शिक्षा अभियान के लिए जो पैसे बाकी हैं, वे भी आपने अभी तक नहीं दिए हैं।...**(व्यवधान)**

श्री प्रवीण राष्ट्रपाल: एजुकेशन के लिए मैं गुजरात सरकार को पैसे दे दूंगा, एजुकेशन के लिए अपनी पूरी पगार दे दूंगा...**(व्यवधान)**

श्री सतीश चन्द्र मिश्रा: उपसभाध्यक्ष जी, माननीय सदस्य यदि मुद्दे पर बोलें, तो ज्यादा अच्छा होगा।

SHRI PRAVEEN RASHTRAPAL: I have brought one copy only, During the last two years, I have put questions to four Departments about the backlog. All the four Departments have replied to me that information is being collected and it will be supplied to me. That information came to me exactly after one year. Now, what can I do? I have forgotten. Now, this particular answer to me from the Finance Ministry is very interesting for everybody. It says, "The hon. Madras High Court had given eight weeks' time to implement the DOPT circular dated 13th August, 1997. But, in the meantime, the concerned five banks—Union Bank of India, Uco Bank, Central Bank of India, Canara Bank and Syndicate Bank—went in appeal in the hon. Supreme Court of India." Again, there is a judgement dated 9.12.2009. Now, Madras High Court gave a judgment on this date directing that there-should be reservation in promotion. Madras High Court gave that DOPT circular number also and directed

the banks to implement it. Now, this is a judgment in favour of the Government of India directing the nationalised banks to implement the circular. But, five banks went in appeal. Now, the Ministry says, "However, the banks are following instructions contained in the DOPT OM number so and so, dated 13th August, 1997." And, what is the Court order? It says, "*Status quo* should continue." That means, the judgment should be implemented. Now, once the judgment is to be implemented, how are five banks allowed by the Finance Ministry to go in appeal against the Madras High Court's judgement which is in support of the DOPT circular? Nobody gives me reply even here. So, it is pinching because there has been no priority to the issue of the Scheduled Castes during the last few years in this country, whether it is the rule of this party or that party. What we want is priority. We are crying, we are shouting for the Reservation Act for the last four years. It was introduced, it was passed without discussion. Then, we came to know about the list of institutions. It was agreed that it will be removed. My friend, Mr. Natchiappan, was the Chairman of the Standing Committee, which gave the report that this could not be done. The list of institutions cannot be capped; that there will not be reservation. They have given Report to the Parliament that there cannot be such a direction in the Bill but the Bill is not coming up in the Parliament.

Now, what can a Member of Parliament, that too, of the Ruling Party, do? I cannot give a challenge like a social revolution. I am requesting my two hon. Ministers, namely, the Minister of Law and Justice, who is sitting here, and, the Minister of Personnel, Public Grievances and Pensions to please give me an answer. If the Madras High Court's judgement was according to the DOPT's circular, how were the nationalized banks allowed to go in appeal against the same judgement and waste Government money? That is my question, and, why promotion to these people should not be given.

[**THE VICE-CHAIRMAN (PROF. P.J. KURIEN)** in the Chair]

Sir, I come to another argument. My learned lawyer friend, Mr. Misra has very rightly defended it because he is not only Misra, he is 'S.C.' Misra. You have done my job today. So, Mr. S.C. Misra and, another friend of mine, Mr. Mungekar, have spoken so well, and, it was legal as well as theoretical speech. So, I do not have to say much but I have to give only definition of promotion.

Very few of you might know that Dr. I.G. Patel was not an IAS officer. Do you know he was appointed as a Secretary by Shri Morarji Desai? He has not passed any examination. Do you know the learned Prime Minister of the country, who is a Member of this House, was appointed by Mr. Pranab Mukherjee, when he was the Finance Minister during the regime of Madam Indira Gandhi? The Government has

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power. Dr. I.G. Patel was appointed. Dr. Manmohan Singh was appointed. He was a Professor in JNU. But looking to their knowledge of economics, Madam Indira Gandhi wanted that he should be appointed as the Finance Secretary. So, appointment was made. Nobody has challenged it.

Now, here, the issue is of reservation in promotion. There is reservation for recruitment and not for promotion. But in article 335 of the Constitution, the framers of the Constitution have not used the word 'recruitment'. The word used is 'appointment'. Now, appointment can be made by selection, appointment can be made by election, appointment can be made by recruitment, and, appointment can be made by appointment. President of India appoints the Chief Justice of the Supreme Court. To become Chief Justice from the post of a Judge is a promotion but the word used is not 'promoted'. What is written is that one is appointed as Chief Justice of the Supreme Court. Appointment includes everything. Article 335 very clearly says, 'at the time of appointment'. So, I request both the Ministers to see into article 16(4), 16(4A), 16(4B) and 17 also. Nowadays, we are not bothered about article 17. Article 17 is about removal of untouchability. The Article 17 of the Constitution abolishes untouchability and says that its practice in any form shall be punishable under the law of the land. In the first twenty years immediately after independence, there were social movements; there were departments which used to send people to villages to tell them that they are all equal; give water to these people, they are also our citizens. They may be Scheduled Castes but they are not untouchables. Otherwise, after all, what is the meaning of Scheduled Caste? It is not a caste. Hon. Supreme Court has gone on record to say that it is not a caste. It is a community included in the List and the List is prepared by the President of the country under article 341 for the Scheduled Castes and under article 342 for the Scheduled Tribes. This List is prepared by the President of India and it can subsequently be amended only as suggested by the Parliament. Nobody else can touch this List. A poor man can be a Scheduled Caste and a rich man can also be a Scheduled Caste. A man with agriculture land can be a Scheduled Caste and a man with no agriculture land can be a Scheduled Caste. There is no change in their status of backwardness or forwardness. There is reservation in Lok Sabha and in Vidhan Sabha. That is political reservation. It was only for 10 years. But there was no time limit for reservation in education, higher education and Government services. So, promotion is also included at the time of reservation, and as rightly said by my two-three friends, we are demanding parity and not charity.

I am now coming to article 338 which deals with the National Commission for Scheduled Castes and Scheduled Tribes. I am extremely sorry that the constitutional

role of the National Commission for Scheduled Castes and Scheduled Tribes is not properly allowed by the Government during the last ten years. In the good old days, every year there used to be a report from the National Commission for Scheduled Castes and Scheduled Tribes. This report as well as action taken was used to be discussed in the Parliament. Today also, on this very problem, with the permission of the Chair, I am exhibiting this booklet. This is not a private document. The title is 'A Study Report on Reservation in Promotion'. The answer to the three questions raised by the Supreme Court judgement is already prepared by the National Commission for Scheduled Castes and Scheduled Tribes. With the permission of the Chair, I am putting this copy on the Table for the use of the Minister of Law and Justice and the Minister of Personnel and Public Grievances. May I do this, Sir?

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, no, you should have taken prior permission. That is the issue.

SHRI PRAVEEN RASHTRAPAL: The Commission has given answer to the court that where is the question of verifying who is a Scheduled Caste person and who is a Scheduled Tribe person. The list is there in the Schedule of the Constitution and there is reservation for them. Who will decide adequacy? Adequacy is already decided according to the population. Beautiful answer is given by this Commission. It should be utilised.

I finally conclude because many things have already been said by most of my friends. My only request is, both the Ministers should immediately call a meeting of the leaders of all the parties during the next week and see that suitable Constitution Amendments are prepared and passed during this session to avoid the problem all over the country. There was some discussion between Satish Chandra Misraji and our friend from the Samajwadi Party. That may be settled at U.P. level. That should not create any problem in the all India matter. So, I request the Minister to please take up this issue. Another thing is that this exercise may be expedited because the Act is already ready. Please introduce it in the Lok Sabha. Please don't introduce it in the Rajya Sabha because Rajya Sabha is a permanent House. There is no hurry for passing it in the Rajya Sabha. Passing it in the Lok Sabha is very urgent. Last time, we passed it in the Rajya Sabha without discussion, but we could not introduce it in the Lok Sabha and the Lok Sabha was dissolved. Now, this time, according to press reports, nothing is sure what will happen after one week. So, it is better that we introduce it in the Lok Sabha and get the Act also passed because the Act is ready. I want that the Act should be passed and the suggestion of two amendments as suggested by Mr. Satish Chandra Misra and my senior colleague Mr. Mungekar may kindly be taken up. Thank you very much.

4.00 P.M.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The hon. Minister wants to intervene here.

THE MINISTER OF LAW AND JUSTICE AND THE MINISTER OF MINORITY AFFAIRS (SHRI SALMAN KHURSHEED): Sir, I am grateful to you for allowing me a brief intervention. The issue has legal dimensions. This is a very, very important topic. The matter concerns the entire nation and, of course, the hon. Members across the floor. I want to reiterate the commitment of the Government and indeed the commitment of this House and all the people of our country for the empowerment of all backward communities of our country ensuring dignity and equal participation, as equal citizens with equal respect and equal entitlement, in the nation-building effort.

Sir, in that context, as Minister of Law and Justice, I consider it my beholden duty to respond to somewhat cynical concerns expressed. As has been expressed, judges of the country often, for different reasons, stand in the way of fulfilment of the dreams of our founding fathers in the matter of giving equal participation, dignity and equality to backward classes of our country. I do believe that when these debates are heard across the country and seen across the country, and I am sure they are heard by ordinary citizens as indeed they are seen and heard by people associated with legal profession, including eminent judges, they might feel that somehow we, Members of Parliament, and the Government have a cynical and a pessimistic view about their commitment to equality for all people in our country. Therefore, I consider it my duty to say that some of the greatest contributions that have been made to equality, particularly in the case of the disadvantaged section, the citizens who suffered the worst kind of treatment in the past, has come from some of the outstanding judges of our country. And some yeoman service to this has been provided by legendary judges in cases that we could hear. And those of us associated with law could recite them here with great admiration and pride and say that we have had judges in the country who have done this. But, Sir, let me say this also. As I praise the judges, it is not to say that we are not concerned, that we are not affected and that we do not consider it a matter of urgency to respond to the decision that has been taken. That, in a sense, disappoints us and, in a sense, stands in the way of fulfilment of our objectives and fulfilment of our aspirations. But we must not forget that two judgments came. One from the Allahabad High Court sitting at Allahabad and the other came from a Bench of the Allahabad High Court sitting at Lucknow. On a noble objective and destination, judges can disagree. And equally Supreme Court judges can disagree with them. The Supreme Court

judges often disagree amongst themselves. They are dissenting judges. Sometimes the dissent of one generation is treated as the forewarning or indeed the foresight of a coming generation that changes the law. And that is how the law has evolved. I, therefore, urge my hon. Colleagues on both sides of the House to treat this as a grand democratic dialogue with different organs of Government, including the judiciary, so that we move forward in a manner that is not, in any way, symptomatic of a conflict or a confrontation, but of a collaboration and cooperation between different arms of Government to achieve this very noble objective of our Constitution. Sir, we have to continue to trust our Judges because whatever we do here will finally be tested on the anvil of the basic structure, as understood by the highest judiciary, by the Judges of the Supreme Court and, therefore, the language that we speak and the formulation that we make must indeed be communicative not only of our deep concern and our commitment in our conviction but also be persuasive to the judiciary to come hand in hand with us and move forward towards the destination that has been highlighted once again today in this House, in this very, very important discussion which has been initiated by the new hon. Member of the House, Km. Mayawati.

Sir, the issue which concerns us directly is the issue in the judgment which is related to adequacy of representation. I do believe, as Shri Satish Misraji has highlighted, the judgment goes back to Nagaraj judgment because Nagaraj judgment has been the base of the judgment that has now been pronounced by the Supreme Court both in Rajasthan matter and the Uttar Pradesh matter. The Nagaraj judgment had indicated and flagged three issues—efficiency, adequacy of representation and backwardness. Reading those judgments carefully, I find that the issue of efficiency and backwardness, although mentioned, does not seem to stand in the way of what we were trying to achieve. The issue of adequacy of representation certainly seems to have been the stumbling block of some major concern and obviously, the House, as indeed the Government, will have to take some steps in order to ensure that this does not continue to be an impediment in achieving our goals. But, Sir, in fairness to the judiciary and in fairness to ourselves, we have to recall that the root of whatever we are doing comes from article 16(1) which very clearly says that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. It's only because the bland 'equality' expression of article 16(1) does not become apparent to an ordinary person and an ordinary citizen, it had become important to provide the derivatives of article 16(1), that is, 'real equality' as opposed to only 'symbolic equality'. And, therefore, we had article 16(4). The inadequacy of article 16(4) required article 16(4A). But, I must read

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to the House article 14(4A) in its entirety to ensure that we know what exactly we are dealing with and what is that we have to address. Article 16(4A) says, “Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class or classes of posts in the service’s under the State in favour of the Scheduled Castes and the Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.”

Sir, it may well have been our lack of foresight when we introduced this amendment, a far-reaching amendment, to the Constitution. We did include adequacy; we did feel that adequacy was perhaps being derived from article 16(1) and, therefore, we have to very carefully reflect upon how we get past something that we had introduced ourselves, possibly in the understanding that mentioning of adequacy would not, in any way, become an impediment because there is a national—and may I say, constitutional—consensus that 22.5 per cent is what will, at least, be necessary for adequacy. I am not going to foreclose any argument that will take place in court. But, it is quite possible to say that 22.5 per cent is not adequate. It is quite possible in some circumstances that a State Government or Central Government comes to a conclusion that total justice, in fairness, requires that we go beyond what is proportionate to the population; so, we need to go beyond. Of course, as the hon. Member, Shri Raja, said, for the present, we have a limit—at least, a *prima facie* limit—of 50 per cent. You are lucky that in your State, the Supreme Court has allowed an exemption.

SHRI D. RAJA: It is in the Ninth Schedule.

SHRI SALMAN KHURSHEED: May be a temporary exception in the State of Tamil Nadu, and I believe in Karnataka also. But certainly we do believe that there is a *prima facie* restriction of 50 per cent imposed. But we have this craze of adequacy that will have to be addressed.

Sir, going back to the Indira Sawhney case which again, as I mentioned, is the Mandal judgement 16(1), as well as, Indira Sawhney’s case much of the jurisprudence in these matters have concerned with backward classes. Then, I will explain backward classes are actually classes which include SCs, STs and Other Backward Classes, of classes seem to be similarly disadvantaged, but not exactly the same as backward classes. The special status of SCs, STs has been recognised throughout. SC and STs are, as it were, constitutionally mandated backward classes where there is no necessity of looking only at educational backwardness or social

backwardness, just backwardness in itself linked with extremely hurtful and extremely sad episode in our history have given them the label of backward. And centuries of that backwardness inflicted upon them would not be set right by one or two generations of positions in high power positions or being comfortable economically. This has been understood. Therefore, creamy layer does not apply to SCs and STs, but creamy layer does apply to other backward communities. I do believe that when we look at this problem we will have to be sensitive to the concerns of other backward just as we are both sensitive and concerned about the issues that pertain to SC and STs and Other Backward Classes may sometime has issues on which there will be consensus, sometime has issues on which there may be a difference of opinion. There is no difference of opinion on creamy layer. But there is differences of opinion today only in the nation's say but it could become more serious difference of opinion in sub-categorisation. There is no sub-categorisation as far as Indira Sawhney case is concerned. No sub-categorisation in SCs and STs. But there is a sub-categorisation, in OBCs, and, therefore, in this evolving saga of how we give complete justice to all our citizens, wipe out the scars, the hurtful matters of our history and write together in this House and the other House a glorious future for our children to come matters. We look forward to the day not necessarily in our life time but we look forward to the day with someone not once, but thousands and thousands and thousands of young people in this country will have the confidence and will have the stature, we will have the success that we have in Behan, Miss Mayawati so that they will not need to fall back no reservation but on their own merit, with their own conviction, with their own success reach out towards a bright future. But we do know the factual reality of our times in which we live and the factual reality of the time to an extreme actually goes to say that despite the fact that we have moved away from our history the practical reality remains extremely different. It is not just for dalits of the land, it is not just for minority of the land, it is not just for backwards of the land. It is also for lot of ordinary citizens who still hunger for food, who still need medicine, who still need education, who still need roof above them. Every day and every speech that is made in this House, Members repeat, time and time again and knock on the conscience of both the Government and themselves that there is still a lot to be done. If I may borrow Robert Frost's words that Pandit Nehru was so fond of "The woods are lovely, dark and deep, but I have promises to keep and miles to go before I sleep, and miles to go before I sleep." I will just add one point which is of urgent concern and that point is, when the decision of Indira Sawhney was taken, a five-year period was given—a period in which there would be no reversion of the promotions that had been made. Such a safety net has not been provided in the present judgement. Therefore, we could

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have a crisis in our hands very soon, almost immediately. Probably, even while we are discussing this there could be a crisis somewhere. Therefore, the urgency of the matter is that the issue will have to be addressed and whichever way and form it has to be addressed, we will address it. My colleague, while replying to this discussion, would be able to give clearer indications of the decisions that we have taken in the Government. But those decisions will be meaningless unless we all join hands together. I think, he will indicate the roadmap for that. I can only assure you that from the time that we have, formed this Government we are looking at the Nagaraj case and we are looking at all the developments very closely. A series of meetings have taken place. We have also consulted with the SC and ST fora; we have also consulted with the experts. There are other issues. (*Interruptions*)...On the Reservation Act, my colleague will speak. My job is only to vet it when it is ready and sent to me. My colleague will tell you what he is doing to have it ready.

With this short intervention, I thank the House and I thank you, Mr. Vice-Chairman, for giving me this opportunity.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Thank you, Salmanji. Mr. Biswajit Daimary.

SHRI PRAKASH JAVADEKAR (Maharashtra): Sir, I just want to seek one clarification.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The Minister will reply. (*Interruptions*)...

SHRI PRAKASH JAVADEKAR: He is the Law Minister (*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is not the reply (*Interruptions*)...

SHRI PRAKASH JAVADEKAR: He is the Law Minister. (*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): You can ask the Minister who will reply to the debate. (*Interruptions*)...

SHRI PRAKASH JAVADEKAR: He is the Law Minister of the country. I just want to know what the brief of the Central Government to the pleaders in the Supreme Court was and what they pleaded. (*Interruptions*)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No. That reply will be given by the Minister. (*Interruptions*)...The Minister will reply. (*Interruptions*)... The Minister will reply. (*Interruptions*)...

श्री विश्वजीत दैमारी (असम): धन्यवाद उपसभाध्यक्ष महोदय। इस विषय पर सारे माननीय सदस्य बोल चुके हैं और अभी-अभी मिनिस्टर साहब ने भी इसके ऊपर कानून की कुछ बातें clear की हैं। हम सबके बताने की कोई जरूरत नहीं है कि हमारे संविधान में एस.सी. या एस.टी. के लिए क्या प्रोविजन है और एस.सी./एस.टी. के लिए सर्विस रूल में क्या है, **recruitment, appointment** हो या **promotion** हो, इसमें क्या है, इस पर नए हिसाब से बात करने की कोई जरूरत नहीं है। लेकिन इसमें समस्या यह आ रही है कि संविधान का प्रोविजन होते हुए भी, कानून व्यवस्था रहते हुए भी आज शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स के लोग **secured** नहीं है, वे अपने आपको सुरक्षित नहीं पा रहे हैं, जिसके कारण फिर से इस विषय पर इस सदन में बात करने की जरूरत पड़ रही है। हम सबके लिए यह दुर्भाग्य कि बात है कि हमारे देश में जो छोटी-छोटी जातियां हैं, चाहे एस.सी. हों या एस.टी. हों, उन लोगों को समझने वाले, उन लोगों की तरफ सहायता के लिए हाथ आगे बढ़ाने वाले, नेता हों या मंत्री हों या कोई ऑफिसर हो, जो भी उच्च पद पर हो, भारतवर्ष में ये कम हो गये हैं और इसीलिए ऐसा हो रहा है। अगर हम इस समस्या को देखते हैं, तो संविधान के प्रोविजन के हिसाब से हो या कानूनी व्यवस्था के हिसाब से हो, अगर हमें इसमें कोई मौका मिलना है और कोई इसे देना नहीं चाहता है, तो इसके लिए शैड्यूल्ड कास्ट/शैड्यूल्ड ट्राइब्स के लोगों को कोर्ट के पास जाना पड़ता है। अगर कभी उसे यह मिल भी जाता है, तो फिर इसके ऊपर कोर्ट में **challenge** किया जाता है और फिर इसे झंझट में डाल दिया जाता है। आज हमें अपनी **population** के हिसाब से **percentage** दिया गया है। हम लोगों को जितना **percentage** मिलना था, वह नहीं मिला है, जिसके कारण बहुत सारा **backlog** पड़ा हुआ है। इसका कारण यह है कि **recruitment policy** में एस.टी. को रोस्टर के हिसाब से पोस्ट न मिले, ऐसा भी किया जाता है। जैसे मेरे स्टेट, असम में अभी भी हजारों पोस्ट्स **backlog** में हैं। **Backlog fill up** नहीं किया गया है। चाहे **recruitment** में हो, **appointment** में हो या **promotion** में हो, रोस्टर के हिसाब से वहां शैड्यूल्ड ट्राइब्स को 10 परसेंट मिलता है। अगर 10 लोगों का **promotion** करना है, तो 10 में एक एस.टी. को मिलता है, लेकिन इसके लिए 9 का **advertisement** दिया जाता है, 10 का **advertisement** नहीं दिया जाता है। जिसके कारण रोस्टर के हिसाब से 9 सीट होने की वजह से वह सीट एस.टी. को नहीं मिलती है। अगर 20 पोस्ट्स होंगी, तो पहले सिर्फ 15 पोस्ट्स का एडवर्टाइजमेंट देते हैं, इसके कारण जहां दो लोगों को नौकरी मिलनी थी, वहां सिर्फ एक को ही मिलती है। हर समय इसी तरह की कुछ न कुछ उल्टी-पुल्टी व्यवस्था लाकर, एस.टी. या एस.सी. को जो अधिकार मिलना था, उनसे इस अधिकार को छीन लिया जाता है। उनके इस अधिकार को हम कैसे सुरक्षित करेंगे, यह सबसे ज्यादा चिन्ता का विषय है। यद्यपि हमारे संविधान में इस सबका प्रोविजन है, कानून में भी सब कुछ है, लेकिन ये सब होते हुए भी हम लोग कुछ नहीं कर पा रहे हैं। इसके लिए **National Commission for Scheduled Tribes** और **National Commission for Scheduled Caste** का भी हमारे यहां व्यवस्था है, लेकिन प्रवीण जी अभी बता चुके हैं कि आज ये किस हालत में चल रहे हैं।

मैं इसमें ज्यादा नहीं कहना चाहता हूं। हम लोगों को इस पर सीरियसली सोचना चाहिए और इस विषय पर हो रही चर्चा को भी सीरियसली लेना चाहिए। हमें देखना होगा कि किस तरह से ट्राइबल्स के अधिकार उनको मिलें, चाहे वे प्रमोशन में हों, चाहे एपॉइंटमेंट

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में हों, डेवलपमेंट परपस में हों। उनके लिए जो भी फंड वगैरह दिए जाते हैं, उनको भी ट्राइबल्स के लिए अच्छी तरह से खर्च किया जाए। एक बात यह भी है कि स्टेट गवर्नमेंट सारे फंड्स को डायवर्ट कर देती है। अगर ट्राइबल एरिया में कोई रास्ता बनना है तो कहीं दूर रास्ता बनाते हैं, फिर जब आप विधान सभा में या कहीं और कंप्लेंट करेंगे तो बताएंगे कि ट्राइबल लोग इस से आते-जाते रहते हैं, इसीलिए इस फंड को यहां खर्च किया गया है। कहीं-कहीं वे टाउन में कॉलेज बनाएंगे, होस्टल बनाएंगे, इसके बाद बोलेंगे कि यहां पर ट्राइबल लोग आ कर पढ़ते हैं, इसलिए इस कॉलेज को बनाने में इस पैसे को दिया गया है। कभी टाउन में, शहर में उस पैसे से तनखाह तक दी जाती है, जो रुपया ट्राइबल गांव के लिए आता है। जब पूछते हैं तो बोलते हैं कि यहां ट्राइबल स्टुडेंट्स पढ़ते हैं, इसीलिए ट्राइबल का फंड यहां के सर्विस होल्डर्स को तनखाह देने में हम खर्च कर रहे हैं। अब आप क्या करेंगे?...**(समय की घंटी)** ये सब बातें होती हैं।

इसिए मैं अनुरोध करता हूं, इस विषय पर जो प्रस्ताव लाया गया है, उस पर ध्यान दिया जाए और इस पर कार्य किया जाए। यही कह कर मैं अपनी बात को समाप्त करता हूं, धन्यवाद।

डा. भारतकुमार राऊत (महाराष्ट्र): धन्यवाद, महोदय। महोदय, आज मैं हिन्दी में बात करना चाहता हूं, वैसे मेरी हिन्दी बहुत अच्छी नहीं है। मैं हिन्दी में बोल रहा हूं, क्योंकि यह जो विषय है, शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब्स...**(व्यवधान)**

श्रीमती जया बच्चन (उत्तर प्रदेश): आप हिन्दी में बोल रहे हैं, यह बहुत बड़ी बात है।

डा. भारतकुमार राऊत: धन्यवाद। वह गरीब, जो दूर देहात में रह रहा है, जिसे अंग्रेजी नहीं आती, मैं उन लोगों के लिए बोल रहा हूं। वे लोग अंग्रेजी नहीं समझते हैं, उनको एक ही चीज समझ में आती है कि मेरे बेटे के पास नौकरी नहीं है, मेरे बेटे के पास शिक्षा नहीं है, अगर मेरा बेटा सरकारी नौकरी में जाए, तो उसके लिए प्रमोशन नहीं है। जो देहाती ऐसी स्थिति में हैं, मैं उनके लिए बोलना चाहता हूं।

सर, मैं जिस पार्टी का प्रतिनिधित्व करता हूं, वह शिव सेना है और उस शिव सेना के प्रमुख बाला साहब ठाकरे जाति व्यवस्था का उपयोग राजनीति में नहीं करना चाहते। हम उसमें विश्वास नहीं रखते हैं। अभी हम प्रमोशन की पॉलिसी के ऊपर बात कर रहे हैं, जिसके ऊपर अभी सतीश चन्द्र मिश्रा जी ने इतना अच्छा भाषण किया। इसके लिए मैं उनका धन्यवाद करता हूं।

यह प्रमोशन की नीति जो आप अपनाना चाहते हैं, यह नीति किसके लिए है? यह नीति उसके लिए है, जो प्रमोशन तक पहुंचे, जिसे सरकारी नौकरी मिले, या वह नौकरी का पात्र हो जाए। आज हमारे देहाती भाई उस स्थिति में रह रहे हैं, जिन्हें शिक्षा ही नहीं मिलती है, इसलिए वे किसी भी नौकरी के पात्र ही नहीं बनते। अगर वे नौकरी के पात्र ही नहीं बनते तो प्रमोशन का सवाल आता ही नहीं है। इसलिए मुझे लगता है कि हमें इस विषय को शिक्षा से ही शुरू करना चाहिए। अगर इस विषय हम शिक्षा से शुरू करेंगे, तभी हम इसका कोई इलाज ढूंढ सकेंगे।

शिक्षा के बारे में अगर आप सोचेंगे, तो आप उन बच्चों के लिए सोचेंगे, जो स्कूल तक पहुंच सकते हैं। हमारे देहाती बच्चे, जो पीड़ित हैं, दलित हैं, वे तो स्कूल तक पहुंच ही नहीं सकते। अगर वे स्कूल में पहुंचेंगे, तब आप उनके आरक्षण की व्यवस्था कर सकते हैं, अगर वे आरक्षण लेकर आगे जाएंगे, तभी आप उनकी उच्च शिक्षा के आरक्षण की बात कर सकते हैं, उसके बाद उनकी नौकरी के आरक्षण की बात कर सकते हैं और उसके बाद ही उनकी प्रमोशन का सवाल आता है। हमें नींव से शुरूआत करना चाहिए। मुझे आपको यह बताना है कि सरकार की जो नीति है कि इस नीति से किसी भी पिछड़े वर्ग का आदमी/बच्चा यहां तक पहुंचे, वह पहुंच ही नहीं सकता है। सर, अगर एस.सी./एस.टी. का कोई उम्मीदवार है, अगर वह नौकरी की अर्हता ही प्राप्त नहीं कर सकता, तो उसे नौकरी मिल ही नहीं सकेगी और अगर उसे नौकरी नहीं मिल सकेगी तो उसको प्रमोशन नहीं मिल सकता। इसके लिए हमें नींव तक जाकर बात करनी चाहिए।

मैं एक और सवाल आप सब से पूछना चाहता हूं। इस देश में जिन एस.सी./एस.टी. लोगों ने रिजर्वेशन लिया, शिक्षा में रिजर्वेशन लिया, नौकरी में रिजर्वेशन लिया और उसके बाद प्रमोशन में भी रिजर्वेशन लिया, **that is justified**, मैं उनके खिलाफ नहीं हूं, जिन्होंने इस तरह से रिजर्वेशन लेकर अपनी उन्नति की, लेकिन क्या उन्होंने अपनी उन्नति का उपयोग अपने वर्ग के लोगों के लिए किया? अगर एक जेनरेशन से, एक पीढ़ी से, इस तरह का प्रश्न किया जाए कि उन्हें शिक्षा नहीं मिली, नौकरी नहीं मिली और उसके बाद प्रमोशन नहीं मिली, तो क्या उनके बच्चों को भी यही सुविधा मिलनी चाहिए? मैं आपको एक उदाहरण देता हूं। मैं महाराष्ट्र से आता हूं। महाराष्ट्र के एक आई.ए.एस. ऑफिसर, जिन्होंने रिजर्वेशन लिया, रिजर्वेशन से वे सेक्रेटरी बने और उसके बाद मुख्य सचिव बने। इसका मतलब है कि वे समाज में एक स्तर पर आ गए। उसके बाद अगर उनका बेटा भी रिजर्वेशन के लिए अप्लाई करे, तो हमें क्या करना चाहिए? जिनको रिजर्वेशन मिला है, वे लोग अगर अपनी ही जाति के, अपने ही पीड़ित वर्ग के, लोगों को रिजर्वेशन से वंचित रखना चाहते हैं, तो मुझे लगता है कि यहां पर सरकार को अपनी नीति बदलनी चाहिए, सरकार को हरकत में आना चाहिए और सरकार को उनके खिलाफ कार्रवाई करनी चाहिए। रिजर्वेशन इक्वलिटी के लिए है। इक्वलिटी आने के बाद भी आप अगर ऐसे ही करेंगे तो मुझे लगता है कि यह नाइंसाफी है और कानून द्वारा यह जो फैसिलिटी मिली, उसका दुरुपयोग है।

सर, मैं उस प्रांत से आता हूं, जो डा. बाबा साहेब की कर्मभूमि रही है और उसके उस भाग से आता हूं, जहां पर डा. बाबा साहेब अम्बेडकर की अंत्येष्टि हुई थी। इसलिए, मैं कहना चाहता हूं कि डा. बाबा साहेब अम्बेडकर का नाम जो बार-बार ले रहे हैं, उनको यह समझना चाहिए कि यह जो सहूलियत है, इस सहूलियत को सहूलियत की दृष्टि से ही देखना चाहिए। यह हमेशा के लिए हक नहीं बनना चाहिए। अगर हम इसे हमेशा के लिए हम बनाकर रखेंगे तो हम उस पीड़ित वर्ग के साथ नाइंसाफी ही करेंगे, क्योंकि इससे लगेगा हम उसे समाज के मुख्य प्रवाह से हमेशा दूर रखना चाहते हैं। अगर यह दूरी रहेगी तो समाज हमेशा डिवाइडेड रहेगा। यह डिवाइडेड समाज शायद वोट बैंक के रूप में किसी पार्टी के काम में आएगा, लेकिन इससे समाज की उन्नति होने का कोई भी भरोसा नहीं है और जहां तक मैं समझता हूं कि इससे समाज की प्रगति नहीं बल्कि पिछड़ापन ही होगा। इसलिए, मेरी

[डा. भारतकुमार राऊत]

आप सबसे यह मांग है कि जब हम इस तरह के रिजर्वेशन की बात कर रहे हैं, प्रमोशन की बात कर रहे हैं, उस समय हमें उन लोगों के बारे में भी बोलना चाहिए, जिन्हें इस तरह की सहूलियत मिली, जिनको यह फैसिलिटी मिली और उन्होंने ऊंचे पद ले लिए, लेकिन उन्हें अपने बच्चों के लिए, उनकी शिक्षा के लिए, नौकरी के लिए, प्रमोशन के लिए इस तरह से नहीं करना चाहिए।...**(समय की घंटी)**...धन्यवाद।

श्री राम कृपाल यादव (बिहार): माननीय उपसभाध्यक्ष महोदय, मैं आपके प्रति आभार प्रकट करता हूँ कि आपने मुझे इस महत्वपूर्ण अल्पकालिक चर्चा में सम्मिलित होने का अवसर प्रदान किया है।

महोदय, मैं अपनी बात कहूँ, उससे पहले मैं बहन मायावती जी का आभार व्यक्त करना चाहता हूँ, जिन्होंने इस चर्चा के शुरुआत की बुनियाद डाली। और साथ में आदरणीय मिश्रा जी का, जिन्होंने इस चर्चा को आगे बढ़ाने का अवसर प्रदान किया, जिससे हम सब लोगों को शरीक होने का मौका मिला। महोदय, विडम्बना यह है कि देश को आजाद हुए 65 वर्ष हो गए, लेकिन वंचित समाज जिसको हम दलित, शोषित और पीड़ित कहते हैं, जो अंतिम पंक्ति में वर्षों से बैठा हुआ है, उसकी हालत ठीक नहीं है। मैं समझता हूँ कि आज भी वह विशेष अवसर से वंचित है। जितने उसके अधिकार और उनको जितना हक मिलना चाहिए था, वह नहीं मिल रहा है। आज भी उसका शोषण, दोहन हो रहा है और प्रताड़ना मिल रही है। हमारा देश आगे बढ़ रहा है, हमारी सोच भी आगे बढ़नी चाहिए। लेकिन मैं समझता हूँ कि इतने वर्षों के बाद हमारी सोच में बहुत बदलाव नहीं हुआ है, जिसकी वजह से आज भी वह समाज, जो दलित समाज है, जो पिछड़ा और वंचित समाज है उसके हालात वहीं के वहीं हैं। बाबा साहेब भीमराव अम्बेडकर, जिनको हम भूल नहीं सकते और उससे पहले जैसा कि क्षत्रपति साहू जी महाराज ने नई सोच के तहत 1902 में विशेष अवसर दिया उन लोगों को, जो वंचित लोग थे। वे उस समय लंदन में थे और बर्थडे के अवसर पर उन्होंने वंचित समाज के लोगों को यह एक गिफ्ट दिया था। बाद के दिनों में आजादी की लड़ाई हुई, हम सब लोगों ने शिरकत करने का काम किया। संविधान बना, संविधान निर्माता डा. भीमराव अम्बेडकर ने सहयोगियों के साथ एक खूबसूरत संविधान बनाया, जिसमें आर्टिकल के माध्यम से 1950 के दशक में आरक्षण की व्यवस्था, शोषित और वंचित लोगों के लिए की गई। आज इसकी चर्चा सदन में हो रही है। महोदय, यह सोचा गया था कि वंचित समाज जिसे समाज के अन्य लोग अछूत कहते हैं, जिसको दोहरी नागरिकता के दृष्टिकोण से देखने का काम आज भी कर रहे हैं, वैसे लोगों को विशेष तौर पर प्रावधान के तहत संविधान में अवसर दिए गए और नौकरियों में आरक्षण का प्रावधान मिला, न सिर्फ दलित वर्ग के लोगों को, बल्कि पिछड़े वर्ग के लोगों को भी। बाद के दिनों में मंडल कमीशन की चर्चा हुई। मंडल कमीशन के तहत ओ.बी.सी. के लोगों को भी आरक्षण का प्रावधान मिला। कानून तो बनते हैं, कानून बनाए गए, मगर मैं समझता हूँ कि न्याय नहीं मिल सका उन लोगों को, इसलिए आज भी बड़े पैमाने पर जो आबादी है वह अवसर से वंचित है और उनको यह अवसर पूरे तौर पर नहीं मिल पाया। बाद के दिनों में एक केस का हवाला सामने आया, जिसकी चर्चा हम लोग कर रहे थे। फिर संविधान में कुछ संशोधन हुआ, धारा-16(4) के तहत प्रमोशन में भी आरक्षण की व्यवस्था की

गई और उसका लाभ मिल रहा है। फिर अभी एक निर्णय आया, जिसमें यह कहा गया कि आज बड़े पैमाने पर लोग चिंतित हैं, जो खास तौर पर एस.सी., एस.टी. के लोग हैं, उनको यह लग रहा है कि हमारे हक फिर छीने जा रहे हैं। प्रमोशन में उनको जो हक मिला हुआ था, विशेष अवसर मिला हुआ था और जो समान अवसर मिला हुआ था, उससे उनको वंचित करने की कोशिश की जा रही है। महोदय, मिश्रा जी ठीक ही कह रहे थे, कहा जाता है कि जो वंचित समाज के लोग हैं, जो दलित और पिछड़े समाज के लोग हैं, उनमें मेरिट का अभाव रहा है। मैं जानना चाहता हूँ कि क्या हमने उनको वे सुविधाएं उपलब्ध करवाईं, पढ़ने की, लिखने की और रहने की? इंसान तो एक है, हर कोई एक मां की कोख से जन्म लेता है और भगवान ने जिसको भेजने का काम किया है वह रजिस्ट्रेशन कराकर नहीं आता है कि मैं दलित वर्ग में जाऊंगा या आम लोगों के बीच में जाऊंगा, वह तो ईश्वर की कृपा है, यहां आ जाता है। यह जो आज आरक्षण की व्यवस्था की बात कही जा रही है, हमारे साथी बता रहे थे कि उनको अब यह अवसर नहीं मिलना चाहिए। हम तो यह कहते हैं आज वह अवसर खत्म कर दीजिए, किस चीज की आपत्ति है। समाज का वह वर्ग और तबका, जो शोषित और पीड़ित है और जो अंतिम पंक्ति में खड़ा है 65 वर्ष की आजादी के बाद (समय की घंटी) सुनिए सर, यह बहुत सेंसेटिव मामला है, घंटी मत बजाइए। हमको अपनी बात बोलने दीजिए। मैं कोशिश करूंगा आपके द्वारा पुनः घंटी बजाने से पहले अपनी बात खत्म कर दूँ, मगर मेरी जो भावना है, मेरी जो फीलिंग है उसको तो रिकॉर्ड में आने दीजिए। यह सब स्पीच लिखी जाएगी और देखी जाएगी। इसलिए कृपया इंटरप्ट न करें। सर, आपको भी उतनी ही वेदना होगी जितनी वेदना से मैं बोल रहा हूँ।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): अब समाप्त कीजिए। आप अच्छा बोले।

श्री राम कृपाल यादव: सर, मुझे अपनी बात कह लेने दीजिए। सर मैं बता रहा था कि हमारे समाज में बहुत से वर्ग और तबके के लोग हैं और कहा जाता है कि चूँकि वह पिछड़े वर्ग का है, उसमें मेधा का अभाव है। सर, आप देखिए एक की पढ़ाई सेंट जोसेफ और सेंट जैवियर में हुई और दूसरे की पढ़ाई वहां हुई जहां टीचर्स की भी समुचित व्यवस्था तक नहीं है। वह खुले आकाश के नीचे चढ़ी, बोरा या ईट पर बैठकर पढ़ाई कर रहा है तो हमारी मेरिट्स बड़े लोगों के साथ कैसे होगी? सर, मैं तो उस प्राथमिक विद्यालय का विद्यार्थी रहा हूँ और खुले आकाश के नीचे, नीम के पेड़ के नीचे बैठकर पढ़ा हूँ। मैंने तो "ए" "बी" "सी" "डी" छठी कक्षा से सीखी। तो अंग्रेजी बोलने वाले लोगों, ऐसे बहुत से लोग यहां बैठे हैं, उनके साथ मेरी तुलना कैसे हो सकती है? सर, मेधा संसार में एक ही तरह की है और मेधा को बढ़ाने के लिए अच्छे लालन-पालन की आवश्यकता होती है, अच्छी पढ़ाई-लिखाई की आवश्यकता होती है। आप सभी को समान रूप से पढ़ाइए-लिखाइए। मैं दावा करना चाहता हूँ कि एक दलित समाज के बच्चे को समान रूप से शिक्षा दी जाए, अच्छी तरह लालन-पालन किया जाए, तो वह भी हर मामले में आगे रहेगा, लेकिन जो सूखी रोटी खाकर आ रहा है और दूसरा मक्खन खाकर आ रहा है, तो फिर उस गरीब तबके के बच्चे की तुलना उसके साथ आप कैसे कर सकते हैं? आप उसे समान रूप से खिलाइए-पिलाइए। मैं कहता हूँ आप दो बच्चों को निकालिए एक जो दलित वर्ग में पैदा हुआ है और दूसरा बड़े घर में पैदा हुआ है, उनको एक-समान पढ़ाइए-लिखाइए और उनके लालन-पालन की व्यवस्था कीजिए और फिर मेधा का टेस्ट ले लीजिए।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन): प्लीज खत्म कीजिए। Please conclude.

श्री राम कृपाल यादव: लेकिन यह कहना कि वह दलित समाज का है, पिछड़े समाज का है तो उसमें मेधा की कमी होगी। ये किस तरह की टिप्पणियां माननीय न्यायालय से आ रही है? शायद उस मानसिकता से लोग अभी अलग नहीं हुए हैं, जिस मानसिकता से समाज का बहुत बड़ा तबका पीड़ित और प्रताड़ित रहा है। क्या हम उस मानसिकता से कभी अलग नहीं होंगे? हमारी मानसिकता में बदलाव नहीं होगा? सर, आरक्षण हमारा राइट है और मैं कहता हूँ कि हमें भीख नहीं भागीदारी चाहिए। हम यहां भागीदारी के लिए लड़ने आए हैं और हमारा यह वर्ग और तबका भागीदारी लिए बिना नहीं मान सकता। वह भीख का जमाना गया। यह तो "वोट हमारा और राज तुम्हारा" वाली बात है। हमारी आबादी वोट देकर सरकार बनाती है और हम कानून बनाने के अधिकार से वंचित रह जाएंगे? क्या हमें संविधान में प्राप्त विशेष अवसर के प्रावधान से वंचित कर दिया जाएगा? सर, इस तरह का अन्याय बर्दाशत नहीं किया जा सकता है।

THE VICE CHAIRMAN (PROF. P.J. KURIEN): Okay, please conclude.

श्री राम कृपाल यादव: सर, मैं खत्म कर रहा हूँ। सर, मैं कह रहा था कि मंत्री जी उनके अधिकार पर इस तरह धीरे-धीरे अंकुश लगाने का काम न करें। आज वह दलित और शोषित जोकि अभी भी अबला है, वह हमारी तरफ ध्यान से देख रहा है। सर, यह चर्चा पूरे देश में देखी जा रही है। अगर उस वंचित तबके के लोगों से उनका हक छीना गया तो बहुत कुछ हो सकता है। माननीय मंत्री जी, आप उन्हें **full protection** दीजिए। आप संविधान में ऐसा प्रावधान कीजिए ताकि गरीब व दलित समाज के लोगों को यह न लगे कि उनके हक छीने जा रहे हैं। इस से उनके मन में जो एक प्रकार का डर पैदा हुआ है, वह दूर हो सके।

THE VICE CHAIRMAN (PROF. P.J. KURIEN): Now, you please stop. You have taken a lot of time. (*Interruptions*) राम कृपाल जी, बैठिए।

श्री राम कृपाल यादव: सर, मैं बहुत पीड़ा के साथ बोल रहा हूँ क्योंकि मैं उस वर्ग और तबके से आता हूँ। आप हमारी पीड़ा का एहसास कीजिए। यह देश की जनता की 90 फीसदी आबादी की आवाज है जिसे कानून के हथौड़े चलाकर कोई दबा नहीं सकता। आप कानून का हथौड़ा चलाना बंद कीजिए और मन को खोलकर रखिए। आप इस संकुचित विचारधारा से बाहर निकलिए और गरीब व वंचित समाज के लोगों के...

THE VICE CHAIRMAN (PROF. P.J. KURIEN): Now, take your seat. Please take your seat. Now, Shri Husain Dalwai. (*Interruptions*) Please take your seat.

श्री राम कृपाल यादव: उनके हक छीनने का प्रयास मत कीजिए, नहीं तो हिंदुस्तान का वह तबका, वह वर्ग...(व्यवधान)...देश के प्रगति बाधित कर देगा और फिर एक क्रांति होगी। मैं मंत्री जी से निवेदन करता हूँ कि आप निश्चित तौर पर कानून में प्रावधान करके पिछड़ों का, दलितों का जो आरक्षण है, उसको और उनके प्रमोशन के आरक्षण को बहाल करने का काम कीजिए। बहुत-बहुत धन्यवाद।

श्री हुसैन दलवर्ई (महाराष्ट्र): उपसभाध्यक्ष महोदय, आज एक ऐतिहासिक विषय के ऊपर चर्चा चली है, ऐसा मैं समझता हूँ। यह बात सही है कि डा. बाबा साहेब अम्बेडकर और उस वक्त के आजादी के आंदोलन से आए हुए लोगों ने इस देश के ऊपर इतनी बड़ी मेहरबानी की कि उन्होंने आरक्षण का मुद्दा संविधान में लिया। आज मैं यह कहूँगा कि इस देश में एक तरह से रक्त-विहीन क्रांति हो रही है। अगर यहां का दलित समाज, आदिवासी समाज, ओ.बी.सी. समाज आरक्षण के बिना रहता, तो आज वह ऐसा न रहता और आज इस सदन में जो बहस हो रही है, वैसी बहस भी नहीं हो सकती थी। आज जो यह बहस हो रही है, यह हमारे पुरखों द्वारा की हुई मेहरबानी है, ऐसा मैं समझता हूँ।

महोदय, मैं महाराष्ट्र से आया हूँ। मुझे इस बात का दुख होता है कि महाराष्ट्र से आए हुए हमारे भारतकुमार राऊत जी ने जिस दंग से अपनी बात कही है, वह बिल्कुल गलत बात कही है। वहां से तो महात्मा फुले हुए हैं, साहू महाराज ने इस विषय को लिया था, हैदराबाद के नवाब ने भी यह आरक्षण का विषय लिया था। मैं यह भी कहूँगा कि साउथ में एक तरह से पिछड़े हुए लोगों को आगे लाने के लिए ठीक दंग से काम हुआ है। साउथ के जो लोग यहां बोले हैं, वह बहुत अच्छे दंग से बोले हैं कि वहां 69 परसेंट तक आरक्षण दिया गया है। उत्तर भारत में यह क्रांति होने में बहुत देर लगी, लेकिन डा. राम मनोहर लोहिया जी ने पहली बार यह बात कही थी और एक तरह से उत्तर भारत में बड़े पैमाने पर यह आंदोलन चला था, जिसे कांशी राम जी आगे लेकर चले। मुझे इस बात का दुख होता है कि डा. लोहिया जी का नाम लेने वाले लोग आज इस तरह से आरक्षण का विरोध करते हैं, यह बिल्कुल गलत बात है। एक तरह से मुझे ऐसा लगने लगा है कि आप लोहिया जी की वह बात छोड़ कर संघ परिवार के नजदीक जाने की कोशिश कर रहे हैं। यह बिल्कुल गलत बात है।

महोदय, मैं तो यह कहूँगा कि जैसी हिन्दू दलित की हालत है, वैसी ही हालत मुस्लिम दलित की भी है। मुसलमानों में खटिक समाज है, मुसलमानों में लालवानी समाज है, पिछड़ा समाज है, उनको इस आरक्षण से अलग रखने का जो काम हुआ है, यह भी गलत बात है। उसको भी आरक्षण मिलना चाहिए, उसकी हालत बहुत बुरी है। आज भी वह सिर पर मैला लेकर जाता है। मैं यह कहूँगा कि सारे हाउस को, हमारे सभी सभासदों को एक होकर इस बात को भी कहना चाहिए। यहां यह बात आई कि आरक्षण लटका हुआ है कि जहां प्रमोशन है वहां आरक्षण होना चाहिए कि नहीं होना चाहिए। अगर प्रमोशन में आरक्षण नहीं होगा, तो कोई दलित कितना भी अच्छा हो, कितना भी एफिशिएंट हो, कितना भी होशियार हो, अगर उसको प्रमोशन नहीं दिया जाएगा, तो वह वहीं के वहीं नीचे स्तर पर, यानी प्यून और क्लर्क की सीट पर ही लटका रहेगा, उसको कोई आगे नहीं आने देगा। इसलिए मैं यह समझता हूँ कि इसके ऊपर भी सभी सभासदों ने अपनी बात रखी है, मगर जो लोग विरोध कर रहे हैं उनको भी विचार करना चाहिए, क्योंकि इस देश में एक तरह से जो रक्त-विहीन क्रांति हो रही है, वह आगे चलनी चाहिए। आप उल्टा काम मत कीजिए। मनु ने जो काम किया था, उसको सीधा करने का काम डा. बाबा साहेब अम्बेडकर ने इस संविधान में लिखकर किया है, वह आगे जाए, यह हमें देखना चाहिए। मुझे यही कहना था। जय हिंद, जय भारत।

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE AND PENSIONS AND THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI V. NARAYANASAMY): Mr. Vice-Chairman, Sir, I am grateful to you for giving this opportunity to the hon. Members of this House to discuss on the issue of reservation for the Scheduled Castes and the Scheduled Tribes in promotions, which is, today, a contentious issue. I am also grateful to the hon. leader of the BSP, *Bahan* Mayawatiji, for raising this issue during Zero Hour, three days back, in this august House. I am also equally grateful to hon. Member, Shri Satish Chandra Mishraji, who raised the issue with eloquence. He also elaborated the sequence of events, leading to the debate in this House. The other hon. Members, Dr. Bhalchandra Mungekarji, Shri Thaawar Chand Gehlotji, Shri T.K. Rangarajanji, Shri Sukhendu Sekhar Roy Sahib, Shri Ram Gopal Yadavji, Shrimati Vasanthi Stanleyji Shri Shashi Bhushan Beheraji, Shri A.W. Rabi Bernardji, Shri D. Raja sahib, Shri Praveen Rashtrapal, Shri Biswajit Daimaryji, Shri Bharat Kumar Routji, Shri Ram Kripal Yadavji, also discussed this issue in unison. In fact, there is rare unity in this august House. Members of Parliament, cutting across party lines, feel that the issue has to be addressed by the Government. As hon. Member, Shri Satish Chandra Misra, has elaborately mentioned the sequence of events, the situation initially arose because of Indira Sawhney's case. In 1992, when the judgement was pronounced, one issue that was to be decided in the judgement was whether clause 4(a) of article 16 provides reservation only in the matter of initial appointment and direct recruitment or it contemplates to provide reservation in the matter of promotion as well. This issue was debated in the Supreme Court. And, rightly so, the reference was relating to reservation issue only. The Senior Counsel, Shri Parasaran, rightly argued saying that the issue is relating to reservation which has to be decided by the hon. court and the reservation for promotion was not at all the issue. But Justice Ahmadi gave a dissenting judgement on that. But other Judges wanted to decide this issue also, along with other issues which came before the Supreme Court. Several qualifying observations have been made, which have also been narrated by the hon. Members. One I would like to mention here is: The conditioned precedent for the exercise of power, conferred by article 16(4), is that the State are to be satisfied that any backward citizen is not adequately represented in its service. The condition precedent may refer to either the numerical inadequacy of representation in services or even the qualitative inadequacy of representation. The advancement of socially and educationally backward classes requires not only that they should have adequate representation in the lowest rung of services, but also in the higher rung. Having made all these observations, the court gave its verdict. Since the verdict had been given by the court, it had become a very challenging

task for the Parliament and also for the Government, which was Congress-led Government at that time. Therefore, in the judgement, they said that reservation in promotion can continue for five more years, that is, from 1992 to 1997. In the meanwhile, the issue was addressed. The Constitutional amendment was brought under article 16(4) (a). My hon. colleague, the Law Minister, while intervening, made an observation which I would like to quote. "Nothing in this article shall prevent a State from making any provision for reservation in matters of promotion to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which in the opinion of the State"—which in the opinion of the State is very important—"are not adequately represented in the services under the State." Therefore, it is squarely in the domain of the State to decide whether a particular class of citizens is adequately represented or not. They have said, 'in the opinion of the State'. Then, in the Virpai Singh's case, which my colleague mentioned, there is another clarification which is required because there was some argument that was going on. The judgement' in the Virpal Singh's case says that even when the people from the reserved category get promotion before the senior people belonging to the general category, the general category people who were promoted later will supersede the category of reserved people who got the promotion earlier. Therefore, another amendment was made under qualifying provision, which has been made consequential seniority. So, that has been brought. All this happened with the consensus of the House. I am one with ail the hon. Members that this House is for the Scheduled Castes, the Scheduled Tribes, the Backward Classes, the-oppressed sections of the society, the people who are in the lower rungs of the society and also other communities. Therefore, we are here to address the problems faced by those people, either socially, economically and also from the educational point of view. Then, he issued the order, it was challenged in the Nagaraj case. In the Nagaraj case, three qualifying observations were given by the Supreme Court. One is the 'backwardness'; secondly, whether there was adequate representation or not and the third observation is given in article 335, that is, merit will be the criteria. Observations made in the Nagaraj case are here before this august House. Discussions have been held in a very elaborate manner. I find that there is a consensus among the hon. Members on the point that this issue has to be addressed. Why this discussion came up in this House is because we have been receiving representations from the Department of Personnel, from the Government of Rajasthan, from the Government of UP and various other State Governments. This is because of the situation that was created by the Nagraj case in which the Supreme Court gave three qualifying observations. They are finding it difficult to go ahead with the reservation in promotion for the Scheduled Castes and

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the Scheduled Tribes in those States. I am not very definite about it. Some of the contempt petitions also have been filed in the Supreme Court in this matter. The issue now is before this august House. I could find that there is unanimity amongst the the hon. Members of Parliament, because whether it is our Government or whether it is the NDA Government, the issue was addressed whenever the issue was raised by the hon. Members in this House. One amendment was made by us. The NDA Government made two amendments. Therefore, amendments have been made according to the need of the hour, whenever the Supreme Court went against the reservation for the Scheduled Castes and the Scheduled Tribes and also the Backward Classes. Now the issue is before this House. The hon. Members have expressed their views. I do not want to elaborate on it because my colleague has dealt with the legal issue.

In fact, I would like to give two pieces of information to this august House. As far as the issue of filling up the backlog of vacancies is concerned, our Government has taken a proactive measure. In fact, when the issue was pending and when we found that there were a large number of vacancies to be filled up in respect of Scheduled Castes, Scheduled Tribes, OBCs and the Physically-handicapped people, myself and my colleague, the hon. Minister of Social Justice and Empowerment, called meetings of the Secretaries of various Departments. We called three-four meetings. We sent letters to various State Governments. And, among ourselves, we said that 'we need to fix a time-frame for that'. In fact, a special recruitment drive for filling up these vacancies was started in November, 2008. At that time, in 73 Ministries and Departments, 77,998 vacancies were there, which were not filled up, of which 46,691 vacancies were direct recruitment and 31,307 vacancies belonged to promotion category. At that time, the Special Recruitment Drive was very helpful to us, and around 50-55 per cent vacancies were filled up as a result of that in 2008. In order to fill up the further vacancies, which were there and which had to be filled up, we held several meetings, and I am glad to inform this august House that as a result of our efforts, we were able to reach the level of 75 per cent. We called the Secretaries and gave them the direction to do it. We told them that if they were not able to do it, we would go for universal recruitment drive, as far as the filling up the Scheduled Castes and Scheduled Tribes' vacancies are concerned. We are now having review meetings from time to time for the purpose of filling up the backlog of vacancies in the Central Government Departments, Corporates, Boards and Banks.

Sir, I would like to give one more information, which is a tentative

information. As far as the issue of adequate representation which has been highlighted by the Supreme Court is concerned, I don't want to make any comments because the Law Minister has made some observation on that. Now, Sir, in 2009, in Group A Service, the Scheduled Castes representation was 11.9; in Group B, it was 14.3; in Group C, it was 16.2; and in Group D, it was 18.4. As far as the Scheduled Tribes representation is concerned, for Group A, it was 4.4; for Group B, it was 5.4; for Group C, it was 7.3; and for Group D, it was 6.5. I am not saying that it is adequate. Sir, I am saying that it is not sufficient. We have to go a long way in order to fulfil the wishes and aspirations of the Scheduled Castes, Scheduled Tribes, Minorities, OBCs, and also the wishes and aspiration of other people, especially, the Physically-challenged people. These are the challenges which are before us.

There is one observation which I would like to make. Whenever we bring an amendment to the Constitution to address the issue which comes before us as a result of the Court judgment, a different interpretation comes up. This is happening all the time. Sir, four-five amendments have been carried out. But, even thereafter, we find that the issue is lingering. The House is unanimous on this issue. Rangarajanji made one observation. He asked, 'How many times we need to bring amendments to the Constitution? And, thereafter, the courts are setting it aside.' That observation has also been made.

Therefore, Sir, my humble submission to this august House is that this is 'a very serious matter, and not only the Central Government but even the State Governments are very much concerned about it.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Minister, one moment, please. I hope the House agrees that we should proceed with this item rather than taking up the Half-an-Hour Discussion. We are not taking up the Half-an-Hour Discussion slated for today.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF WATER RESOURCES (SHRI PAWAN KUMAR BANSAL): So, we are not taking up the Half-an-Hour Discussion.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes. That is the sense of the House. So, let us proceed with this. Mr. Minister, please continue.

SHRI V. NARAYANASAMY: Sir, that being the situation, now, in order to address this issue, in my capacity as Minister of State for Personnel, I discussed it with the hon. Prime Minister and he was apprised of the situation. Several Chief Ministers had met the hon. Prime Minister and he was seized of the matter. Therefore, Sir, if the House agrees, the hon. Prime Minister and the Government is

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willing to call for an all-Party meeting to arrive at a solution. The solution we are going to arrive at will be for the long run. It is for that purpose that I am requesting the House to agree with me that an all-Party meeting is called, within a short time, by the hon. Prime Minister. There we can arrive at a consensus on how to go about it, whether a Constitutional amendment is required or whether explanation is required. Mr. Rashtrapal had raised that issue. As far as a time-frame is concerned, at a very convenient date we will discuss it with the hon. Prime Minister and come back to the House.

I am grateful to the hon. Members, especially Madam Mayawati and Shri Satish Chandra Misra, who brought this discussion in the august House, and for the views expressed by hon. Members in this House. I am very happy about it. Mr. Ram Gopal Yadav, Members from the BJP, and all Members, cutting across party lines, have all supported the issue. Therefore, it is my humble and earnest request to the august House to agree to convene an all-Party meeting called by the hon. Prime Minister to arrive at a consensus.

SHRI D. RAJA: There is already a consensus on that. (*Interruptions*)

SHRI V. NARAYANASAMY: I am talking about the format. (*Interruptions*)

SHRI JESUDASU SEELM (Andhra Pradesh): Sir, I would like to know about one more thing. (*Interruptions*)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, please sit down. (*Interruptions*) I would give you time. Please sit down. Now, Ms. Mayawatiji. Please put only the question.

सुश्री मायावती (उत्तर प्रदेश): उपसभाध्यक्ष जी, अभी माननीय मंत्री जी ने SC/ST के आरक्षण के बारे में जो कुछ बोला है, मुझे उसके ऊपर कोई ज्यादा टीका-टिप्पणी नहीं करनी है, लेकिन दुख की बात यह है कि जिस विषय के ऊपर चर्चा हो रही थी और उस विषय के ऊपर हम यह उम्मीद करके चल रहे थे, अर्थात् सदन यह उम्मीद करके चल रहा था कि गवर्नमेंट की ओर से आज कोई सही डिस्सीजन जरूर लिया जाएगा।

माननीय मंत्री जी ने रिजर्वेशन को लेकर गवर्नमेंट की performance के बारे में, हमने यह किया, हमने वह प्लानिंग बनाई, यह तो आपने काफी कुछ बता दिया है, लेकिन देश में SC/ST के आरक्षण को लेकर एम. नागराज के केस में माननीय सर्वोच्च न्यायालय की संवैधानिक पीठ का निर्णय आने के बाद, इनकी पदोन्नति में आरक्षण एवं वरिष्ठता के मामले में, जो तीन मापदंड अपनाने की शर्त रखी गई है, यदि इन तीनों शर्तों को केन्द्र की सरकार द्वारा संविधान में जल्दी से जल्दी संशोधन करके नहीं हटाया जाता है, तो फिर इनकी आड़ में आरक्षण विरोधी लोग, इन वर्गों के लोगों को पदोन्नति में आरक्षण एवं वरिष्ठता का लाभ पूरे तौर से नहीं लेने देंगे।

माननीय मंत्री महोदय ने यह बात कही कि हम ऑल पार्टीज के लीडर्स की मीटिंग बुलाकर आम राय बनायेंगे, तो आज राज्य सभा में ऑल पार्टीज के नेताओं ने अपनी राय गवर्नमेंट के सामने रखी है, इसलिए मैं यह समझती हूँ कि जब इस सदन के अंदर इतनी लम्बी चर्चा हुई है, इसके बावजूद भी आप यह बोलें कि हम आम राय बनायेंगे, मैं समझती हूँ कि यह ठीक नहीं है और यह इस मामले को लटकाने वाली बात है। इसलिए केन्द्र सरकार को आरक्षण को लेकर यह जो प्रॉब्लम क्रिएट हुई है, इन तीन शर्तों को संशोधन के जरिए जरूर हटाना चाहिए, क्योंकि यदि तीन शर्तों के ऊपर गवर्नमेंट ने जल्दी से जल्दी अमेंडमेंट को लेकर कोई डिस्मिशन नहीं लिया, तो SC/ST आरक्षण को लेकर जो शर्तें तय की गई हैं, तो उसमें उनका बड़ा भारी नुकसान हो जाएगा। इसलिए केन्द्र सरकार को इन तीन शर्तों को संशोधन के जरिए से हटाना बहुत जरूरी है। लेकिन दुःख की बात यह है कि इस संदर्भ में केन्द्र की सरकार ने आज भी अपना स्टैंड स्पष्ट नहीं किया है। इससे हमारी पार्टी काफी चिंतित है और अब हमारी पार्टी केन्द्र सरकार के इस दलित आरक्षण विरोधी रवैये का पूरे देश भर में पर्दाफाश करेगी। इसके साथ ही हमारी पार्टी दलितों के आरक्षण संबंधी इस अति महत्वपूर्ण मुद्दे पर सरकार के आज के दुलमुल रवैये से परेशान होकर सदन से बहिर्गमन भी करती है।

(At this stage, some hon. Members left the Chamber.)

SHRI JESUDASU SEELAM (Andhra Pradesh): Sir, while thanking the hon. Minister for his suggestion for an all-Party meeting, we want immediately the time-frame for bringing an amendment for removing this. Secondly, many hon. Members have spoken about the reason behind the Court's interpretation. The reason is lack of a comprehensive Reservation Bill. We want the hon. Minister to give us a time-frame. We have been hearing a lot. Please tell us by what date he will bring that Bill to the House. This is our request.

SHRI D. RAJA: Sir, it was good that the hon. Law Minister intervened in this debate. It was quite appreciated. Sir, I respond to the reply given by our hon. Minister. ...*(Interruptions)*...What is the way forward? Don't expect further consensus. I find that there is a consensus. Now on the basis of this consensus, the Government will have to act. Is the Government thinking of going for reviewing this judicial verdict? If that is not possible, then you will have to go for amending the Constitution because Parliament has the right and it is in the domain of Parliament. Parliament can move amendment to the Constitution. ...*(Interruptions)*... Finally, is the Government contemplating of bringing a comprehensive Reservation Bill, including ensuring reservation in the private sector?

श्री नरेश अग्रवाल (उत्तर प्रदेश): मान्यवर, मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूँ कि शैड्यूल्ड कॉस्ट और शैड्यूल्ड ट्राइब्स की बात तो आई है, लेकिन ओ.बी.सी. के आरक्षण की बात भी करें। प्रमोशन और आरक्षण, दोनों में ओ.बी.सी. की हालत

[श्री नरेश अग्रवाल]

बहुत खराब है। आपने शैड्यूल्ड कॉस्ट और शैड्यूल्ड ट्राइब्स के कोटे के बारे में तो बता दिया कि कितना-कितना है, अगर आप ओ.बी.सी. के बारे में भी बता दें, तो शायद स्थिति ज्यादा स्पष्ट होगी। वह भी समाज का ऐसा तबका है, जो आज बहुत पिछड़ा है और बहुत बुरी स्थिति में रह रहा है। मैं चाहूंगा कि जब इस बारे में बात हो तो उस समय ओ.बी.सी. का रिप्रजेंटेशन भी रख दें, ताकि वह चीज भी स्पष्ट हो जाए।

श्री प्रकाश जावडेकर: सर, सत्तारूढ़ दल ने अब एक नया तरीका अपनाया है। मैं माननीय मंत्री महोदय से जानना चाहूंगा कि जब वे ऑल पार्टीज की बात करते हैं, मैं तेलंगाना के मुद्दे पर तो कल बोलूंगा, लेकिन हर बार ऑल पार्टीज मीटिंग मतलब कोई consensus तैयार नहीं करना। अटल बिहारी वाजपेयी ऑल पार्टी मीटिंग बुलाते थे, consensus तैयार करते थे और आप ऑल पार्टीज मीटिंग बुलाते हैं, अपनी खुद की राय ही नहीं बताते हैं, पार्टी अपनी राय ही नहीं बताती है। यह तो टालने का या लम्बित करने का मामला है। मैं यह जानना चाहता हूँ कि आपकी भूमिका क्या है?

SHRI T.K. RANGARAJAN: Sir, there is a consensus in the House. If there is a will, there is a way. Can the Hon. Minister fix a date for such meeting, at least, tomorrow or the day after tomorrow or Monday or before the end of this session? Can he reply to that?

SHRI V. NARAYANASAMY: Sir, I would like to respond to one question which was raised by Shri Jesudasu Seelam. Sir, as far as bringing a Bill in this august House for reservation to the Scheduled Castes and the Scheduled Tribes is concerned, I would like to inform the House that the Government has prepared a Bill. Now, it is under the consideration of the Government. Very shortly, we will take it before the Cabinet. We would like to introduce the Bill in the House as early as possible.

RECOMMENDATIONS OF THE BUSINESS ADVISORY COMMITTEE

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I have to inform the hon. Members that the Business Advisory Committee, at its meeting held on 3rd May, 2012, has allotted time for Government legislative business as follows:

1. Consideration and passing of the following Bills:-
 - (i) The Motor Vehicles (Amendment) Bill, 2007 - **One hour**
 - (ii) The Administrators General (Amendment) Bill, 2011 - **One hour**
2. Consideration and passing of the Indian Medical Council (Amendment) Bill; 2012, after it is passed by Lok Sabha; - **Two hours**

3. Consideration and return of the following Bills,
after they are passed by Lok Sabha:-

(i) The Finance Bill, 2012.

- Four hours

(ii) The Appropriation (No.3) Bill, 2012

- Four hours

(To be discussed together)

GOVERNMENT BILL

The Chemical Weapons Convention (Amendment) Bill, 2010

THE MINISTER OF STATE OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION AND THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): Sir, I beg to move:

That the Bill to amend the Chemical Weapons Convention Act, 2000, be taken into consideration.

The question was proposed

श्री भुपेन्द्र यादव (राजस्थान): सम्मानीय उपसभाध्यक्ष महोदय, सबसे पहले तो मैं अपनी पार्टी को धन्यवाद करना चाहूंगा कि उन्होंने मुझे इस उच्च सदन में यह अवसर प्रदान किया है। सम्मानीय महोदय, केमिकल वेपन ऐक्ट का यह जो अमेंडमेंट आया है, यह ऐक्ट अपने आप में काफी महत्वपूर्ण है। आज दुनिया में आने वाले समय में, युद्ध को लेकर जो आने वाले खतरे हैं, उसमें केमिकल वेपन, बायलॉजिकल वेपन और न्युक्लियर वेपन, ये तीनों बहुत बड़े खतरे हैं। पहले विश्व युद्ध में दुनिया ने तो तबाही देखी थी, उसके बाद 1925 में, दुनिया में सबसे पहले जिनीवा प्रोटोकॉल में इसका निषेध किया गया था। बाद में, 1997 में केमिकल वेपन का जो कंवेन्शन आया, उसमें हम लोगों ने केमिकल वेपन बिल को, 2000 में, उसके अनुरूप ही Chemical Weapons Convention Act, 2000, पास किया है। अभी इसमें जो संशोधन आया है, सरकार सैक्शन 9 में जो संशोधन लेकर आई है, उसका उद्देश्य यह है कि केमिकल वेपन की जो नेशनल अथॉरिटी है, उस नेशनल अथॉरिटी के कार्य विस्तार को बढ़ा करने के लिए यह अमेंडमेंट है।

[उपसभाध्यक्ष (श्री प्रशांत चटर्जी) पीठासीन हुए]

जो केमिकल वेपन कंवेन्शन है, उसके लिए जब एक ऐक्ट, "केमिकल वेपन कंवेन्शन ऐक्ट" है, तब सेम कंवेन्शन के लिए और व्यापक रूप से दूसरा ऐक्ट The Weapons of Mass Destruction and Their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005 है। "केमिकल वेपन ऐक्ट, 2000" में हम लोगों ने केमिकल वेपन कंवेन्शन की जो ट्रीटी है, उससे सम्बन्धित किया है, लेकिन जो Weapons of Mass Destruction Act है, इसमें केमिकल वेपन के साथ बायलॉजिकल वेपन और बाकी न्युक्लियर वेपन के लिए बहुत बड़े पैमाने पर हम लोगों ने इस ऐक्ट को बनाया है। मेरा यह कहना है कि सैक्शन 9 में यह जो

[श्री भुपेन्द्र यादव]

अमेंडमेंट किया गया है, हमने जो नेशनल अथॉरिटी बनाई है, इसके साथ केमिकल वेपन ऐक्ट का जो प्रारूप है, उसमें कहा गया है कि नेशनल अथॉरिटी, जो केमिकल वेपन ऐक्ट में है, वह इंटरनेशनल ऑर्गेनाइजेशन के साथ इस वेपन के बारे में, उसका जो प्रॉक्योरमेंट है, उसका ट्रांसफर है, उसका जो वितरण है, उसके संबंध में अपना व्यू इंटरनेशनल कंवेन्शन केस के साथ साझा करेंगे। इसके साथ-साथ जो **Weapons of Mass Destruction Act** है, उसमें जो एडवाइजरी कमेटी बनाई है, उसमें केमिकल वेपन की जो नेशनल अथॉरिटी है, उसको मैम्बर बनाया है। परन्तु यहां पर मैं जो बात कहना चाहता हूँ, वह यह है कि **Weapons of Mass Destruction Act** का जो सेक्शन 7 है, उसमें यह कहा गया है, "Whether a matter falls within the scope of such relevant Act or under this Act, the decision of the Central Government thereon shall be final." मेरी आशंका है कि सेक्शन 9 में आप जिस अथॉरिटी के विस्तार की बात कह रहे हैं, इसकी जो **duplicacy** होने की संभावना है, वह **Weapons of Mass Destruction Act** के जो रूल्स हैं, उनमें अभी तक इस बात को **provide** नहीं किया गया है कि अगर **Chemical Weapons Destruction Act** के अन्तर्गत सरकार कोई कार्रवाई करेगी, तो **Weapons of Mass Destruction Act** का जो सेक्शन 7 है, जो **Chemical Weapons Destruction Act** को **overrule** करता है, उन दोनों में किस प्रकार का समन्वय रहेगा। इस ऐक्ट को लेकर यह मेरा पहला विषय है।

दूसरा, **Chemical Weapons Act** के ऊपर जब स्टैंडिंग कमेटी ने विचार किया, तो स्टैंडिंग कमेटी ने **Chemical Weapons Act** के खतरों के बारे में भी विचार किया। इसलिए जब स्टैंडिंग कमेटी में यह विषय रखा गया, तो स्टैंडिंग कमेटी का **specific question** था, "The Committee desires to know whether other Member countries of CWC have enacted the similar legislation for implementation of the CWC treaty." Responding thereto, the Department of Chemicals and Petrochemicals stated, "As per information available at the website of Organization for Prohibition of Chemical Weapons, 83 State Parties have enacted legislation covering all key areas of the Convention." स्टैंडिंग कमेटी ने जब इस बात पर विचार किया था, तो स्टैंडिंग कमेटी ने देश की सुरक्षा को लेकर एक आशंका उठाई थी कि इसके सम्बन्ध में भारत की तैयारी क्या है। जब इस सदन में मिनिस्ट्री ऑफ केमिकल्स से एक क्वेश्चन पूछा गया था, तो उस क्वेश्चन में यह **specifically** पूछा गया था कि **Whether India has recently ratified the Chemical Weapon Convention without Pakistan having done so?** आज स्टैंडिंग कमेटी की जो रिपोर्ट आई है, उसके अनुसार दुनिया के केवल 83 देशों ने कंवेन्शन को **ratify** करके अपने कानून बनाए हैं। आज के समय में, जब हमें यह पता है कि चीन के पास भी **chemical weapon** के गैसों के भण्डार हैं, आज के समय में, जब पाकिस्तान में भी इसके ऊपर लॉ नहीं बनाया गया है, तो हमारी सुरक्षा की स्थिति क्या है? इसलिए सदन में जब 19-12-2004 को यह क्वेश्चन पूछा गया था कि "Whether the Indian Institute of Chemical Technology, Hyderabad is in a position to develop soon the facility to test chemical weapons in India in its laboratory?" तो 2004 में इसी सरकार का जवाब था, "No. IICT, Hyderabad is not creating any facilities to test chemical weapons in India. However, IICT has been

participating in the proficiency tests, conducted by the Organisation for Prohibition of Chemical Weapons, Netherlands to get the designation status, so that the chemical in trace levels covered under the Chemical Weapons Convention can also be analysed." मेरा यह कहना है कि सेक्शन 9 के जिस अमेंडमेंट को लाया गया है, वह सेक्शन 9 का अमेंडमेंट इस गम्भीरता को लेकर आया है कि हम अपनी जो नेशनल अथॉरिटी है और chemical weapons की जो चुनौतियां हैं, procurement और उसको check करने की जो चुनौतियां हैं, उनको लेकर देश में ज्यादा अच्छी तरह से कार्यपद्धति विकसित हो। इसलिए सेंट्रल गवर्नमेंट ने National Authority को empower करने के लिए अपनी अथॉरिटी का विस्तार करने का फैसला किया है। पर नेशनल अथॉरिटी को 2000 का एक्ट बनाने के बाद हमने जो power दी थी और हमने जो चाहा था कि देश में केमिकल के लिए एक अच्छी लेबोरेट्री का विकास हो और इसके साथ-साथ देश की सुरक्षा को लेकर भी Chemical Weapons Authority के अंतर्गत regularization हो, उसके सम्बन्ध में कोई सम्भावना नजर नहीं आती है। इसलिए मैंने प्रारम्भ में भी जो कहा कि Chemical Weapons Act और WMD Act में जो overlapping का area है, वह co-ordination का सबसे बड़ा खतरा है। इसलिए हम लोगों ने Chemical Weapons Act की जो नेशनल अथॉरिटी बनाई है, उसके सम्बन्ध में मैं यह कहना चाहूंगा कि इस समय Chemical Weapons Act की नेशनल अथॉरिटी, जिसको सरकार और स्टैंडिंग कमेटी ने देश की सुरक्षा के लिहाज से काफी गम्भीर माना है, क्या सरकार यह बताने की कोशिश करेगी कि नेशनल अथॉरिटी के जो चेयरमैन हैं, वे उसके साथ-साथ Secretary, Performance and Management भी हैं? जब सरकार इस बात को जानती है कि Chemical Weapons की जो नेशनल अथॉरिटी है, उसका एक बहुत बड़ा दायित्व है, ऐसे में उसके नेशनल अथॉरिटी के चेयरमैन के साथ-साथ एक अन्य पद भी होना उचित नहीं है, National Authority में एक dedicated leadership की आवश्यकता है, जिसके बारे में सरकार को जवाब देना चाहिए। दूसरी बात Chemical Weapons Act के अंतर्गत हम लोगों ने जो national authority बनाई है, उसमें हमने Ministry of Defence, Department of Chemical, Foreign Secretary, Secretary of Defence Research, Department of Revenue, Department of Commerce और Chairperson of National Authority for CWC को रखा है। हमने जो Chemical Weapons Act की अथॉरिटी बनाई है, उसमें हमने कहा है कि Chemical Weapon Authority का उद्देश्य mass level पर जो Chemical Weapons हैं, उनको destroy करने के लिए देश की environmental sustainability का ध्यान रखना है। एक तरफ हम लोगों ने इस तरह की National Authority बनाई है, दूसरी तरफ Department of Environment को उस अथॉरिटी से बिल्कुल अलग रखा है। दुनिया के सभी देशों में chemical weapons के लिए जो सबसे concerned department है, वह Department of Environment है, जो इस ऐक्ट से संबंधित है।

दूसरा amendment, जो इस ऐक्ट के संबंध में आया है, वह section-16 और Section-42 का अमेंडमेंट है और वह इस ट्रीटी को harmonize करने के लिए है। Section-18 का जो amendment है, वह भारत की chemical industries के संबंध में है। जो रजिस्ट्रेशन करना है और बाद में उसकी जो जांच करनी है, इसके अंतर्गत उन दोनों को अलग-अलग करने का प्रयत्न किया गया है, जो स्वागत योग्य है।

[श्री भुपेन्द्र यादव]

माननीय महोदय, मेरा आपके माध्यम से यह कहना है कि कैमिकल वेपन ऐक्ट को केवल एक तरीके से नहीं देखना चाहिए। इस ऐक्ट का जो अमेंडमेंट है, इसके अंतर्गत हमने दुनिया के देशों से संधि करने की अपनी प्रतिबद्धता जाहिर की है, इसी प्रतिबद्धता के विस्तार के लिए ही यह अमेंडमेंट है, इसलिए यह अमेंडमेंट स्वागत करने योग्य है। लेकिन इस प्रतिबद्धता के साथ-साथ देश की कैमिकल इंडस्ट्री का जो **regularization** है, वह भी तो हो। इसके साथ-साथ लोगों की सुरक्षा का जो सवाल है, उसके संबंध में हमारे देश के अंदर कैमिकल वेपन के लिए **laboratory** का विकास भी चाहिए। **Standing Committee** ने भी अपनी रिपोर्ट में बार-बार यह प्रश्न किया है कि देश के आम नागरिकों की सुरक्षा की दृष्टि से हम इस ऐक्ट और इस कन्वेंशन के नाते कितने प्रभावी सिद्ध हो रहे हैं? इसके संबंध में भी सरकार को ज्यादा गंभीरता के साथ विचार करना चाहिए।

अंत में मैं यह कहना चाहूंगा कि सरकार के द्वारा **Chemical Weapon Act** के अंतर्गत हमने जो **WMD Act** बनाया है, उसके लिए उचित **data bank** के **process** करने के विषय को आगे बढ़ाना चाहिए, साथ ही लैबोरेटरी के काम को भी आगे बढ़ाना चाहिए।

दोनों ऐक्ट्स को पढ़ने के बाद, दोनों ऐक्ट्स में जो **duplicacy** आ रही है, उसके लिए सरकार ने दोनों ऐक्ट्स में अलग-अलग अर्थॉरिटी बनाने का प्रयत्न किया है, लेकिन हमारे देश में जो **multi-authority** बन रही है, उसके कारण प्रशासनिक खर्चा भी बढ़ा है। इस ऐक्ट और कन्वेंशन के साथ-साथ **Chemical Weapons Convention Act** के **isolation** में न पड़ कर उसे **biological weapons convention** और **nuclear weapons convention** के साथ देखना चाहिए, क्योंकि सर्वोच्च न्यायालय ने भी युद्ध और आक्रमण जैसे शब्दों को बहुत व्याख्यायित किया है। हो सकता है कि युद्ध पड़ोसी देशों के साथ लड़ा जाता हो, लेकिन जो आक्रमण शब्द है, उसमें **state player** के साथ जो **non-state player** हैं, उनका खतरा सबसे ज्यादा है। इसलिए **chemical weapons** और **biological weapons** की **treaty** करते समय दुनिया भर में इस बात की आशंका व्यक्त की गई है कि इसमें **state** के साथ जो **non-state player** हैं, उनका एक्टिव रोल देश के लिए सबसे बड़ा खतरा है। मेरा यह मानना है कि जो अमेंडमेंट किए गए हैं, ये उसी को विस्तारित करने के लिए किए गए हैं। लेकिन इस अमेंडमेंट के साथ-साथ सरकार को चाहिए कि कोई **permanent High Power Coordination council** बनें, ताकि दोनों ऐक्ट्स की जो **duplicacy** है, उसे रोक करके हम इस अमेंडमेंट के साथ इस विषय को प्रभावी रूप से ले सकें। इतना कह कर मैं अपने विषय को समाप्त करता हूँ।

श्री नरेन्द्र बुढानिया (राजस्थान): धन्यवाद, उपसभाध्यक्ष महोदय, आपने मुझे बोलने के लिए समय दिया, इसके लिए मैं आपका आभारी हूँ। आज यह जो कैमिकल वेपन संशोधन विधेयक पेश हुआ है, इसका मैं हृदय से समर्थन करता हूँ और इसका स्वागत भी करता हूँ।

महोदय, यह जो विषय है, यह बहुत ही महत्वपूर्ण विषय है और जब पूरे विश्व के अन्दर हथियार बनाने की होड़ लगी है, तो सब लोगों ने यह चिंता व्यक्त की है कि आज जिस प्रकार से ये कैमिकल वेपन्स और बालॉजिकल वेपन्स बन रहे हैं या परमाणु हथियार बन

रहे हैं, ये विश्व के लिए बहुत ही खतरनाक हैं। कैमिकल वेपन्स को इनमें बहुत ही खतरनाक माना गया है। एक गोली से सिर्फ एक आदमी का नुकसान होता है या अन्य किसी वेपन से एक सीमित नुकसान होता है, लेकिन कैमिकल वेपन ऐसा वेपन है, जिसका कोई मूल्यांकन नहीं किया जा सकता है कि यह कितना नुकसान पहुंचा सकता है। इन सब बातों को ध्यान में रख कर सन् 1993 में पेरिस में सारे देश इकट्ठा हुए। वहां इस गम्भीर विषय के ऊपर विचार किया गया और इस खतरे को ध्यान में रखते हुए वहां पर एक समझौता हुआ, एक ट्रीटी हुई। उस समझौते में अग्रणी रहकर भारत ने उस पर हस्ताक्षर किया। महोदय, उस वक्त 190 देशों ने उस ट्रीटी पर हस्ताक्षर किए और छः देशों ने उस पर हस्ताक्षर नहीं किए। वे बहुत छोटे देश थे। अंगोला, इजिप्ट, सोमालिया, सीरिया, नॉर्थ कोरिया और सूडान ने उस पर हस्ताक्षर नहीं किए थे। उस ट्रीटी को मजबूत करने के लिए, उसको आगे बढ़ाने के लिए भारत सरकार ने 2000 में एक अधिनियम बनाया। मुझे खुशी है कि उस ट्रीटी के मुताबिक भारत के अन्दर **chemical weapons** को नष्ट करने का निर्णय लिया गया और भारत ने **chemical weapons** पूरी तरह से नष्ट कर दिए।

महोदय, जब हम **chemical weapons** की बात करते हैं, हानिकारक **chemicals** की बात करते हैं, तो हमारे सामने भोपाल कांड आता है। भोपाल की जो त्रासदी हुई, उस त्रासदी को जब हम आज याद करते हैं, तब सबके सामने एक बहुत बड़ा प्रश्न खड़ा होता है और इस विषय पर बहुत ध्यान देने की आवश्यकता है। जो हानिकारक केमिकल्स बनाते हैं, इसकी एक विशेष मॉनिटरिंग की आवश्यकता है। वहां कौन-कौन से केमिकल्स बनते हैं, कितनी मात्रा में बनते हैं, उसकी सप्लाय कहां-कहां करते हैं, उनका उपयोग किस-किस काम में करते हैं और किस-किस को ये सप्लाय करते हैं। इस चीज के मॉनिटरिंग की बहुत आवश्यकता है। मैं समझता हूँ कि भारत सरकार ने इस दिशा में अनेक कदम पहले भी उठाए हैं और आज यह जो अमेंडमेंट आया है, यह इसी दिशा में इसे और आगे बढ़ाने के लिए आया है।

अभी मेरे एक साथी ने इसकी धारा 9 के बारे में कुछ बातें बताईं। मैं ज्यादा नहीं बोलना चाहता, क्योंकि मुझे भी बोलने के लिए पांच मिनट का ही समय दिया गया है। मैं यह कहना चाहता हूँ कि धारा 9 की उपधारा (1) में नेशनल अथॉरिटी को प्रवर्तन अधिकारी बनाने की जो पावर दी गई है, उसको और आगे बढ़ाते हुए भारत सरकार इसमें यह अमेंडमेंट लेकर आई है कि भारत सरकार किसी भी उपयुक्त अधिकारी को इस काम में लगा सकती है। यह एक अच्छा निर्णय है। इससे काम करने में और ताकत मिलेगी। जो हानिकारक रसायन हैं, विषैले रसायन हैं, शैड्यूल्ड 2 के अन्दर उनकी एक लिस्ट बनी हुई है। जो इस लिस्ट का उल्लंघन करता है, जो ऐसे हानिकारक रसायन बनाता है, उसके लिए कड़े प्रावधान किए गए हैं। मैं इस बात का स्वागत करता हूँ कि इसमें आजीवन कारावास का प्रावधान रखा गया है। और एक लाख रुपए के जुर्माने का भी प्रावधान रखा गया है।

महोदय, इसके ऊपर और विशेष ध्यान देने की आवश्यकता है। आज यदि हमारे सामने कोई ज्वलंत विषय है, तो इसी प्रकार का है कि आज हमारी इस इंडस्ट्री के अन्दर लोग ऐसे काम तो नहीं कर रहे हैं, जिनसे ऐसे हथियार बन जाएं, जिनका दुरुपयोग हो जाए और वे हमारे देश की सुरक्षा के लिए खतरा हों। आज ऐसा जहर जो पैदा हो रहा है, यह हमारे पर्यावरण को प्रभावित कर रहा है। महोदय, मैं आपको बताना चाहता हूँ कि जहां पर इस

[श्री नरेन्द्र बुढानिया]

प्रकार के कैमिकल्स बन रहे हैं, वहां से जब हम गुजरते हैं तो सांस लेना मुश्किल हो जाता है। वहां के आसपास जो लोग रहते हैं, उनका जीना दुर्लभ हो जाता है। इन सब बातों को ध्यान में रखकर इसकी मॉनिटरिंग के लिए यह जो नेशनल अथॉरिटी है, इसको और मजबूत बनाया जाए। इसे और मजबूत बनाते हुए इन सब चीजों के ऊपर ध्यान दिया जाए, ताकि हमारे देश के अन्दर हमें एक और भोपाल-जैसी त्रासदी का सामना करना नहीं पड़े तथा ऐसा कोई नुकसान हमारे सामने नहीं आए।

महोदय, मैं निवेदन करना चाहता हूँ कि जिन देशों ने इस ट्रीटी पर हस्ताक्षर किए हैं, वे सारे देश इसका पूर्ण रूप से पालन करें, इसके लिए भारत सरकार को आगे होकर इन देशों पर दबाव बनाना चाहिए। कुछ बड़े देश हैं, जिन्होंने इस पर अभी तक काम पूरा नहीं किया है या जिन्होंने अपने **chemical weapons** पूर्ण रूप से नष्ट नहीं किए हैं, उन देशों के ऊपर भी दबाव बना कर उनके **chemical weapons** को नष्ट करवाना चाहिए। यही बातें कह कर मैं अपनी बात समाप्त करता हूँ। धन्यवाद।

SHRI P. RAJEEVE (Kerala): Sir, the original Bill establishes a national authority to implement the provisions of the International Convention on Chemical Weapons. Organisation for the Prohibition of Chemical Weapons, OPCW, has 188 countries as member-states. I want to know from the Minister: How many countries have made legislation to fulfil the provisions contained in the International Convention?

Sir, this amendment Bill intends to give more powers to the Government. I support the international initiative to destroy the chemical weapons. As per the new decision of the OPCW, the final deadline for complete destruction of remaining chemical weapons was extended to 29th April 2012. Now, this is over. It was reported that India had completed its destruction of existing weapons in 2009 and it was also reported that our country still have some facilities for producing chemical weapons. I want to know the present status of it. Whether this report is correct or not?

Sir, I want to know one more point. What about the position of other countries to fulfil the commitment of International Convention? In January 2012, the United States of America finished destroying 20 per cent of the chemical weapons and two new chemical weapon production sites were under construction. The US Ambassador to this international forum had acknowledged that it will take as long as 2021 to finish destroying the final ten per cent of chemical weapons. Actually, the United States of America has used chemical weapons wherever, they needed. We have the experience of Vietnam War where they used 'Agent Orange' which contained one of the most virulent poisons known to man, a strain of dioxin called

TCCD. After three decades of that War, more than five lakh children have born with birth disabilities and defects. The US has also used these chemical weapons scenario for invasion. They alleged that Iraq had some Weapons of Mass Destruction and chemical weapons and created a situation for invasion into that country. I would not like to take more time on these details.

Sir, while coming to this amendment Bill, I have certain objections regarding the exemption of registration. It gives the Central Government more power to make registration mandatory subject to certain threshold limit which may be prescribed by the Government. Actually, this amendment Bill gives more power to the Executive and I suspect, it will open more avenues for corruption. That is the reality in our country. Wherever we fix some threshold limit, it would open more avenues for corruption to some bureaucrats.

Sir, several chemical companies would be free from compulsory registration. This would lead to dangerous situation. Chemical weapon is the simplest form in the Weapons of Mass Destruction. Anybody can produce a chemical weapon from materials which can be produced in small factories also. There are two types of chemical weapons, persistent and non-persistent. Some small factories can be used for producing these types of chemical materials which can be used for producing chemical weapons. These new criteria forcing a threshold limit would create several problems and it would lead to production of chemical weapons. It is a dangerous situation. I request the Minister to reconsider that amendment to prescribe a threshold limit. It would create a serious problem to the security of the country; to the security of the human being and also create more avenues for corruption to some officials. Sir, we have made several new Acts after the Bhopal gas tragedy. Before that we had no specific Act to get any compensation. Thereafter we have made several Acts for insurance and compensation. But now also the existing Acts are not sufficient to address these types of things. So, I request the Minister to revisit the entire legislation with regard to the chemical weapons and with regard to compensation issues whether it is sufficient to address the existing scenario in our country. I hope the Minister will consider this suggestion favourably; and withdraw that part of the amendment wherein he prescribed a threshold limit for the registration. Thank you.

SHRI D. BANDYOPADHYAY (West Bengal): Mr. Vice-Chairman, Sir, I rise to support the Chemical Weapons Convention (Amendment) Bill, 2010. I support this Bill because it fulfills our obligation to the international convention to which we were a signatory. If I read the convention, it says, "The Convention on the

[Shri D.Bandyopadhyay]

prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction...". The convention is not only for use or stockpiling, but also for destruction. So, we, as a nation. Believing in the principle of non-violence and take the initiative of unilaterally destroying our own chemical weapons which are available and set an example to the world? I am not saying that do not give up your ability to produce because if there is a threat, you have to produce, you can't help it. But can we take that unilateral action to destroy chemical weapons by taking Mahatma Gandhi and Nehruvian attitude on non-violence? While I fully support the Bill, I have some suspicion or fear that subject to such exemption etc., if we give exemption, could this lead to the leakage of dangerous chemical weapons to subversive elements, particularly the terrorists who are carrying on a proxy war, on behalf of somebody else, in our country? While I am fully supporting the empowerment of the Government to do so, I am totally against giving any exemption to anybody excepting direct Government functionaries or Government units which are involved in whatever activities they are. With these words, Sir, I support the Bill, but. I will urge India to take unilateral stand for destroying all chemical weapons.

THE VICE-CHAIRMAN (SHRI PRASANTA CHATTERJEE): Shrimati Vasanthi Stanley, not present. Next, Shri Baishnab Parida.

SHRI BAISHNAB PARIDA (Odisha): Mr. Vice-Chairman, Sir, I thank you for allowing me to say a few words in favour of the amendment of the Bill.

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) in the Chair]

Sir, India is one of the primary Signatories of the international convention to destroy chemical weapons from the face of the earth. India is one of the first countries which had ratified the convention and made legislation to destroy, control and to regulate the chemical weapons. After long years of international movement against arms race, the peace loving countries of the world took the decision to destroy and prevent further production of harmful weapons. Like atomic weapons and biological weapons, the chemical weapons are the most dangerous for the existence of humanity. Sir, in this Bill, the hon. Minister has tried to make stringent provisions to regularise the chemical industry in the country and to prevent and save the environment from its harmful effects. The formation of national authority to implement the provisions of the treaty is a positive step in this direction. Restriction of transfer of toxic chemicals and precursors listed in Schedule 2 is very practical. I

think it is desirable. Sir, I don't want to make a long speech, but for the interest of the country and to fulfil our promise to the international community, this Bill enhances the prestige of India as a peace loving country. Thank you.

SHRI SANJAY RAUT (Maharashtra): Mr. Vice-Chairman, Sir, I rise to support the Chemical Weapons Convention (Amendment) Bill, 2010. The Bill is long overdue in view of internal and external threats. In fact, the Bill was introduced in the Rajya Sabha in April, 2010. Then, it was referred to the Parliamentary Standing Committee on Chemicals and Fertilizers. The Bill seeks to amend the Chemical Weapons Convention Act, 2000, which was passed to give effect to the Convention on the prohibition of the development, production, stockpiling and use of chemical weapons, and on their destruction India signed the Convention in January, 1993. The Bill to amend the Act was introduced in the Lok Sabha, in April last, to bring the legislation in line with the international convention. The Standing Committee strongly felt that the threat perception, both internal and external, being faced by the country needs to be given due consideration. I think the Government has given a serious thought to incorporate in the proposed Bill suitable provisions for the safety and security of the country and its people in the event of a chemical warfare. But I want to know from the hon. Minister whether the Government has carried out or proposes to carry out a mock drill in any part of the country in case of a chemical warfare. The Government should enlighten the countrymen about the chemical war perception. I do not know whether RDX comes under the purview of this Bill. In recent years, we have seen terrorists using RDX to kill innocent people in the country. Even the sale of this type of chemical should be regulated. What about the gelatine sticks being used by the Naxals in some States? If it is not covered under the purview of the Bill, the hon. Minister may consider this also.

Sir, the Bill envisages the Government to appoint any of its officers as the authority to monitor and regulate production and transfer of those chemicals which could be used for dirty weapons. May I know what will be their qualification and experience? The Government should prescribe a heavy penalty for officers who would succumb to gratification in dealing with dirty weapons. The Government should also work in tandem with other countries for elimination of chemical weapons on the lines of nuclear arsenal.

With these words, I support the Bill. Thank you.

SHRI M. RAMA JOIS (Karnataka): Sir, the Statement of Objects and Reasons say, "The Convention on the Prohibition of the Development, Production,

[Shri M. Rama Jois]

Stockpiling and use of Chemical Weapons and on their Destruction was signed on behalf of the Government of India at Paris on the 14th day of January, 1993. The Chemical Weapons Convention Act, 2000, was enacted to give effect to the said Convention.” It is in conformity with the ancient wisdom. Sometimes, we always consider ‘Dharma’ means religion. But, it is not religion. Dharma means, for everything there is a code of conduct. When I wrote this Legal and Constitutional History between 1970 and 1982 *i.e.*, for 12 years, I found that there were war regulations. In that, it is stated,

“न कूटैरायुधैर्हन्याद्युध्यमानो रणे रिपून्।
न कर्षिभिर्नापि दिग्धैर्नाग्निज्वलिततेजसैः॥”
“एषोअनुपस्कृतः प्रोक्तो योधधर्मः सनातनः।”

(Manusmriti VIII 90 and 98)

These are the rules to be followed during wars and the human rights have to be given the highest importance. The meaning is, let not the king strike with concealed weapons nor weapons which are barred, poisoned—chemical weapons— or the points of which are blazing with fire. This is in the *Manu Smrithi* Even while engaging in war, we have to follow certain Dharma, rules and one should not use all these weapons. I think, the prohibition of use of chemicals weapons is in conformity with that principle of Dharma laid down in our war regulations. For instance, had the atomic bomb was not in the hands of the USA but if it was in the hands of India, we would not have bombed Hiroshima and Nagasaki, because our culture or Dharma does not permit destruction of human beings through such methods. So, the wisdom was found in our ancient regulations regarding chemicals, poisonous and blazing weapons. Thank you.

DR. NAJMA A. HEPTULLA (Madhya Pradesh): Sir, very ably one of our new Members of the House supported the Bill and spoke on every Clause of the Bill.

I only want to bring to the notice of the hon. Minister and the Government that the Bill is regarding chemicals weapons. But, Sir, we know that there are certain hazardous chemicals produced by many industries. For example, in Bhopal, when we had the horrendous gas tragedy on December 2-3, 1984, thousands of people died. One does not even know whether there were 10,000 or 20,000 or 50,000 deaths, because all the people in that particular area died. I remember it. I was here in the House as Deputy Chairman. I had a group of four young scientists working with me on various issues. Those four scientists went to Bhopal after the tragedy. The company was supposed to manufacture pesticides, but what kind of pesticides it

was manufacturing. I am saying this because the gas leak affected the people for generations. Now, I think, even the second generation of children might have been born. The affects are not that of Methyl Isocyanate gas about which people were talking about. The results were quite different. The affects were quite different. One wouldn't know; it could be some nerve gas being manufactured under the garb of manufacture of pesticides. So, I would like to know something from the hon. Minister. Of course, this Convention was not there at that time. (*Interruptions*) I will take only one minute. It is a serious matter, Sir. While the chemical weapons would be registered...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): The Minister has to go there; there is guillotine at 6 p.m.

DR. NAJMA A. HEPTULLA: I will take just one second, Sir. Now, under this Convention, the authority can inspect that.

THE VICE-CHAIRMAN (PROF. P. J. KURIEN): Madam, he has to go. We will just pass it.

DR. NAJMA A. HEPTULLA: I will put only one question to the Minister. Under the garb of manufacture of a non-hazardous material, they might be manufacturing a hazardous material which could be used as a chemical weapon. So, the Government should take upon itself this responsibility in respect of not only those factories which are registered under the Chemical Weapons Act but also those units which are manufacturing chemicals in other industries. You must have this provision. They could be testing those materials. People should know what really are they manufacturing, and whether they have got their registration done for the same purpose or not.

SHRI SRIKANT JENA: Sir, I thank all the hon. Members who have participated in this debate. This is a Bill amending the original Act. It was introduced in 2010. It went to the Standing Committee. The Standing Committee made certain recommendations. We adopted those recommendations of the Standing Committee and, accordingly, we have moved this.

Sir, I have taken note of the concerns expressed by hon. Members. This is an international obligation which we have to meet because, as has been rightly said, India is a signatory to this Convention. So, we are fulfilling those international obligations. I hope all the hon. Members will cooperate in the passage of this Bill.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, I put the motion to vote.
The question is:

“That the Bill to amend the Chemical Weapons Convention Act, 2000, be taken into consideration.”

The motion was adopted

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): We shall now take up Clause-by-Clause consideration of the Bill. Clause 2 stands part of the Bill. There is one Amendment (No. 3) by Shri Srikant Jena.

Clause 2—Amendment of Section 9

SHRI SRIKANT JENA: Sir, I move:

(No. 3) That at page 2, for lines 2 and 3, the following be **substituted**, namely:-

“Principal Act, in section 9, in sub-section (1),

(a) after the words “National Authority”, the words “or of the Central Government” shall be inserted;

(b) the following proviso shall be inserted, namely:-

“Provided that such officers shall fulfil the prescribed criteria.”

The question was put and the motion was adopted.

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

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, we shall take up Clause 3. There is one Amendment (No. 4) by Shri Srikant Jena.

Clause 3—Substitution of new section for section 16

SHRI SRIKANT JENA: Sir, I move:

(No. 4) That at page 2, line 7, after the words “**the Convention**”, the words “**or any person who is not a citizen of a State Party**” be **Inserted**.

The question was put and the motion was adopted.

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

Clause 4 was added to the Bill.

THE VICE-CHAIRMAN (PROF. PJ. KURIEN): Now, we shall take up Clause 5. There is one Amendment (No. 5) by Shri Srikant Jena.

Clause 5—Amendment of section 42

SHRI SRIKANT JENA: Sir, I move:

(No. 5) That at page 2, for lines 23 and 24, the following be **substituted**, namely:-

“5. In section 42 of the principal Act, for the words “any person”, the words “a State which is not a State Party or any person” shall be substituted.”

The question was put and the motion was adopted.

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

THE VICE-CHAIRMAN (PROF. PJ. KURIEN): Now, we shall take up Clause 6. There is one Amendment (No. 6) by Shri Srikant Jena.

Clause 6—Amendment of section 56

SHRI SRJKANT JENA: Sir, I move:

(No. 6) That at page 2, for lines 25 and 26, the following be **substituted**, namely:-

“6. In section 56 of the principal Act, in sub-section (2):-

(a) after clause (b), the following clause shall be substituted, namely:-

“(ba) the criteria which the officers are required to fulfil under sub-section (1) of section 9”;

(b) for clause (c), the following clause shall be substituted, namely:-”

The question was put and the motion was adopted.

Clause 6, as amended, was added to the Bill.

THE VICE-CHAIRMAN (PROF. PJ. KURIEN): Now, we shall take up Clause 1. There is one Amendment (No. 2) by Shri Srikant Jena.

Clause 1—Short title and commencement

SHRI SRIKANT JENA: Sir, I move:

(No. 2) That at page 1, line 3, for the figure “2010” the figure “2012” be **substituted**.

The question was put and the motion was adopted.

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

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): There is one Amendment (No. 1) to the Enacting Formula.

Enacting Formula

SHRI SRIKANT JENA: Sir, I move:

- (1) That at page 1, line 1, for the word “**Sixty-first**”, the word “**Sixty-third**” be **substituted**.

The question was put and the motion was adopted.

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

The Title was added to the Bill.

SHRI SRIKANT JENA: Sir, I move:

That the Bill, as amended, be passed.

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, the House stands adjourned till 11 a.m. tomorrow.

The House then adjourned at fifty-six minutes past five of the clock till eleven of the clock on Friday, the 4th May, 2012.
